



At a Glance

Catalyst for Improving the Environment

Why We Did This Review

Two members of Congress asked the Inspector General to review how the U.S. Environmental Protection Agency (EPA) handles requests under the Freedom of Information Act (FOIA). They were particularly interested in whether and, if so, the extent to which political appointees are made aware of information requests and have a role in request reviews or decisionmaking.

Background

FOIA gives the public the right to ask for records possessed by federal government agencies. Under EPA regulations, the head of an office, or that individual's designee, is authorized to grant or deny any request for EPA records. The heads of EPA's 23 major offices are political appointees.

For further information, contact our Office of Congressional, Public Affairs and Management at (202) 566-2391.

The full report is at:
www.epa.gov/oig/reports/2011/20110110-11-P-0063.pdf

Congressionally Requested Inquiry Into EPA's Handling of Freedom of Information Act Requests

What We Found

We concluded that EPA does not have a process to filter FOIA requests by political appointees. EPA policy permits releasing information at the lowest practicable level. Generally, political appointees are not involved in deciding FOIA requests, unless there is denial of information. We found exceptions, but political appointees were usually involved only to sign denials or partial denials. FOIA coordinators provided regular status reports on the processing of FOIA requests to managers at various levels within the office. In 3 of the 11 offices we reviewed, those managers were political appointees. However, none of the offices required routine review of FOIA requests by a political appointee.

In response to comments from EPA staff on the draft report, we made some minor wording changes.