



U.S. GOVERNMENT PUBLISHING OFFICE

OFFICE OF INSPECTOR GENERAL

732 North Capitol Street NW
Washington, DC 20401-0050

September 3, 2015

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
U.S. Senate
340 Dirksen Senate Office Building
Washington, DC 20510

Via Electronic Transmission

Dear Chairmen Johnson:

Thank you for your June 23, 2015, letter requesting that the Government Publishing Office (GPO) Office of Inspector General (OIG) review the involvement of non-career¹ officials in the Agency's Freedom of Information Act, or FOIA (section 552, title 5, United States Code, as amended) response process. Specifically, you expressed concern about instances where non-career officials may unduly influence the FOIA response process, citing media reports of specific cases at the Department of State and Department of Homeland Security.

Overall, GPO is not subject to FOIA. FOIA provides individuals a statutory right to Government information in executive branch agency records. FOIA does not provide access to records of Congress or agencies supporting Congress.

While not subject to FOIA, GPO does, however, allow for release to the public information and records through policy. That policy requires that GPO's General Counsel address public inquiries of information or records. The policy also requires that:

- Only the Chief Communications Officer can release information or records requested by White House representatives, Congress, congressional committees, or the news media.
- The Chief Human Capital Officer must ensure that the release of information or records from Official Personnel Folders is in accordance with applicable Federal regulations.

¹ Non-career officials are defined for the purposes of this correspondence as all political appointees.

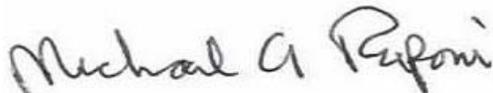
- Information or records requiring release in connection with the normal operations of a service/department or division is the responsibility of the head of the service/department.

The policy² does not include a role for a non-career official to review and/or approve release of information and records requests and responses.

Prior to March 2013, GPO policy required involvement of a non-career official. The directive³ in effect at the time stated that release of information or records requested by White House representatives, Congress, congressional committees, or news media such as newspapers, magazines, industry, and trade association publications, radio, and television were made only in accordance with special delegations of authority from the Director (formerly the Public Printer).

We appreciate the oversight and welcome the opportunity to provide you with any additional information or clarification you may need. Should you need any other information, please do not hesitate to contact me at (202) 512-0039.

Respectfully submitted,



Michael A. Raponi
Inspector General

cc: The Honorable Thomas R. Carper
Ranking Member

² Directive 905.3B, Public Access to GPO Information and Records, dated March 22, 2013.

³ GPO Instruction 905.3A, *Policy and Procedure Concerning Public Access to Information and Records of the Government Printing Office*, dated June 15, 1982.