



DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF INSPECTOR GENERAL

WASHINGTON, DC 20201



Case No. 2013-0428-SS

Freedom of Information Act Office
Cohen Bldg, Room 1062
330 Independence Ave., SW
Washington DC 20201

June 3, 2013

Mr. Allan Blutstein
Cause of Action
1919 Pennsylvania Ave NW
Washington, DC 20006-3400

Dear Mr. Blutstein:

This letter is in response to the May 30, 2013 Freedom of Information Act (FOIA) request you submitted to the Department of Health and Human Services (DHHS), Office of Inspector General (OIG), requesting a copy of the OIG's response to a letter from Senator Charles Grassley and Representative Darrell Issa asking the Inspector General to review whether political appointees were made aware of FOIA requests and played decision-making roles in those requests.

This office located two (2) pages of records responsive to your request. They are enclosed with no deletions.

There is no charge for FOIA services in this instance because billable fees are under the Department's \$25 cost effective threshold.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Sincerely,

Robin R. Brooks
Director
Freedom of Information



FEB 24 2011

The Honorable Charles E. Grassley
Ranking Member, Senate Judiciary Committee
United States Senate
Washington, DC 20510

Dear Senator Grassley:

I am writing in response to your letter dated August 23, 2010, requesting that the Department of Health & Human Services' (HHS) Office of Inspector General (OIG) conduct an inquiry into HHS's Freedom of Information Act (FOIA) office to determine whether, and if so, to what extent political appointees (1) are made aware of information requests and (2) have a role in request reviews or decisionmaking.

In response to your request, OIG conducted a survey of the 13 FOIA offices within HHS. With regard to whether political appointees are made aware of information requests, none of the 13 FOIA offices reported routinely distributing copies of FOIA requests to political appointees.

With regard to whether political appointees have a role in request reviews or decisionmaking, 11 of 13 FOIA offices reported that political appointees do not have a role in request reviews or decisionmaking. Two FOIA offices reported that political appointees may have a role in request reviews. Specifically, one office reported that political appointees may have access to the request, depending on the issue, but that the decisionmaking is ordinarily made by the FOIA officer (a nonpolitical appointee). The other office reported that FOIA requests are typically reviewed by a political appointee. He or she can recommend that information be released or withheld, but the decision is made by the FOIA officer (a nonpolitical appointee).

We are sending an identical letter to the Honorable Darrell Issa. If you have any questions regarding this work, please contact me, or your staff may call Chris Hinkle, Director of Congressional and Regulatory Affairs, at (202) 401-2206.

Sincerely,

A handwritten signature in cursive script that reads "Daniel R. Levinson".

Daniel R. Levinson
Inspector General



FEB 24 2011

The Honorable Darrell Issa
Chairman, Committee on Oversight
and Government Reform
U.S. House of Representatives
Washington, DC 20510

Dear Mr. Chairman:

I am writing in response to your letter dated August 23, 2010, requesting that the Department of Health & Human Services' (HHS) Office of Inspector General (OIG) conduct an inquiry into HHS's Freedom of Information Act (FOIA) office to determine whether, and if so, to what extent political appointees (1) are made aware of information requests and (2) have a role in request reviews or decisionmaking.

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Daniel R. Levinson
Inspector General