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Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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STAFF DIRECTOR

June 7, 2013

Ms. Melanie Ann Pustay
Director, Office of Information Policy
U.S. Department of Justice
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530

Dear Ms. Pustay:

On February 4, 2013, we sent you a letter seeking information about the Office of Information Policy's role in overseeing agency compliance with the Freedom of Information Act.¹ The letter requested OIP's response to 23 questions concerning FOIA issues including outdated FOIA regulations, improper fee assessments, excessive use of exemptions, backlogged requests, proactive disclosure of information, and the use of dispute resolution services. These areas are of great concern to the Committee.

Four months after sending our letter, we have not received a written response. We appreciate that you arranged a staff briefing as we requested in our February letter. However, the briefing provided little in the way of substantive responses to the Committee's questions. The letter requested that you provide a written response by February 22, 2013. Your failure to respond to the Committee's inquiry on such an important matter is extremely disappointing. Proper oversight of FOIA is purportedly the primary mission of your office. According to OIP's website, it is "responsible for encouraging agency compliance with [FOIA] and for ensuring that the President's FOIA Memorandum and the Attorney General's FOIA Guidelines are fully implemented across the government."² Despite this statement, your office has failed to comply with the Committee's request to learn how OIP encourages that compliance and its actions to resolve significant problems in FOIA across government.

The Committee requests that you provide a written response to its February 4, 2013, letter no later than June 17, 2013. The Committee also requests that you provide an explanation of your failure to respond to its letter for over four months. When producing documents to the

¹ Committee on Oversight and Government Reform, letter to Ms. Melanie Ann Pustay, Office of Information Policy, Department of Justice, February 4, 2013. Available at: <http://oversight.house.gov/wp-content/uploads/2013/02/2013-02-04-DEI-EEC-to-Pustay-re-FOIA.pdf>.

² Department of Justice Office of Information Policy, "About the Office." Available at: <http://www.justice.gov/oip/about-us.html>.

Ms. Melanie Ann Pustay

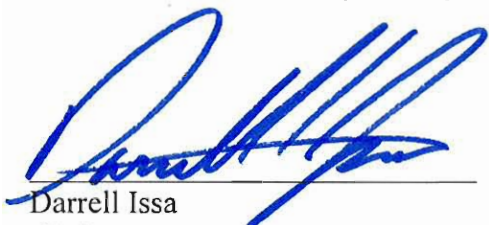
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Committee, please deliver separate production sets to both the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X. The Committee also has principal jurisdiction of FOIA in the House of Representatives.

If you have any questions regarding any aspect of this request, please contact Tegan Millspaw of the Majority Committee staff at Tegan.Millspaw@mail.house.gov or (202) 225-5074 and Krista Boyd of the Minority Committee staff at Krista.Boyd@mail.house.gov or (202) 225-5051. Thank you for your attention to this matter.



Darrell Issa
Chairman

Sincerely,



Elijah E. Cummings
Ranking Member