

American Lawyer Media  
 Attn: Michael Ravnitzky  
 1730 M Street N.W. Suite 802  
 Washington, DC 20036  
 tel: 202-828-0328 fax: 202-457-0718 email: mjr@amlaw.com

February 4, 2002

Social Security Administration  
 Office of Inspector General  
 attn: Inspector General's Freedom of Information Act Officer  
 telephone 410-966-8385  
 fax: 410-966-9201

### FREEDOM OF INFORMATION ACT REQUEST

Dear Sir or Madam:

Pursuant to the FOIA, we hereby request a copy of the following records:

1) "Access to Information" Reports for the past 10 years. The IG is to be provided with ready access to all agency records, information or assistance when conducting an investigation or audit. Section 6(b)(2) of the IG Act requires the IG to report to the agency head, without delay, if the IG believes that access to required information, records or assistance has been unreasonably refused, or otherwise has not been provided. We request a copy of any such reports during the past 10 years. We do not consider the summaries of such reports provided in the semi-annual reports to be sufficient for this purpose.

2) A copy of the log, or list, of IG investigations (not audits) in your office for the time period 1995 to the present.

3) A copy of each close-out and/or summary memo for each investigation completed or closed in the years 1998, 1999, 2000, 2001 and 2002. You may interpret the word "years" to mean either fiscal year or calendar year, at your option, whichever is more administratively convenient. If this will result in retrieving more than 400 pages of material, you may limit the request to the most recent years that will result in less than 400 pages, or call me at 202-828-0328 to narrow the scope.

Please release all segregable portions of these records, down to the sentence and word by word level.

American Lawyer Media is a national news organization, publishers of Legal Times, American Lawyer, the National Law Journal and other publishers, and this request is submitted for newsgathering purposes. This request should be processed in the fee category "representatives of the news media" for fee assessment purposes.

Although we agree to pay up to \$40 for costs associated with this request, we also request a partial or full fee waiver.

Under the provisions of the Freedom of Information Act, documents will be furnished without charge or at a reduced charge if the official having initial denial authority determines that disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requestor. Factors considered to determine whether a waiver or reduction of fees will be granted include:

(1) Whether the subject matter of the requested records concerns the operations or activities of the Federal government;

In this case, the IG access to information reports, the IG investigations log, and the IG investigations close out memos clearly concern the operations or activities of the Federal government. Per the Inspector General Act of 1978, as amended, the Inspector General's mission is to: Conduct independent and objective audits, investigations and inspections, Prevent and detect waste, fraud and abuse, Promote economy, effectiveness and efficiency, Review pending legislation and regulation, and Keep the agency head and Congress fully and currently informed. All of these functions closely implicate federal government operations and activities.

(2) Whether the disclosure is likely to contribute to an understanding of Federal government operations or activities;

The disclosure is likely to contribute to an understanding of Federal government operations or activities because the types of investigations undertaken by the Inspector General specifically and by definition address proper or improper activities that occur within a federal government agency.

(3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons;

The disclosure of this information will contribute to an understanding of the public at large because the requester is the representative of the news media, and we publish a number of newspapers and magazines that cover issues associated with agency functions. In particular, Legal Times and The National Law Journal specifically cover federal government agency activities. American Lawyer and Corporate Counsel cover matters of interest to the legal community, including the type of investigations undertaken by the IG.

(4) Whether the contribution to public understanding of Federal government operations or activities will be significant;

Contribution to public understanding will be significant because these records have not before generally been made public. Although audit reports have been made public, and although a summary of access to information reports have occasionally become public, and although sometimes investigations are referred on, in general the scope of IG's investigatory activity is relatively unknown. Release of these documents will help illustrate a true and unfiltered perspective of the IG's work.

(5) Whether the requestor has a commercial interest that would be furthered by the requested disclosure; and

In this instance, although any news media organization has a commercial interest, the commercial interest of a news media entity is considered nominal or nil by definition, because the news media entity's essential purpose and purpose is to inform the public.

(6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure that disclosure is primarily in the commercial interest of the requestor.

The public interest in this material outweighs the nominal or nil commercial interest associated with a news media organization.

For these reasons, your office should grant a fee waiver in full in this instance.

Sincerely,



Michael Ravnitzky  
Director of Database & Computer-Assisted Reporting