OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

June 13, 2024

Via electronic mail
[redacted]

Re: FOIA Request for Review – 2024 PAC 81723

Dear [redacted]

This determination is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA).[1] For the reasons explained below, this office has determined that no further action is warranted in this matter.

On June 5, 2024, you e-mailed a FOIA request to the U.S. Department of Interior (Department). On June 6, 2024, the Department informed you that it could not accept FOIA requests via e-mail. Later that day, this office received your Request for Review contesting the Department's refusal to accept your e-mailed FOIA request.

Please note that the Public Access Counselor's authority is limited to reviewing public bodies' denials of requests for information under the Illinois Freedom of Information Act.[2] Section 2(a) of Illinois FOIA[3] defines a "public body" as:

> [A]ll legislative, executive, administrative, or advisory bodies **of the State**, state universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees, or

[1]5 ILCS 140/9.5(c) (West 2022), as amended by Public Act 103-069, effective January 1, 2024.

[2]5 ILCS 140/1 *et seq.* (West 2022); 5 ILCS 140/9.5(a) (West 2022), as amended by Public Act 103-069, effective January 1, 2024.

[3]5 ILCS 140/2(a) (West 2022), as amended by Public Act 103-554, effective January 1, 2024.

> commissions **of this State**, any subsidiary bodies of any of the foregoing[.] (Emphasis added.)

The plain language of this definition limits the application of Illinois FOIA to State and local governmental entities of the State of Illinois. The Department is a part of the federal government rather than a government entity of the State of Illinois. The Department is therefore not a "public body" subject to the requirements of Illinois FOIA. Accordingly, we are unable to assist you in this matter and will take no further action.

This file is closed. Please contact the Public Access Bureau at the Springfield address on the first page of this letter if you have questions.

Very truly yours,

[redacted]

VICTORIA FRAZIER
Assistant Attorney General
Public Access Bureau

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