



June 13, 2022

The Honorable Michael Regan  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Washington, DC 20460  
regan.michael@epa.gov

**Re: Urgent Call on the Environmental Protection Agency to Not Sunset its Online Archive**

Dear Administrator Regan,

We write on behalf of the Environmental Data & Governance Initiative (EDGI) and the other undersigned organizations to oppose EPA's apparent plan to sunset its online archive in July 2022. While we understand that providing a public archive of many of the historical resources currently in EPA's online archive is voluntary, the removal of this information constitutes a backwards step in the agency's commitment to public trust, scientific integrity, and environmental justice. It reduces the public's ability to access important information about critical environmental issues, as well as past and present agency activities, policies, and priorities.

In a healthy democracy, the public needs to be able to trust information disseminated by its government. In the 21st century, websites are a primary way that federal agencies communicate with the public, and so the accuracy, accessibility, and transparency of information on federal agency websites matters. It is alarming, then, that the EPA plans to remove its online archive as this archive constitutes an important, albeit incomplete, public record of the agency's positions and activities over the last 20+ years.

**The EPA Archive is a Critical Public Resource**

The online EPA archive is a critical public resource. It hosts digital resources dating back to the 1990s, and these records allow for activities ranging from historical research to

democratic oversight. There are documents discoverable through the archive that are not available anywhere else, such as records of the authorization of various chemicals, monitoring data from natural disasters, and resources regarding past or proposed policies. Only through the EPA archive is it possible to trace public-facing EPA climate change information over the course of the escalating crisis, from the Clinton-era “Global Warming” website to the Obama-era “Climate Change” website.

Some resources in the archive are hosted in other repositories such as regulations.gov, but are more easily discoverable through keyword searches in the EPA archive. For example, the EPA archive is the most accessible source of information regarding the evolution of regulations for key toxins, such as the Clean Air Mercury Rule and the Mercury and Air Toxics Standards, as well as EPA’s evolving approach to protecting wetlands.

The EPA archive also served as a critical source of information and lifeline for civic engagement when informational resources were suppressed on the main EPA website during the Trump administration and transferred to the archive, such as the Clean Power Plan (CPP) resources in the months before the proposal to repeal the CPP. EDGI recently used the archived CCP webpages that were suppressed in an educational workshop to teach undergraduate students about the importance of federal website governance in a participatory democracy.

While the EPA archive is far from perfect, it has facilitated public engagement and oversight and could be updated to be a model of more transparent and effective website governance. Moreover, maintaining and improving the archive would support the agency’s outspoken commitments to scientific integrity and environmental justice, both of which pivot upon the agency’s commitments to transparency, accessibility, and democratic oversight.

### **The Decision Lacks Transparency**

The decision to sunset the EPA archive is itself evidence of the need for more transparent and effective governance of federal web resources. There were no public explanations or commenting period regarding this decision, and the links to further information on the “Web Standard: Archive” webpage are to URLs that deny access to the public (403 error). Information requests by our organization remain unanswered.

In [an article in \*The Verge\*](#), the EPA provides reasons supporting its decision to sunset its archive. One is that the infrastructure on which the archive is built is outdated. We

appreciate the diligence and the care provided in updating the main EPA website to a more modern content management system, but it is unclear why the archive could not also be updated. We recognize that the EPA is substantially underfunded at the moment, but it would, at a minimum, be better to retain an archive based on outdated infrastructure than to remove public access to these resources entirely. Additionally, in the *Verge* article the EPA stated that official records removed from the archive would continue to be available through the Freedom of Information Act process. While we appreciate the degree of transparency the FOIA can provide, this process is by no means an open and accessible one. FOIAs require a level of pre-existing knowledge that much of the public doesn't have (it is challenging to file a FOIA for something you don't know exists), the arduous process of filing and then processing materials received through FOIA requests is itself a barrier to access, and the FOIA process has shortcomings when it comes to scientific materials in particular, which are beyond the scope of this letter.

Overall, the lack of transparency in the decision to sunset the EPA's archive is at odds with EPA's commitment to openness. This decision runs counter to the ethics and values embraced by entities such as the [Society of American Archivists](#). Further, it leaves the public and the federal government dependent upon third-party non-governmental organizations that are not operating pursuant to federal data integrity and provenance policies to provide public archives of federally published information. Sunsetting the EPA archive does not appear to be in the best interest of the public nor the agency.

### **Improvements to the Archive**

We understand that maintenance of a comprehensive archive of EPA's digital materials is voluntary and entails some costs. Yet this needs to be considered alongside the agency's commitment to public trust, scientific transparency, and environmental justice. Instead of doing away with the EPA archive, the Biden administration should promote it as a model for other parts of the Executive Branch.

In our digital age, agencies must make their documents and records quickly, thoroughly, and durably accessible to the public. We need the EPA's archive to be improved, not retired. It should link to archived historical content from the main website and to archived pages from defunct URLs. The search function should be improved to retrieve relevant results first and search within date ranges. Archiving material should be required, not discretionary. Agencies' [Title 44 obligations](#) must be modernized for the 21st century, with digital materials included alongside paper records, and EPA should coordinate its online archive with the Government Publishing Office, Library of Congress, and the National

Archives and Records Administration. Implementing these upgrades could facilitate democratic oversight and the rebuilding of public trust in the agency, while removing the archive undermines both. Thank you for considering our views.

Respectfully signed by the following organizations,

Council on Library and Information Resources  
Environmental Data and Governance Initiative  
FracTracker Alliance  
Free Government Information  
Government Accountability Project  
Government Information Watch  
Government Records Section Steering Committee, Society of American Archivists  
Internet Archive  
Lakehead University Archives  
Metadata and Digital Objects Section, Society of American Archivists  
Northwest Progressive Institute  
Open The Government  
Pratt Institute  
Public Employees for Environmental Responsibility  
Sierra Club  
Southern Environmental Law Center  
Southern Oregon University's Hannon Library  
Texas State University Albert B. Alkek Library  
The Digital Democracy Project  
Union of Concerned Scientists  
University of Southern California Libraries

Also please see this growing list of individuals and organizations who express their agreement with the requests made in this letter: <https://tinyurl.com/htzz5su5>.