



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
INSPECTOR GENERAL

May 15, 2020

Ms. Eden Tadesse  
Citizens for Responsibility and Ethics in Washington  
1101 K Street NW, Suite 201  
Washington, D.C. 20005

Re: Freedom of Information Act Request (EPA-2020-004278) – Interim Response #1

Dear Ms. Tadesse:

This letter concerns your Freedom of Information Act request to the Environmental Protection Agency Office of Inspector General dated April 21, 2020, seeking disclosure of certain information related to the appointment of EPA Inspector General Sean O’Donnell to serve as the Acting IG for the Department of Defense. On April 30, 2020, CREW clarified its request with the EPA OIG FOIA Office to include two email searches of identified custodians and keywords (Parts 1 and 2 of the request), and a search for “all delegations of authority by an EPA IG to any other officer or employee that was in effect at any time from March 30, 2020, including the OIG rotation plan” (Part 3 of the request). The EPA OIG has determined it has no records responsive to Part 1 of your request, and is now releasing records in response to Part 3 of your request. Please note that this is an interim response, and the EPA OIG continues to work on Part 2 of your request.

After a thorough search based on the information agreed to during the April 30, 2020 call between CREW and the EPA OIG FOIA Office, the OIG has determined that we have no records that are responsive to Part 1 of your request seeking “all emails from March 30, 2020 to April 13, 2020 between anyone with containing the domain “\*.eop.gov” and any of the following custodians regarding the appointment of Sean O’Donnell to serve as Acting IG for the Department of Defense: Sean O’Donnell (Inspector General), Charles Sheehan (Deputy IG), Edward Shields (Associate Deputy IG), Benjamin May (Special Counsel to the IG), Stephanie Wright (Acting Assistant IG for Management), Erica Kavanagh (Acting Associate Deputy AIG for Management).”

Documents responsive to Part 3 of your request are available for download via FOIAonline by searching for your request tracking number at <https://foiaonline.gov>. These records include all delegations of authority by an EPA Inspector General to any other officer or employee that were in effect through April 30, 2020.

The EPA OIG continues to review for records that may be responsive to Part 2 of your request, which includes emails between the senior leadership of the EPA OIG containing the keywords “Department of Defense” “DoD” “Acting Inspector General” “Acting IG” or “appoint!” as it relates to the appointment

of the EPA Inspector General as the Acting IG for the Department of Defense. We will provide another update by May 29, 2020.

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.

Again, your request is not being closed at this time. When your request is closed, you will receive information concerning your appeal rights for any part of the EPA OIG's response. If you have any questions about this interim production or your request generally please contact me at (202) 566-1512 or [oitg\\_foia@epa.gov](mailto:oitg_foia@epa.gov).

Additionally, you may seek dispute resolution services from either the EPA FOIA Public Liaison ([hq.foia@epa.gov](mailto:hq.foia@epa.gov); 202-566-1667) or the Office of Government Information Services (OGIS). OGIS serves as a bridge between FOIA requesters and agencies and can be reached by email at [ogis@nara.gov](mailto:ogis@nara.gov), by phone at 1-877-684-6448, or by fax at (202) 741-5769.

Sincerely,

Scott Levine  
Associate Counsel & OIG FOIA Officer

Enclosures via FOIAonline