



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

MAR 15 2013

OFFICE OF THE
EXECUTIVE SECRETARIAT

Mr. Christopher C. Horner
Senior Fellow
Center for Energy and Environment
Competitive Enterprise Institute
1899 L Street, NW, 12th Floor
Washington, D.C. 20036

Re: Freedom of Information Act Request HQ-FOI-01268-12, *Competitive Enterprise Institute v. EPA*,
C.A. No. 1:12-cv-01617

Dear Mr. Horner:

Enclosed is part one of the third set of documents responsive to your Freedom of Information Act request, HQ-FOI-01268-12. This third release consists of emails received or sent through former Administrator Lisa P. Jackson's secondary account that include at least one of the words specified in your request. The U.S. Environmental Protection Agency will provide the remaining records from the processing of approximately 3,000 records no later than close of business March 19, 2013.

As you are aware, Administrator Jackson used a secondary email account to conduct EPA business. This account was established for practical purposes, and its contents are maintained in accordance with federal recordkeeping guidelines and are searched in response to all FOIA, discovery and other legally required information requests.

Consistent with past practice, the name on this account had been redacted in the first release and marked *Administrator* to preserve the utility of the email account and to clearly identify the records as being to or from the Administrator. As we did in our second release to you in February, we are no longer redacting the name on the account because Administrator Jackson's departure from the agency has obviated the need to protect her secondary account from an impractical volume of email.

This correspondence does not constitute a final agency response to your FOIA request. Should you have any questions concerning this letter, please contact Beth Stratton, Special Assistant U.S. Attorney, at (202) 514-7151.

Sincerely,

A handwritten signature in black ink, appearing to read "E. E. Wachter". The signature is fluid and cursive, with a large loop at the end.

Eric E. Wachter
Director

Enclosure

cc: Ms. Beth Stratton, Special Assistant U.S. Attorney