



March 14, 2025

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, as amended, Public Employees for Environmental Responsibility (PEER), requests certain information and communications from the U.S. Environmental Protection Agency (EPA) regarding recent comments about EPA's staff.

On February 26, 2025, President Trump made the following statement:

"I spoke with Lee Zeldin, and he thinks he's going to be cutting 65 or so percent of the people from Environmental, and we're going to speed up the process, too, at the same time. He had a lot of people that weren't doing their job — they were just obstructionists — and a lot of people that didn't exist, I guess, Lee, too. You found a lot of empty spots that the people weren't there. They didn't exist."

Request

PEER requests the following records, between January 20, 2025 – March 14, 2025:

1. Any documents, including but not limited to, emails, memos, spreadsheets, texts, letters, notes, and Microsoft Teams chats, that show EPA employees who "weren't doing their jobs";
2. Any documents, including but not limited to, emails, memos, spreadsheets, texts, letters, notes, and Microsoft Teams chats, that show EPA employees who "were obstructionists";
3. Any documents, including but not limited to, emails, memos, spreadsheets, texts, letters, notes, and Microsoft Teams chats, that show EPA employees who "weren't there";
4. Any documents, including but not limited to, emails, memos, spreadsheets, texts, letters, notes, and Microsoft Teams chats, that show EPA employees who "didn't exist";
5. Any documents, including but not limited to, emails, memos, spreadsheets, texts, letters, notes, and Microsoft Teams chats, that show EPA employees who have "been working for other companies or other entities...while being paid by the United States government";
6. Any documents, including but not limited to, emails, memos, spreadsheets, texts, letters, notes, and Microsoft Teams chats, that discuss the removal of the public facing EPA Staff Locator, the reasons for its removal, who made the decision to remove it; and

7. Any documents, including but not limited to, emails, memos, spreadsheets, texts, letters, notes, and Microsoft Teams chats, that discuss how the EPA Staff Locator is "redundant" and/or "inefficient."

If the above request is unclear, result in an abnormally large number of results, or otherwise impracticable please contact the requester to provide clarification or narrow the scope of the request accordingly.

Scope of Request

To protect individual employees, PEER does not seek the full names or other personally identifying information of employees named in responsive documents if it would unreasonably infringe upon their personal privacy. All such personally-identifiable information can be redacted as appropriate, so long as complete records are still provided.

Form of Records

Under FOIA, you are obligated to provide records in a readily-accessible electronic format and in the format requested. 5 U.S.C. § 552(a)(3)(B) ("In making any record available to a person under this paragraph, an agency shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format.").

This request includes all final documents that have ever been within the agency's custody or control, whether they exist in agency "working," investigative, retired, electronic mail, or other files. All electronic records should be delivered in their original file format with original metadata and any attachments included. Physical records should be scanned or otherwise converted into electronic format.

For electronic records, please provide all records in their native file formats (i.e. not converted to PDF) with all metadata included, and for records such as emails which have files embedded or attached, please provide all attachments in their native formats. If records can only be produced as PDFs, we request all records be text searchable and OCR formatted.

Additionally, please provide the records either in (1) load-ready format with a CSV file index or excel spreadsheet, or, if that is not possible; (2) in .pdf format, without any "portfolios" or "embedded files." Portfolios and embedded files within files are not readily-accessible. Please do not provide the records in a single, or "batched," .pdf file.

Withholdings and Exemptions

For any documents or portions of documents that you block release due to specific exemption(s) from the requirements of the Freedom of Information Act, please provide an index itemizing and describing the documents or portions of documents withheld. The index should, pursuant to the holding of Vaughn v. Rosen (484 F.2d 820 [D.C. Cir. 1973] cert. denied, 415 U.S. 977 [1974]), provide a detailed justification for claiming a particular exemption that explains why each such exemption applies to the document or portion of a document withheld.

Fee Waiver Request

PEER requests that all fees be waived because “disclosure of the information is in the public interest . . . and is not primarily in the commercial interest of the requestor” (5 U.S.C. § 552 (a)(4)(A)):

1. The records concern the operations or activities of the Government.

The FOIA request is, by its terms, limited to identifiable documents and communications in EPA’s possession that would substantiate claims made by the President about the functionality of the EPA, should they exist.

2. The disclosure of the requested records is likely to contribute to public understanding of these operations or activities.

If the public sees these materials, it will help enhance their understanding of staffing changes to come, should these materials exist. EPA handles issues related to public health and the environment; issues that directly affect the public. Therefore, the public has an interest in any resource changes to the agency.

3. The release of these requested records will contribute significantly to public understanding of the governmental activities.

The nature of the information should inform the public about EPA staffing changes.

PEER intends to provide the requested information to members of Congress and its relevant committees. We also intend to disseminate it to the general public through —

- Release to the news media;
- Posting on the PEER web page which draws 5,000-7,000 unique visitors per month; and
- Publication in the PEER newsletter that has a circulation of approximately 20,000, including 1,500 journalists.

Through these methods, PEER generates an average of 1.5 mainstream news articles per day.

4. Disclosure would not serve a commercial interest of the requestor.

Disclosure is in no way connected with any commercial interest of the requestors in that PEER is a nonprofit, nonpartisan public interest organization concerned with upholding the public trust through responsible management of our nation’s resources and with supporting professional integrity within public land management and pollution control agencies. To that end, PEER is designated as a tax-exempt organization under section 501 (c)(3) of the Internal Revenue code.

Please Request any Necessary Clarification or Narrowed Scope

If in the process of conducting a search for records responsive to this request it appears that a large quantity of irrelevant material is being included or further relevant material may not be

captured by the specific terms of the request, or any other concerns related to the timeliness or completeness of the response arise, please contact the undersigned at czimmerman@peer.org or (202) 464-2293.

In the event an exceptionally voluminous or complex set of potentially responsive records requires review, please advise us of the need to make rolling productions and a schedule on which PEER's request can be fully answered. We look forward to receiving the agency's final response within 20 working days.

Thank You,

/s/ Colleen Zimmerman
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