Mr. Scott Amey  
Project on Government Oversight  
666 11th Street NW, Suite 500  
Washington, DC 20001

SUBJECT: OIG Freedom of Information Act Request No. 2014-032  
FEMA FOIA Request No. 10-627 (2013-FEFO-0056)  
Final Response

Dear Mr. Amey:

This responds to your Freedom of Information Act (FOIA) request to the Federal Emergency Management Agency (FEMA), dated August 31, 2006, and seeking: (1) communications, including, but not limited to reports, letters, memoranda, and e-mails written from and to Daniel A. Craig, former Director of the Recovery Division, and any employee or agent of the Shaw, Fluor, Bechtel and CH2M Hill pertaining to the contracts mentioned above; (2) communications, including, but not limited to reports, letters, memoranda, and e-mails written from and to Daniel A. Craig, former Director of the Recovery Division, and any employee or agent of the Shaw, Fluor, Bechtel and CH2M Hill pertaining to post-government employment; (3) records pertaining to Mr. Craig’s resignation from FEMA; and (4) records pertaining to all conflicts of interest and ethics statutes and regulations (including all recusal and disqualification statements, exit plans, advisory opinions, and like ethics opinions) for Mr. Craig. FEMA referred 39 pages of records to the Department of Homeland Security (DHS) Office of Inspector General (OIG) for processing and direct response to you. DHS-OIG received that referral on December 4, 2013, and assigned it the above-referenced tracking number.

The referred records pertain to an investigation of a third party. Records pertaining to a third party generally cannot be released absent express authorization and consent of the third party, proof that the subject of the request is deceased, or a clear demonstration that the public interest in disclosure outweighs the personal privacy interest and significant public benefit would result from the disclosure of the requested records. You have not furnished any of the above-referenced items. As such, DHS-OIG is invoking Exemptions (b)(6) and (b)(7)(C) of the FOIA, 5 U.S.C. § 552, to categorically withhold these records.
Should you obtain the written authorization and consent of the third parties referenced in this report for release of the records, please submit a new request for the documents accompanied by a completed copy of the attached Certification of Identity form and third party release. Please send any such new request with the requisite authorization and consent to: DHS/OIG Office of Counsel; FOIA/PA Unit; Stop 0305; 245 Murray Lane, SW; Washington, DC 20528-0305, or FOIA.OIG@oig.dhs.gov.

This is our final action on the above-referenced request. You have the right to appeal this response. Your appeal must be in writing and received within 60 days of the date of this response. Please address any appeal to:

FOIA/PA Appeals Unit  
DHS-OIG Office of Counsel  
STOP 0305  
245 Murray Lane, SW  
Washington, DC 20528-0305

Both the envelope and letter of appeal must be clearly marked, “Freedom of Information Act/Privacy Act Appeal.” Your appeal letter must also clearly identify the OIG’s response. Additional information on submitting an appeal is set forth in the Department of Homeland Security regulations at 6 C.F.R. § 5.9. If you have any questions about this response, please contact me at 202-400-8953, or Kirsten.Tea1@oig.dhs.gov.

Sincerely,

/Kirsten.V.Tea\%

Kirsten V. Teal  
FOIA/PA Disclosure Specialist

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1 For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of 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.