



UNITED STATES DEPARTMENT OF COMMERCE
Assistant Secretary for Legislative
and Intergovernmental Affairs
Washington, D.C. 20230

July 8, 2020

The Honorable Eddie Bernice Johnson
United States House of Representatives
Washington, D.C. 20515

Dear Congresswoman Johnson:

Thank you for your letter regarding the Inspector General's report entitled *Evaluation of NOAA's September 6, 2019, Statement About Hurricane Dorian Forecasts (OIG-20-032-I)*. The Department of Commerce and NOAA have fully cooperated with the Department's Office of Inspector General (OIG) throughout the entirety of the OIG's investigation and review of privileged materials and is in no way impeding the OIG from releasing its report.

The OIG has had full access to Department and NOAA IT systems. That access included access to records, email messages and text messages for use in its evaluation, including information protected by the deliberative process and presidential communications privileges. The Department and NOAA have complied with all deadlines. The Department provided the OIG its response to the OIG review in a timely fashion. Further, the Department and NOAA informed the OIG that while we maintain that there is extensive information in the appendices and report that is privileged, the drafting approach taken by the OIG made it so there is no way to redact the privileged materials previously identified and still have a readable report; therefore, we advised that the Department and NOAA would not be proposing any redactions. All communications were made before the OIG's deadline and with sufficient time for the OIG to have released the report within three days of transmitting it to the Secretary pursuant to Section 8M(b)(1) of the Inspector General Act.

The Department and NOAA have fully complied with the spirit and intent of the IG Act. The Department is in no way preventing or impeding the OIG from releasing its report. The Department has promptly responded on July 2 to the Inspector General's July 1 letter and informed the OIG that it can release the report whenever and in whatever form the OIG deems appropriate.

Sincerely,

Anthony Foti
Performing the Delegated Duties of the
Assistant Secretary for Legislative and
Intergovernmental Affairs