Message

**From**: Daguillard, Robert [Daguillard.Robert@epa.gov]
**Sent**: 2/20/2019 9:23:07 PM
**To**: Glenn, William [Glenn.William@epa.gov]; Stachowiak, Robert [Stachowiak.Robert@epa.gov]
**CC**: Cooper, Geoff [Cooper.Geoff@epa.gov]; Zito, Kelly [ZITO.KELLY@EPA.GOV]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]
**Subject**: RE: OGC/R9: The EPA stole music from Yoshi's Island DS for a pro-recycling Flash game - The Verge

Sounds like info we should be sending on background, or off-the-record.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
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+1 (202) 360-0476 (M)

**From:** Glenn, William
**Sent:** Wednesday, February 20, 2019 4:16 PM
**To:** Stachowiak, Robert <Stachowiak.Robert@epa.gov>
**Cc:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Cooper, Geoff <Cooper.Geoff@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Brazauskas, Joseph <brazauskas.joseph@epa.gov>
**Subject:** Re: OGC/R9: The EPA stole music from Yoshi's Island DS for a pro-recycling Flash game - The Verge

We've removed the music as we look into its sourcing. If someone is still hearing it, it's likely because they used the game before it was removed, and they're hearing a temporarily cached local version of the audio file in their browser.

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Bill Glenn
Acting Deputy Director
Office of Public Affairs
U.S. EPA, Pacific Southwest
glenn.william@epa.gov / (415) 947-4254

On Feb 20, 2019, at 1:03 PM, Stachowiak, Robert <Stachowiak.Robert@epa.gov> wrote:

> + Joe B in the OGC/IO
>
> Robert Stachowiak
> U.S. Environmental Protection Agency
> Acting Associate Deputy General Counsel
> Office of General Counsel (2310A)
> 1200 Pennsylvania Ave., N.W.
> Washington, D.C. 20460
> (202) 564-0580
>
> **From:** Daguillard, Robert
> **Sent:** Wednesday, February 20, 2019 4:00 PM
> **To:** Glenn, William <Glenn.William@epa.gov>
> **Cc:** Cooper, Geoff <Cooper.Geoff@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Stachowiak, Robert

<Stachowiak.Robert@epa.gov>
**Subject:** OGC/R9: The EPA stole music from Yoshi's Island DS for a pro-recycling Flash game - The Verge

More from The Verge:

"Thanks for the statement. Is the music still on the game? Some people are telling me that they hear it, but I'm unable to replicate it. I appreciate your help!"

Robert Daguillard
U.S. EPA
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Washington D.C.
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202-564-6618 (O)

On Feb 20, 2019, at 3:33 PM, Glenn, William <Glenn.William@epa.gov> wrote:

> Hoping this dies down, but let us know if you get more inquiries. Thanks!
>
> _____
>
> Bill Glenn
> Acting Deputy Director
> Office of Public Affairs
> U.S. EPA, Pacific Southwest
> glenn.william@epa.gov / (415) 947-4254
>
> On Feb 20, 2019, at 11:46 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
>> Do you care to discuss? Or is it too early?
>>
>> Cheers, R.
>>
>> Robert Daguillard
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>> U.S. Environmental Protection Agency
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>>
>> https://www.theverge.com/2019/2/20/18233575/nintendo-yoshi-environmental-protection-agency-epa-government-island-ds
>>
>> # The EPA stole music from Yoshi's Island DS for a pro-recycling Flash game
>>
>> The music has since been removed

Makena KellyFeb 20, 2019, 2:32pm EST

*Nintendo*

The US Environmental Protection Agency stole music from a Nintendo title to play in the background of an educational flash game, according to *GameInformer*.

The EPA's *Recycle City Challenge* takes players through several scenarios and asks them questions like "What's in a zero waste lunch?" or how can a café "upgrade their lights?" Children would select the most energy efficient answers and win tokens if they got them correct. But seasoned Nintendo-lovers will recognize a familiar tune from *Yoshi's Island DS* playing in the background of the game.

A spokesperson for the EPA confirmed that the song was used and has since been removed from the game.

"The 'Recycle City Challenge' game was created for EPA by a contractor," an EPA spokesperson told *The Verge*. "We are looking into whether the contractor received permission to use the music, to the extent permission was necessary in this instance."

Nintendo did not immediately respond to a request for comment.

Yoshi has faced a difficult couple weeks with rumors circulating online that he has previously committed tax fraud. Those rumors were later confirmed by internet sleuths who dug up past gameplay of Yoshi in Fortune Street asking to "be exempt from paying taxes." Now would be the ideal time for him to un-cancel himself and allow the the US government to license his music while taking a stand as a pro-recycling figure in gaming.