Message

**From:** Covington, Jeryl [Covington.Jeryl@epa.gov]
**Sent:** 8/19/2015 10:40:24 PM
**To:** Golightly-Howell, Velveta [Golightly-Howell.Velveta@epa.gov]; Dorka, Lilian [Dorka.Lilian@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]
**Subject:** CARE Litigation Update Communication
**Attachments:** Title VI Unreasonable Delay Complaint FINAL 07 15 2015.pdf; CARE Litigation Update for DOJ 08.13.2015.docx

Per your request, to follow is a proposed communication update for the regional offices impacted by the CARE litigation (Regions 4, 5, and 6). This communication incorporates the information provided by Mary O'Lone from her Tuesday, August 18, 2015 email.

---

The Office of Civil Rights (OCR) previously stated it is our intention to provide our regional partners updated information on our response and actions to resolve the Title VI Unreasonable Delay Complaint (attached).

On Thursday, August 13, 2015, I shared that OCR and DOJ developed a proposed settlement agreement that would require OCR to close all five of the complaints at issue by March 2016. After further review and discussions, this proposal has been modified to allow adequate time to ensure that OCR can achieve this goal. As such, DOJ will inform Earthjustice that EPA OCR expects to resolve all five complaints by **June 2016,** with the additional expectation of resolving one, if not more than one, complaint before the end of the calendar year.

We have also discussed that while we are making this representation to Earthjustice, EPA will work to meet the internal (shorter) deadlines that were sent to DOJ last week and shared with you (attached). However, we think it is prudent to build some cushion into both the schedule to allow for unforeseen contingencies and not start negotiations so close to our bottom line.

I welcome any feedback you may have regarding our revised approach to proceeding with this timeline.

Again, OCR appreciates you and your staff's commitment in assisting us in addressing this recent litigation and each of the other respective regional Title VI complaints.