FOIA-2009-000418
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JUN 10 2009
SCIENTIFIC/EDUCATIONAL/NEWS MEDIA

June 10, 2009

Chris Morris, FOIA Officer
U.S. Department of Energy
FOIA/Privacy Act Office, MA-90
1000 Independence Ave SW
Washington, DC 20585
Fax: (202) 586-0575

Dear Mr. Morris:

Under the Freedom of Information Act, I am requesting any and all records of phone calls, letters, e-mails or other communications between December 1, 2008 and June 9, 2009 from members of Congress or their staff members to the Department of Energy regarding provisions or potential future provisions of the American Recovery and Reinvestment Act that deal with nuclear cleanup sites. Please note that I mention "potential provisions" because part of the time period in my request is prior to passage of the ARRA, so communications would have discussed possible future provisions, or proposed provisions.

If possible, I would like to receive the information in electronic format. I can accept the data in several formats (xls, doc, pdf, etc.) and can accept the data on a variety of media (CD-ROM, e-mail attachment, etc.).

I am requesting expedited processing of this request, as there is an urgency to inform the public about these projects, particularly given that ARRA money for nuclear cleanup sites accounts for a large portion of federal stimulus money already contracted and many of the first new jobs created. Additionally, nuclear cleanup funds account for $6 billion in ARRA funds. I am a person primarily engaged in disseminating information about federal government activity for the public's benefit. A USA Today article appearing June 10, 2009 notes that, pursuant to an FOIA request by USA Today, similar information to that I am requesting was released by agencies to USA Today. The agencies are not specified in the article, but if the Department of Energy is among them, perhaps part of the information gathering for this request has already been accomplished.

President Obama has spoken frequently about the inherently transparent nature of all decisions related to the stimulus package. He has also expressed the urgency of getting information out to the public, including journalists.

In order to help determine my status to assess fees, you should know I am a reporter for ProPublica, an independent, non-profit newsroom that produces investigative journalism in the public interest, based in New York.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information that is of current interest to the public because this information is being sought for dissemination to the general public.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities.

Because time is very much a factor, I ask that you communicate with me by telephone or e-mail if you have any questions. My phone number is 917-512-0213, and my e-mail address is david.epstein@propublica.org. To save time and cost, please e-mail the records if possible.

Brendan

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If you deny any part of this request, please cite each specific reason that you think justifies your refusal to release the information and notify me of appeal procedures available to me under the law.

Thank you for your assistance with my request.

David Epstein, reporter
Voice (917) 512-0213
Fax (212) 785-2634
David.epstein@propublica.org

One Exchange Plaza 23rd Floor New York, New York 10006 212-514-5250 propublica.org

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# FAX

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|---|---|---|---|
| **To:** | Chris Morris | **From:** | David Epstein |
| **Fax:** | (202) 586-0575 | **Pages:** | 3 (including cover) |
| **Phone:** | | **Date:** | June 10, 2009 |
| **Re:** | FOIA request | **CC:** | |

One Exchange Plaza 23rd Floor New York, New York 10006
Main: 212-514-5250 Fax: 212-785-2634 propublica.org