Morris, Alexander

From: Cooper, Shelly
Sent: Monday, February 09, 2009 8:33 AM
To: 'Alexander Cohen'
Cc: Morris, Alexander
Subject: RE: Freedom of Information Act Request

I am no longer a FOIA Officer for the Office of the Executive Secretariat at DOE. You may want to contact the FOIA Office at DOE.

FEB 09 2009 13

OTHER: 2 HOURS SEARCH TIME AND FREE PAGES

Shelly
Shelly Cooper
Office of Chief Human Capital Officer
Business Management Office (HC-1.5)
202-586-0494

-----Original Message-----
From: Alexander Cohen [mailto:acohen@citizen.org]
Sent: Thursday, February 05, 2009 5:34 PM
To: Cooper, Shelly
Subject: Freedom of Information Act Request

Dear FOIA Officer:

On behalf of Public Citizen, and pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I request copies of the following records:

All ethics agreements for current presidential nominees for positions requiring Senate confirmation ("PAS nominees").

Documents submitted by PAS nominees pertaining to their past employment and compensation for said employment.

I request a waiver of fees for fulfillment of this request on the basis of FOIA's provision that fees shall be waived or reduced if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester. (5 U.S.C. § 552(a)(4)(A)(iii))

This request satisfies the fee waiver criteria in the following ways:

1. The documents requested concern enforcement of the President's new ethics rules, covered by Executive Order 13490. The implementation of the new ethics rules has been a subject of considerable public interest and news coverage, especially for top-level presidential appointees. Disclosure of how that policy is being implemented plainly lends insight into the activities of government.

2 Public Citizen has a long record of disseminating information to the public and has been among the chief chroniclers of activities pertaining to the Obama transition. Our Web site tracking the transition, www.becoming44.org, has received visits from more than 13,000 individuals. The project or information published by the project has been cited by the New York Times, Chicago Sun-Times, USA Today, Congressional Quarterly, the Politico, and has been the subject of several radio show segments.

3. The information sought by Public Citizen does not serve any commercial interest.

FOIA-2009-000673

Neil

Public Citizen is a national, nonprofit organization. Almost all of our funding comes from individual donations and foundation grants. Information from our request will be made freely available to the public.

For the foregoing reasons, I request that you waive all fees associated with this request. However, if your agency determines that I should be charged for any part of this request, please contact me before any searches reach an estimated cost of $25.

If you refuse access to any of the requested records, I ask that you describe the materials you are withholding and state the basis for the denial for each document being withheld. In addition, please state the number of pages in each withheld document, the date of each document, and the total number of pages pertaining to this request. This information will be helpful in deciding whether to appeal an adverse determination.

I look forward to receiving your response within 20 working days, as required by law, and will interpret any delay in your response as a denial of this request. I certify that the previous statements are true and correct to the best of my knowledge and belief, and ask for your prompt attention to this matter.

Sincerely,

Alexander Cohen
Senior Researcher
Public Citizen's Congress Watch Division

Alexander Cohen
Senior Researcher
Public Citizen's Congress Watch
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