The National Security Archive

The George Washington University
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

Phone: 202.994.7045
Fax: 202.994.7005
nsarchiv@gwu.edu
http://www.nsarchive.org

DECLASSIFIED
TOP SECRET

September 15, 2009

Department of Education
Office of the Chief Information Officer
550 12th Street, SW, PCP, 9th Floor, Room 9148
Washington, DC 20202-4750

SCIENTIFIC/EDUCATIONAL/NEWS MEDIA
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Re: Request under the FOIA, in reply refer to Archive#20090976EDU002

Dear Sir or Madam:

Pursuant to the Freedom of Information Act (FOIA), I hereby request the following:

All records, including but not limited to guidance or directives, memoranda, training materials, or legal analyses, concerning the implementation of President Barack Obama's January 21, 2009, memorandum on the Freedom of Information Act and/or Attorney General Eric Holder's memorandum of March 19, 2009, on the Freedom of Information Act.

Please do not include copies of the Obama or Holder memos or any other guidance issued publicly by the Department of Justice.

As the FOIA requires, please release all reasonably segregable nonexempt portions of documents. To permit me to reach an intelligent and informed decision about whether and how to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

As a representative of the news media, the National Security Archive qualifies for "representative of the news media" status under 5 U.S.C. Sec. 552(a)(4)(A)(ii)(II) and, therefore, may not be charged search and review fees. (See *National Security Archive v. U.S. Department of Defense*, 880 F.2d 1381 (D.C.Cir. 1989), cert denied, 110 S Ct. 1478 (1990)). This request is made as part of a scholarly and news research project that is intended for publication and is not for commercial use. For details on the Archive's research and extensive publication activities please see our website at www.nsarchive.org.

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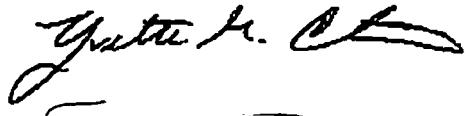
An Independent non-governmental research institute and library located at the George Washington University, the Archive collects and publishes declassified documents obtained through the Freedom of Information Act. Publication royalties and tax deductible contributions through The National Security Archive Fund, Inc. underwrite the Archive's Budget.

To expedite the release of the requested documents, please disclose them on an interim basis as they become available to you, without waiting until all the documents have been processed. Please notify me before incurring any photocopying costs over $100. If you have any questions regarding the identity of the records, their location, the scope of the request or any other matters, please call me at (202) 994-7000 or email me at foiamail@gwu.edu. I look forward to receiving your response within the twenty-day statutory time period.

If you regard any of these documents as potentially exempt from the FOIA's disclosure requirements, I request that you nonetheless exercise your discretion to disclose them in keeping with President Obama's January 21, 2009, memorandum on the FOIA, which clearly expressed a presumption in favor of disclosure.

Sincerely,



Yvette M. Chin
FOIA Coordinator
National Security Archive

FAX COVER SHEET

Date: September 15, 2009

To: **Office of the Chief Information Officer**

Organization: **Department of Education**

From: **The National Security Archive**

Number of pages (including cover sheet): 3

If there is a problem with this transmission, please call us at 202-994-7000 as soon as possible.

Message: **NEW FOIA REQUEST: Archive #20090976EDU002**

Thank you for all your assistance.

Regards,
Yvette M. Chin
FOIA Coordinator