Department of Energy
Washington, DC 20585

FEB 05 2009

Mr. Fred Low

Re: FOIA-2009-000010

Dear Mr. Low:

This is in final response to the request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. 552. You asked for DOE efforts in dealing specifically with various SWPA that relate to mandatory requirements of 29 CFR.

The Office of Economic Impact & Diversity (ED) has completed the search of its files for documents responsive to the request. The search, however, did not locate any responsive documents specifically responsive to the request.

Therefore, pursuant to Title 10, Code of Federal Regulations (CFR), Section 1004.4(d), I am unable to provide any responsive documents from their office specific to your request for DOE efforts in dealing specifically with various SWPA that relate to mandatory requirements of 29 CFR.

Pursuant to Title 10 CFR 1004.7 (b)(2), Mrs. Sharon Wyatt, FOIA Officer, in the Office of Economic Impact & Diversity (ED), is responsible for the determination that no responsive records exist.

Pursuant to 10 CFR 1004.8, you may challenge the adequacy of the searches for responsive documents by submitting a written appeal to the Director, Office of Hearings and Appeals, at HG-1/L'Enfant Plaza Building, U.S. DOE, 1000 Independence Avenue, SW, Washington, DC 20585-1615. You should submit the appeal within 30 calendar days of receipt of this determination.

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. The appeal must contain the elements required by 10 CFR 1004.8. Judicial review will thereafter be available (1) in the district where you reside; (2) in the district where you have your principal place of business; (3) in the district where the DOE records are located; or (4) in the District of Columbia.

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For your information, the Office of ED did not issue any policy or direction specifically to SWPA. ED issues policies and information that pertain to all components of the Department. Copies of these documents are provided for your convenience.

I appreciate the opportunity to assist you with this matter. If you have any questions about this correspondence, please contact Vera Dunmore of my staff on (202) 586-4047.

Sincerely,

Alexander C. Morris
FOIA Officer
Office of Information Resources

Enclosures

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Enclosures listing for FOIA Request No.: 2009-000010:

1. Memorandum for All Department of Energy Employees dated April 10, 2007, from Secretary Samuel W. Bodman. Subject: Prevention of Harassment (Including Sexual Harassment) and Retaliation Policy Statement. 2 pages. *Released in its entirety.*

2. Memorandum for All Department of Energy Employees dated April 10, 2007, from Secretary Samuel W. Bodman. Subject: Equal Employment Opportunity and Diversity Policy Statement. 2 pages. *Released in its entirety.*

3. Directives, Regulations, and Standards- DOE Order 311.1B. Dated 3-5-2003. 6 pages. *Released in its entirety.*

4. Directives, Regulations, and Standards- Home page. Subject: All Directives listed in the Current section of the Portal are in effect regardless of the expiration date. 1 page. *Released in its entirety.*