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

February 27, 2009

Carolyn Lawson
FOIA/Privacy Act Group
Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20585

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SCIENTIFIC/EDUCATIONAL/NEWS MEDIA
100 FREE PAGES

Re: Request under the FOIA, in reply refer to Archive #20090254DOE003

Dear Ms. Lawson:

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

Copies of the ten oldest open or pending Freedom of Information Act requests currently being processed or held pending coordination with other agencies.

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.

As the FOIA requires, please release all reasonably segregable nonexempt potions 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.

FOIA-2009-000121

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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 facilitate 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.

We would prefer to receive these materials in an electronic format, if that is possible. 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.

Sincerely,

Yvette M. Chin
FOIA Coordinator
National Security Archive