Department of Energy
Washington, DC 20585

March 26, 2009

Mr. John Greenewald

Re: FOIA-2009-000186
FOIA-2009-000190
FOIA-2009-000191

Dear Mr. Greenewald:

This is in final response to the requests 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 records of the Atomic Energy Commission that relate to:

- Cornelius P. Rhoads and projects that include testing on human subjects (FOIA-2009-000186)
- Project Argus, the explosion of three fission type nuclear bombs in 1958 (FOIA-2009-000190)
- Program F, a study of the health effects of fluoride (FOIA-2009-000191)

At Headquarters, the requests were sent to the History and Heritage Resources Office in the Office of the Executive Secretariat to conduct a search of its files for responsive records. The search, however, did not locate any responsive documents. Therefore, pursuant to Title 10, Code of Federal Regulations (CFR), Section 1004.4(d), I am unable to provide any responsive documents.

Ms. Carol A. Matthews, Deputy Director, Office of the Executive Secretariat, is responsible for the determination that no responsive documents exist in the History and Heritage Resources Office.

You may challenge the adequacy of the search 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 all 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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Public versions of records about nuclear weapons testing and human radiation experiments are available from the DOE OpenNet at https://www.osti.gov/opnnet/ and from the DOE Nuclear Testing Archive at http://www.nv.doe.gov/library/testingarchive.htm. Collections include records about Dr. Rhoads and Project Argus.

I appreciate the opportunity to assist you. You may contact Ms. Joan Ogbazghi in this office on (202) 586-3595 with any questions about the processing of the requests or about this letter.

Sincerely,

Alexander C. Morris
FOIA Officer
Office of Information Resources