

# THE CENTER FOR PUBLIC INTEGRITY

FOIA/PA REQUEST

Case No. 2004-0125  
Date Recd. 2-17-04  
Action Off: [Signature]  
Request Case: \_\_\_\_\_

February 9, 2004

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Josie Goytisolo  
Charles Lewis  
Susan Loewenberg  
Charles Piller  
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Ben Sherwood  
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Carol Ann Reed  
FOIA/PA Officer  
Nuclear Regulatory Commission  
Mail Stop T-6 D8  
Washington, D.C. 20555-0001

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Dear Ms. Reed:

This is a request under the Freedom of Information Act.

On behalf of the Center for Public Integrity, I request that a copy of the following documents containing the following information be provided to me:

All documents in your custody or under your control that relate to communications between the Nuclear Regulatory Commission and the Nuclear Energy Institute regarding the Yucca Mountain Project from 1998 to the present day, including but not limited to meetings, transcripts, correspondence, schedules, minutes, and/or agendas.

I would prefer to receive the largest number of records or documents in electronic form, as is provided for by the Electronic Freedom of Information Act Amendments of 1996, which state in Sec. 5: "An agency shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format."

I am filing this Freedom of Information Act request as a "representative of the news media," which the Department of Energy has granted members of my organization in previous searches of their archives. This designation entitles me to a waiver of fees accumulated during the actual search and review process.

With this letter, I also request that you grant this request a fee waiver as well as expedited processing.

According to the Justice Department's *Freedom of Information Act Guide, 2002 Edition: Fees and Fee Waivers*, the current fee waiver standard, established by the Freedom of Information Reform Act of 1986, provides that fees should be waived "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."

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**Director of the International Consortium of Investigative Journalists**

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Ann Terry Pincus

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In addition, the disclosure of this material under the Freedom of Information Act will "contribute to the understanding of the public at large." The information gathered through this request will be published by the Center for Public Integrity, a non-profit, non-partisan research organization, in the award-winning *The Public I* and on the website, [www.publicintegrity.org](http://www.publicintegrity.org). Based on past experience, information produced through this and other requests will serve as the basis for several news stories in general circulation media, explaining the actions and operations of government to the general public. News organizations that have recently carried the Center's reports include ABC, CBS, NBC, CNN, NPR, *The New York Times*, *The Washington Post*, *U.S. News & World Report*, *The Los Angeles Times*, *USA Today*, *The Chicago Tribune*, the Associated Press, Agence France-Presse, and Reuters.

The Center for Public Integrity possesses the skills necessary to process the requested information as investigative journalists accustomed to analyzing large amounts of documentary information. The Center's work has been honored by other members of the media through numerous awards from the Society of Professional Journalists and Investigative Reporters and Editors, Inc.

Please respond within 20 business days, as the act provides.

Thank you for your attention to this request.

Sincerely,



Kevin Bogardus  
Writer/researcher