

Project On Government Oversight

Exposing Corruption Exploring Solutions www.POGO.org

FOIA/PA REQUEST

Case No.: 2005-0348
 Date Rec'd: 9-9-05
 Specialist: BROWN
 Related Case: _____

Note: This request was faxed, emailed and mailed to ensure delivery.

September 8, 2005

Nuclear Regulatory Commission
 Carol Ann Reed
 FOIA/PA Officer
 Washington, D.C. 20555
 telephone number: (301) 415-7169
 fax number: (301) 415-5130
 e-mail address: foia@nrc.gov

Re: Freedom of Information Act Request

Dear FOIA Officer:

I am making this request under the Freedom Of Information Act ("FOIA"), 5 U.S.C. § 552. Please provide a copy of the inventory of classified Atomic Energy Commission records still held by the Nuclear Regulatory Commission (i.e. Not those transmitted to the National Archives and Records Administration).

I request a waiver of all costs associated with fulfilling this submission pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). Disclosure of the requested records will further 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 POGO. Specifically, POGO intends to use the requested records to highlight the handling of classified records of historical interest at the NRC.

POGO investigates, exposes, and seeks to remedy systemic abuses of power, mismanagement, and subservience by the federal government to powerful special interests. Founded in 1981, POGO is a politically-independent, nonprofit watchdog that promotes a government that is accountable to the citizenry. POGO disseminates information about its activities to thousands of concerned citizens, policymakers, and the media via email, direct mail, and its web site <http://www.pogo.org>, which receives over 500,000 hits monthly. The information provided by the agency will be used for the following activities: publication by email and on our website; publication in reports and newsletters issued by POGO; publication in the newsletters of affiliated nonprofit organizations; efforts to educate Congress, the Executive Branch, and other policymakers in Washington, DC; or investigational projects conducted in conjunction with the news media.

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501(c)(3) ORGANIZATION

If this request is denied in full or in part, please cite the exemptions pursuant to 5 U.S.C. § 552(b) that justify the denial. If an exemption applies, however, please consider exercising the agency's discretionary release powers to disclose the records. Additionally, please release all reasonably segregable portions of the records that do not meet an exemption.

I look forward to your response within 20 days of the receipt of this request, unless, in the case of "unusual circumstances," the time limitation is "extended by written notice." I am aware that I have a right to appeal if this request is wholly or partially denied or if the agency fails to respond within 20 days, and that, if successful, a federal district court may assess "reasonable attorney fees and other litigation costs." 5 U.S.C. § 552(a)(4)(E).

Please contact me if this request requires further clarification. Thank you for your prompt attention to this matter.

Sincerely,



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