

# Project On Government Oversight

Exposing Corruption Exploring Solutions www.POGO.org

## FOIA/PA REQUEST

Case No.: 2010-0301  
 Date Rec'd: 8-10-10  
 Specialist: Lullen  
 Related Case: \_\_\_\_\_

August 10, 2010

Ms. Mary Jean Pool  
 Freedom of Information Act and Privacy Act (FOIA/PA) Officer  
 U.S. Nuclear Regulatory Commission  
 Mail Stop T5-F11  
 Washington, DC 20555-0001

RE: FOIA REQUEST

Dear Ms. Pool:

I am making this request under the Freedom Of Information Act ("FOIA"), 5 U.S.C. § 552. Please provide a copy of all ethics waivers and recusal agreements/records issued by the U.S. Nuclear Regulatory Commission from January 1, 2009 to the present. These types of records are often, but not always, issued pursuant to 18 U.S.C. §§ 207 and 208, 5 C.F.R. Part 2635, Agency Supplemental Standards of Ethical Conduct Regulations as governed by 5 C.F.R Part 5801, or Executive Order 13490.

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 the requester, the Project On Government Oversight (POGO). Specifically, POGO intends to use the requested records to highlight NRC's standards for granting ethics waivers so that it can increase the public's knowledge of NRC's ethics policies and provide any recommendations that are necessary to make the ethics waiver system even more fair, just, and accountable.

Founded in 1981, POGO is an independent nonprofit that investigates and exposes corruption in order to achieve a more accountable federal government. 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 75,000 visitors monthly. The information provided by the NRC 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.

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.

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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 may appeal this request if it is wholly or partially denied or if the agency fails to respond within 20 days. I am aware that, if successful, a federal district court may assess "reasonable attorney fees and other litigation costs" per 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,

Scott Amey (ID)

Scott H. Amey  
General Counsel  
Project On Government Oversight  
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