

**Ash, Darren**

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**From:** Darren Ash  
**Sent:** Monday, January 26, 2009 12:10 PM  
**To:** Russell Nichols  
**Subject:** Re: President Obama's FOIA Memorandum

Russ,  
Thanks. I received via separate distribution list. I do appreciate your read of the memo!  
Darren

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**From:** Russell Nichols  
**To:** Darren Ash  
**Cc:** Joseph Holonich; Thomas Boyce (OIS); James Schaeffer; Margie Janney; Karen Olive; Donna Sealing; Trip Rothschild; Catherine Holzle  
**Sent:** Mon Jan 26 09:42:17 2009  
**Subject:** FW: President Obama's FOIA Memorandum  
Darren,

I didn't see you on the addressee list for this, which you should have been as the NRC Chief FOIA Officer unless you received it via a separate listserv.

I do not envision this change impacting NRC much, if at all, because we have operated in a spirit of openness and have judiciously applied the FOIA exemptions in the spirit in which they were intended. Will keep you advised when further guidance is received.

Russ

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**From:** DOJ.OIP.FOIA [mailto:DOJ.OIP.FOIA@usdoj.gov]  
**Sent:** Friday, January 23, 2009 4:29 PM  
**To:** Arrington, Angela; Ball, Katherine; Bartlett, Michael J.; Bridge, Diane L.; Broderick, Marilyn; Brown, Vanessa S.; Cramer, Jodi; Dangan, Alan; Adams Jr., Albert D.; An, Gil Hyun; Apol, David; Babcock, Lisa; Batie, Patricia; Bender, Stuart; Berger, Robin; Berumen, Malia; Boling, Edward A.; Bomgardner, Elizabeth; Boyd, Harriette; Brockner-Ryan, Beth; Buck, John; Carey, Priscilla; Carter, Mildred; Carter, Rodney L.; Castelli, Laurence; Castelli, Michael; Cerveney, John; Christopher, Nancy; Coe, A. Ren'ee; Cornell, Susan R.; Costello, Dan; Cragg, Scott; Crago, Erica; Crowley, Gerald; Cuffe, Elizabeth; Diaz-Ortiz, Martha; Dolan, Brenda; Dorsey, Betty B.; Duncan, Hilario R.; Eckert, Robert; Ehrlich, Carol; Femi, Judy; Fina, Joan; Fisch, Fred; FitzGerald, E. William; Frangipane, Noelle; Frye, Nneka; Garner, Stephanie D.; Gee, Patricia; Gottesman, Larry; Gottry, Heather C.; Grafeld, Margaret P.; Gressman, William E.; Gross, Jacqueline; Hackett, John F.; Hair, Shoko; Hanz, Brenda; Hardy, Dionne; Harris, Talya; Hawkins, Sharron; Higgins, Kitty; Hite, Jeanette S.; Hollaway, Rebecca; Hollingsworth, Judi; Hudson, Jennifer; Huff, Latita M.; Ingersoll, Janet; Inman, Katie; Jagadesan, Des; Jeffcoat, Mary A.; Jensen, Leslie; Johnson, Clay; Kammer, Will; Kil, Sophia; Kinsey, Brian Scott; Kirkpatrick, Christopher; Korb, Timothy; Krol, Jim; Kurt, Christopher; Laster, John; Lazaroff, Joy; Link, Kendra; Livornese, John; Low, Carol; Luczynski, Kimberley; Luna, Stella; Marquis, Michael S.; Mason, Tony; Matthews, Carol A.; McConnell, Stephen; McCoy, Regina; McCready, Andrew W.; McLaughlin, Jeanne; Means, Judith; Mengel, David; Mills, Alberta; Newman, Annette; Russell Nichols; Noble, Jacqueline; Oleinick, Lew; Oliver, Ramona; Papoi, Catherine; Parsons, Bobbie; Paskar, Joanne; Paternoster, mMara; Patten, Mae R.; Pearson, Christina; Peppe, Margaret G.; Perhach, William; Petersen, Daniel; Phillips, Pamela N.; Plick, Joe; Polk, Willie J.; Ratchford, Jeanne; Ray, Kathy; Rosas, Christina E.; Sadler, Fred; Schaub, Patricia; Smith, Angela; Tanaka, Allison; Aitken, Steven; Army Human Resources Command; Barber, Delores J.; Beemer, Anne; Brown, Miriam; Carr, Paul J.; Clark, Michell; Combs, Robert; Corbman, Laura; DeProspero, Peggy; Drabek, Cynthia; Easter, Stacy; Eiden, Leo; English, Sarah; Gilmore, Hugh; Hawkins, Sandra, L.; Hester, tom; Hogan, Jim; Hudson, Jennifer; Jackson, Kim; Johnson, Tammye; Johnson, Toyia; Jones, Thom; Kahn, R.; Leonard, Rachael; Lesko, Stephanie; Levitt, Marilyn; Lighton, Sharon; Mallus, Alex; Mancini, N.; Marr, Jennifer; Martz, Amanda; Mastromichalis, Keith; McConnell, Stephen; Miller, Margaret A.; Moye, Melba; Nelson, Delores; O'Connor, Cindy; Oliveri, Medaris; Olsen, Matthew; Ortiz, Raho; Paez, ALan; Pavlik-Keenan, Catrina; Pickworth, Melissa; Ramsay, Nancy; Reali, Francis; Salva, Dianne; Schecker, Larry; Donna Sealing; Sealing, Donna L.; Senzel,

David; Sharpe, Thomas; Sheils, Peter ; Shonks, Margie ; Sincavage, Michael ; Singer, Harold ; Smith, Nancy Kegan ; Smith-Toomey, Mary Beth ; Sorbera, Joseph A. ; St. Louis, Nicole; Steinberg, David ; Stevenson, Todd A. ; Suzuki, Shari; Taylor, Anastazia ; Thomas, Charlene Wright ; Tilley, Steven D. ; Travers, Linda A. ; Underwood, Dale ; Vance, Frank D. ; Vankevich, Peter M. ; Veach, Kimberly; Vergelli, John ; Verreau, Rebecca ; Virga, Jane; Wallace, Sally; Washington, Angela; Watt, Sheree; Winefordner, Arlin ; Wooden, Eric; Wright, Lauren E. ; Wright, Virginia; Yates, Ruth; Yohe, Melanie  
**Subject:** President Obama's FOIA Memorandum

#### FOIA Professionals:

On January 21, 2009, President Obama signed the "Presidential Memorandum for the Heads of Executive Departments and Agencies on the Freedom of Information Act," which establishes a new policy for Executive Branch departments and agencies concerning disclosure and transparency. The President directed all agencies to administer the FOIA with a clear presumption in favor of disclosure, to resolve doubts in favor of openness, and to not withhold information based on "speculative or abstract fears." In addition, the President called on agencies to ensure that requests are responded to with "a spirit of cooperation," that disclosures are timely, and that modern technology is used to make information available to the public even before a request is made.

To implement these objectives, the President directed the Attorney General to issue new guidelines governing the FOIA. Those guidelines will reaffirm the Executive Branch's "commitment to accountability and transparency." The Department of Justice looks forward to issuing the guidelines directed by the President and to working directly with other departments and agencies to ensure that the President's goal of making his administration the most open and transparent in history is realized.

The President's memorandum was effective immediately and supersedes former Attorney General Ashcroft's Memorandum on the FOIA dated October 12, 2001. As a result, agency personnel should immediately begin to apply the presumption of disclosure to all decisions involving the FOIA, as the President has called for.

Once the new FOIA guidelines are issued by the Attorney General, OIP will conduct comprehensive training on those guidelines and provide additional advice and guidance to departments and agencies to ensure that our government is accountable and transparent, in keeping with the President's commitment.

Melanie Ann Pustay  
Director  
Office of Information and Privacy  
U.S. Department of Justice