

FOIA Resource

From: Gillum, Jack [JGillum@ap.org]
Sent: Friday, May 04, 2012 3:36 PM
To: FOIA Resource
Subject: AP FOIA request

U.S. Nuclear Regulatory Commission
FOIA/Privacy Officer
Mailstop: T-5 F09
Washington, DC 20555-0001
Fax: 301-415-5130
E-mail: FOIA.resource@nrc.gov

May 4, 2012

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of correspondence logs pertaining to Sen. Rob Portman and his staff, from Jan. 3, 2011 to the present.

This request covers paper and electronic records, including but not limited to Portable Document Files and Microsoft Excel spreadsheets. Such records are usually generated in your agency's legislative affairs office, but may be produced or maintained in other agency offices.

Because this is a request by the news media for records in the public interest, I ask that you waive any search fees in accordance with § 552(a)(4)(A)(ii)(II). If the fee for retrieving or reproducing these records will exceed \$50, please notify me before filling this request. I can be reached at (202) 641-9448 or jgillum@ap.org.

Further, I remind you that the President has directed that the FOIA "be administered with a clear presumption: In the face of doubt, openness prevails." Memorandum for the Heads of Executive Dep'ts and Agencies, 74 Fed. Reg. 15, 4683 (Jan. 26, 2009). This instruction is unambiguous: "All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving FOIA." *Id.*

If for any reason any portion of this request is denied, please provide written notice of the records that were withheld, and the specific legal justification for the denial. Please also provide the name and address of the officer or body to which my appeal should be directed.

As you know, the Act, in § 552(a)(6), grants your office no more than twenty working days in which to respond to this request. *See also Oglesby v. U.S. Dep't of Army*, 920 F.2d 57, 65 (D.C. Cir. 1990) ("Congress adopted the time limit provision in the FOIA in order to 'contribute to the fuller and faster release of information, which is the basic objective of the Act.'" (quoting H.R. Rep. No. 93-876, March 5, 1974., reprinted (1974) U.S. Code Cong. & Ad. News 6267 at 6271)). Agencies therefore "should make it a priority to respond in a timely manner. Timely disclosure of information is an essential component of transparency." Attorney General's Memorandum for Heads of Executive Dep'ts and Agencies Concerning the Freedom of Info. Act, at 3 (Mar. 19, 2009), available from <http://www.justice.gov/ag/foia-memo-march2009.pdf>.

Thank you for your assistance,

Jack Gillum
Reporter
The Associated Press

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this

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Case No.: 2012 0017
Date Rec'd: 5-7-12
Specialist: Kulgoe
Related Case: _____

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