



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 23, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to your letter of March 31, 2011, the U.S. Nuclear Regulatory Commission (NRC) continues to provide documents that are responsive to your request. This transmittal includes additional documents, provided by staff attorneys in the NRC's Office of the General Counsel, which are responsive to your questions 3, 6, and 7. We are continuing to search for further responsive documents and will provide those records as soon as we identify them.

Please note that the documents in this delivery have not been released to the public and have been marked "not for public release." We respectfully ask that the Committee honor these markings.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Schmidt".

Rebecca Schmidt  
Director, Office of Congressional Affairs

Enclosures:  
As stated

cc: Representative Henry A. Waxman

✓ A/F



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 19, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to your letter of March 31, 2011, the U.S. Nuclear Regulatory Commission (NRC's) continues to provide documents that are responsive to your request. This transmittal includes additional documents responsive to your questions 3, 6, and 7. We are continuing to search for further responsive documents and will provide those records as soon as we identify them.

Please note that the documents in this delivery have not been released to the public and have been marked "not for public release." We respectfully ask that the Committee honor these markings.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Schmidt".

Rebecca Schmidt  
Director, Office of Congressional Affairs

Enclosures:  
As stated

cc: Representative Henry A. Waxman



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 10, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to your letter of March 31, 2011, the U.S. Nuclear Regulatory Commission (NRC's) continues to provide documents that are responsive to your request. This transmittal includes additional documents responsive to your questions 3, 3(c), 6 (a), 6 (b), 7(a) and 7(b). We are continuing to search for further responsive documents and will provide those records as soon as we identify them.

Please note that the documents in this delivery have not been released to the public and have been marked "not for public release." We respectfully ask that the Committee honor these markings.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Schmidt".

Rebecca Schmidt  
Director, Office of Congressional Affairs

cc: Representative Henry A. Waxman



104/F

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 3, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to your letter of March 31, 2011, the U.S. Nuclear Regulatory Commission (NRC's) continues to provide documents that are responsive to your request. This transmittal includes additional documents responsive to your questions 3(c), 6 (a), and 7(a) and (b). Documents from the NRC's Office of Commission Appellate are also included. We are continuing to search for further responsive documents and will provide those records as soon as we identify them.

Please note that the documents in this delivery have not been released to the public and have been marked "not for public release." We respectfully ask that the Committee honor these markings.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Schmidt".

Rebecca Schmidt  
Director, Office of Congressional Affairs

cc: Representative Henry A. Waxman



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 28, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to your letter of March 31, 2011, the U.S. Nuclear Regulatory Commission continues to provide documents that are responsive to your request. This transmittal includes additional documents responsive to your questions 3(a), 3(c), 5(b), 6 (a) and (b), and 7(a) and (b). We are continuing to search for further responsive documents and will provide those records as soon as we identify them.

Please note that the documents in this delivery have not been released to the public and have been marked "not for public release." We respectfully ask that the Committee honor these markings.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Schmidt", written over a horizontal line.

Rebecca Schmidt  
Director, Office of Congressional Affairs

cc: Representative Henry A. Waxman

April 26, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to your letter of March 31, 2011, the U.S. Nuclear Regulatory Commission continues to provide documents that are responsive to your request. This transmittal includes documents that address your questions 1, 3(c); 5(b), 6 (a) and (b), and 7(a) and (b). We are continuing to search for further responsive documents and will provide those records as soon as we identify them.

Please note that the documents in this delivery have not been released to the public and have been marked "not for public release." We respectfully ask that the Committee honor these markings.

Sincerely,

/RA/

Rebecca Schmidt  
Director, Office of Congressional Affairs

cc: Representative Henry A. Waxman



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

A/F

April 21, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to your letter of March 31, 2011, the U.S. Nuclear Regulatory Commission is providing this initial response to your request for documents. This partially responds to your questions 3(c), 6(a), 6(b), and 7(b). We are continuing to search for further responsive documents and will provide those records as soon as we identify them.

Please note that the documents in this delivery have not been released to the public and have been marked "not for public release." We respectfully ask that the Committee honor these markings.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Schmidt", with a stylized flourish at the end.

Rebecca Schmidt  
Director, Office of Congressional Affairs

cc: Representative Henry A. Waxman



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

✓ #1/F

April 15, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Pursuant to your letter of March 11, 2011, the U.S. Nuclear Regulatory Commission is providing this initial response to your request for documents. This partially responds to your questions 3(c), 6(a), 7(a), and 7(b). We are continuing to search for further responsive documents and will provide those records as soon as we identify them.

Please note that the documents in this delivery have not been released to the public and have been marked "not for public release." We respectfully ask that the Committee honor these markings.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Schmidt".

Rebecca Schmidt  
Director, Office of Congressional Affairs

cc: Representative Henry A. Waxman



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 5, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

This is to acknowledge receipt of your letter dated March 31, 2011, notifying Chairman Jaczko of your investigation into the decision making process related to the license application for the construction of a high-level waste repository at Yucca Mountain.

Please be assured that we are working on a response and a reply will be forwarded to you as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Schmidt".

Rebecca L. Schmidt, Director  
Office of Congressional Affairs



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 5, 2011

The Honorable John Shimkus  
Chairman, Subcommittee on Environment and  
the Economy  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

This is to acknowledge receipt of your letter dated March 31, 2011, notifying Chairman Jaczko of your investigation into the decision making process related to the license application for the construction of a high-level waste repository at Yucca Mountain.

Please be assured that we are working on a response and a reply will be forwarded to you as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca L. Schmidt".

Rebecca L. Schmidt, Director  
Office of Congressional Affairs

FRED UPTON, MICHIGAN  
CHAIRMAN

HENRY A. WAXMAN, CALIFORNIA  
RANKING MEMBER

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

May 9, 2011

The Honorable Gregory B. Jaczko  
Chairman  
Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852

Dear Chairman Jaczko:

We request your immediate assistance in connection with our investigation, commenced March 31, 2011, relating to the pending license application for construction of a high-level waste repository at Yucca Mountain, Nevada.

In connection with this investigation, at our direction, Committee investigators may interview employees of the Nuclear Regulatory Commission (NRC) and other witnesses in preparation for potential hearings on this matter in the near future. We intend to conduct this investigation so as to cause minimal disruption to the orderly function of the NRC and the important work of its employees. At the outset of this phase of the investigation, however, we believe that added steps should be taken to ensure the full cooperation of all NRC employees who may have information critical to the inquiry.

Accordingly, we request that you immediately notify all NRC employees of their right to communicate with Congress and that it is against the law to deny or interfere with their rights to furnish information to Congress. Specifically, 5 U.S.C. § 7211, provides that:

The right of employees, individually or collectively, to petition Congress or a Member of Congress, or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied.

We also request that you remind all Commission officials that, pursuant to 5 U.S.C. § 2302(b)(8), it is a violation of federal law to retaliate against whistleblowers. That law states:

Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority... take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment because of....

(A) any disclosure of information by an employee or applicant which the employee or applicant reasonably believes evidences--

(i) a violation of any law, rule, or regulation, or

(ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, any disclosure to the Special Counsel, or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee or applicant reasonably believes evidences a violation of any law, rule, or regulation..."

In addition, pursuant to 18 U.S.C. § 1505, it is against federal law to interfere with a Congressional inquiry:

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress....

To demonstrate your good faith cooperation with our investigation and compliance with the aforementioned laws, we ask that you provide unedited and unredacted copies of this letter to all employees and contractors of the NRC. Further, we request that you confirm that these documents have been promptly transmitted to all Commission employees as we have requested.

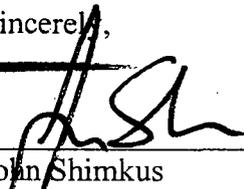
Should you have any questions, please contact Todd Harrison, Chief Counsel of Oversight and Investigations, at (202) 225-2927.

Sincerely,



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Fred Upton  
Chairman



---

John Shimkus  
Chairman  
Subcommittee on Environment and the Economy

cc: The Honorable Henry A. Waxman, Ranking Member

The Honorable Gene Green, Ranking Member  
Subcommittee on Environment and the Economy

The Honorable Kristine L. Svinicki

The Honorable George Apostolakis

The Honorable William D. Magwood, IV

The Honorable William C. Ostendorff

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

March 31, 2011

The Honorable Gregory B. Jaczko  
Chairman  
Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852

Dear Chairman Jaczko:

We write to notify you that the Committee on Energy and Commerce and its Subcommittee on Environment and the Economy are investigating the decision-making process related to the pending license application for construction of a high-level waste repository at Yucca Mountain.

At this time, we have questions about certain actions undertaken by you and the Nuclear Regulatory Commission (NRC or Commission) relating to (a) the proposed withdrawal of the license application for authorization to construct a repository at Yucca Mountain currently pending before the NRC; and (b) the defunding and termination of NRC's licensing proceedings of the Yucca Mountain repository license application (including staff technical and safety reviews) at a time when the full Commission has yet to decide the issue or authorize the defunding. We seek information necessary to evaluate the NRC's adherence to its statutory obligations and responsibilities under the Nuclear Waste Policy Act of 1982, as amended. We also seek information necessary to assess whether decisions were made according to NRC procedures and with full information and consideration of the policy, legal, and budgetary impacts of those decisions.

Accordingly, pursuant to Rules X and XI of the Rules of the U.S. House of Representatives, we respectfully ask that you provide written responses to the following within two weeks of the date of this letter. We also ask that you follow the instructions for responding to the Committee's document requests, included as an attachment to this letter. The relevant time period for the following requests is January 1, 2009, to the present.

1. Please provide a detailed chronological description of all NRC actions and decisions relating to the Yucca Mountain construction license application, including, but not

limited to, actions and decisions by the NRC Chairman, the Commission, and the Construction Authorization Board (CAB).

2. Please explain your role in the Administration's decisions concerning the Yucca Mountain license application, including, but not limited to, decisions to begin the closure of Yucca Mountain and to terminate the NRC technical and adjudicatory review of the license application for constructing a repository at Yucca Mountain.
  - a. List the names, titles, offices and roles of individuals, including those within the Office of the Chairman, who participated in deliberations regarding planning, actions, or decisions relating to the Yucca Mountain license application.
  - b. Please provide a list of all meetings and communications that have occurred between the NRC Chairman and the Executive Office of the President or Department of Energy (DOE), including Secretary of Energy Steven Chu, relating to constructing a repository at Yucca Mountain. Please include the dates of all such meetings and communications, the individuals present and a description of the subject matters discussed, and state whether the Commissioners or NRC staff were informed of each such meeting.
  - c. Provide all documents relating to any such meetings or communications.
3. Provide all documents relating to: (a) the development of the proposed FY 2010 budget for license support activities related to the Yucca Mountain license application, (b) any agreement by the Commission about the conditions necessary for terminating the various NRC license review activities, and (c) the decision to terminate Yucca Mountain license review activities in conjunction with FY 2011 Continuing Resolution funding.
4. Provide all documents relating to the April 23, 2010 Commission Memorandum and Order (CLI-190-13) (which vacated the CAB's decision to suspend consideration of DOE's motion to withdraw the license application and ordered the CAB to issue a decision no later than June 1, 2010). This request includes, but is not limited to, all staff memoranda and evaluations.
5. Please describe the specific Commission procedures followed in voting on the appeal (pending before the NRC) of the CAB's decision to deny the motion to withdraw the license application for a repository at Yucca Mountain, including, but not limited to, the dates of each action, vote, and any affirmation of the votes.
  - a. Explain the failure to complete action upon the appeal.
  - b. Provide all documents relating to the scheduling and resolution of the Commission's votes concerning the review of the CAB decision to deny DOE's motion to withdraw its Yucca Mountain license application.
6. Please explain the justification and legal authority for your decision, as NRC Chairman, to direct Commission staff to terminate review of the Yucca Mountain application.
  - a. Provide all documents relating to the direction to cease review of the Yucca Mountain application, including, but not limited to, the memoranda and analyses relating to the justification for the decision or authority to terminate review of the Yucca Mountain application.

- b. Provide all documents relating to the drafting and finalization of the staff Safety Evaluation Reports (SERs) of the Yucca Mountain license application, including, but not limited to, the Safety Evaluation Report Volumes 1 and 3.
7. Has NRC been using the Nuclear Waste Fund (NWF) to fund actions relating to the termination of the NRC's license review?
- a. If so, please explain the basis for using the Nuclear Waste Fund (NWF) to fund actions relating to the termination of the NRC's license review, and state the relevant legal authority upon which you relied to spend sums from the NWF.
  - b. Provide all documents relating to the use of NWF for termination of license review, including, but not limited to, all assessments of the funding necessary to terminate activities and preserve all information captured in the NRC review process.

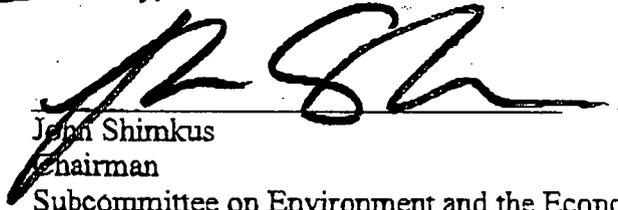
The term "NRC" refers to the U.S. Nuclear Regulatory Commission and any of its offices, subdivisions, entities, officials, administrators, employees, attorneys, agents, advisors, consultants, staff, or any other persons acting on behalf or under the control or direction of the NRC. Should you have any questions, you may contact Peter Spencer of the Majority Committee staff at (202) 225-2927.

We appreciate your prompt attention to this request.

Sincerely,



Fred Upton  
Chairman



John Shimkus  
Chairman  
Subcommittee on Environment and the Economy

Attachment

cc: The Honorable Henry A. Waxman, Ranking Member

The Honorable Gene Green, Ranking Member  
Subcommittee on Environment and the Economy

The Honorable Kristine L. Svinicki

The Honorable George Apostolakis

The Honorable William D. Magwood, IV

The Honorable William C. Ostendorff

## RESPONDING TO COMMITTEE DOCUMENT REQUESTS

*In responding to the document request, please apply the instructions and definitions set forth below:*

### INSTRUCTIONS

1. In complying with this request, you should produce all responsive documents that are in your possession, custody, or control or otherwise available to you, regardless of whether the documents are possessed directly by you.
2. Documents responsive to the request should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual named in the request has been, or is currently, known by any other name, the request should be read also to include such other names under that alternative identification.
4. Each document should be produced in a form that may be copied by standard copying machines.
5. When you produce documents, you should identify the paragraph(s) and/or clause(s) in the Committee's request to which the document responds.
6. Documents produced pursuant to this request should be produced in the order in which they appear in your files and should not be rearranged. Any documents that are stapled, clipped, or otherwise fastened together should not be separated. Documents produced in response to this request should be produced together with copies of file labels, dividers, or identifying markers with which they were associated when this request was issued. Indicate the office or division and person from whose files each document was produced.
7. Each folder and box should be numbered, and a description of the contents of each folder and box, including the paragraph(s) and/or clause(s) of the request to which the documents are responsive, should be provided in an accompanying index.
8. Responsive documents must be produced regardless of whether any other person or entity possesses non-identical or identical copies of the same document.
9. The Committee requests electronic documents in addition to paper productions. If any of the requested information is available in machine-readable or electronic form (such as on a computer server, hard drive, CD, DVD, back up tape, or removable computer media such as thumb drives, flash drives, memory cards, and external hard drives), you should immediately consult with Committee staff to determine the appropriate format in which to produce the information. Documents produced in electronic format should be organized, identified, and indexed electronically in a manner comparable to the organizational structure called for in (6) and (7) above.

10. If any document responsive to this request was, but no longer is, in your possession, custody, or control, or has been placed into the possession, custody, or control of any third party and cannot be provided in response to this request, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control, or was placed in the possession, custody, or control of a third party.

11. If any document responsive to this request was, but no longer is, in your possession, custody or control, state:

- a. how the document was disposed of;
- b. the name, current address, and telephone number of the person who currently has possession, custody or control over the document;
- c. the date of disposition;
- d. the name, current address, and telephone number of each person who authorized said disposition or who had or has knowledge of said disposition.

12. If any document responsive to this request cannot be located, describe with particularity the efforts made to locate the document and the specific reason for its disappearance, destruction or unavailability.

13. If a date or other descriptive detail set forth in this request referring to a document, communication, meeting, or other event is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.

14. The request is continuing in nature and applies to any newly discovered document, regardless of the date of its creation. Any document not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.

15. All documents should be bates-stamped sequentially and produced sequentially. In a cover letter to accompany your response, you should include a total page count for the entire production, including both hard copy and electronic documents.

16. Two sets of the documents should be delivered to the Committee, one set to the majority staff in Room 316 of the Ford House Office Building and one set to the minority staff in Room 564 of the Ford House Office Building. You should consult with Committee majority staff regarding the method of delivery prior to sending any materials.

17. In the event that a responsive document is withheld on any basis, including a claim of privilege, you should provide the following information concerning any such document: (a) the reason the document is not being produced; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; (e) the relationship of the author and addressee to each

other; and (f) any other description necessary to identify the document and to explain the basis for not producing the document. If a claimed privilege applies to only a portion of any document, that portion only should be withheld and the remainder of the document should be produced. As used herein, "claim of privilege" includes, but is not limited to, any claim that a document either may or must be withheld from production pursuant to any statute, rule, or regulation.

18. If the request cannot be complied with in full, it should be complied with to the extent possible, which should include an explanation of why full compliance is not possible.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; (2) documents responsive to the request have not been destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee since the date of receiving the Committee's request or in anticipation of receiving the Committee's request, and (3) all documents identified during the search that are responsive have been produced to the Committee, identified in a privilege log provided to the Committee, as described in (17) above, or identified as provided in (10), (11) or (12) above.

### DEFINITIONS

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail ("e-mail"), instant messages, calendars, contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, power point presentations, spreadsheets, and work sheets. The term "document" includes all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments to the foregoing, as well as any attachments or appendices thereto. The term "document" also means any graphic or oral records or representations of any kind (including, without limitation, photographs, charts, graphs, voice mails, microfiche, microfilm, videotapes, recordings, and motion pictures), electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, back up tape, memory sticks, recordings, and removable computer media such as thumb drives, flash drives, memory cards, and external hard drives), and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, electronic format, disk, videotape or otherwise. A document bearing any notation not part of the original text is considered to be a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "documents in your possession, custody or control" means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that have been placed in the possession, custody, or control of any third party.

3. The term "communication" means each manner or means of disclosure, transmission, or exchange of information, in the form of facts, ideas, opinions, inquiries, or otherwise, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, mail, e-mail, instant message, discussion, release, personal delivery, or otherwise.

4. The terms "and" and "or" should be construed broadly and either conjunctively or disjunctively as necessary to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes the plural number, and vice versa. The masculine includes the feminine and neuter genders.

5. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, limited liability corporations and companies, limited liability partnerships, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, other legal, business or government entities, or any other organization or group of persons, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.

6. The terms "referring" or "relating," with respect to any given subject, mean anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is in any manner whatsoever pertinent to that subject.

7. The terms "you" or "your" mean and refers to

For government recipients:

"You" or "your" means and refers to you as a natural person and the United States and any of its agencies, offices, subdivisions, entities, officials, administrators, employees, attorneys, agents, advisors, consultants, staff, or any other persons acting on your behalf or under your control or direction; and includes any other person(s) defined in the document request letter.