

CASE NO: 2017-0557
DATE REC'D: 05/26/2017
SPECIALIST:
RELATED CASE:

From: [Reilly, Stephen](#)
To: [FOIA Resource](#)
Subject: [External_Sender] Copies of ethics waivers granted pursuant to Executive Order 13770, Jan. 28, 2017 to present
Date: Thursday, May 25, 2017 1:43:11 PM

May 25, 2017

Freedom of Information Act Officer
Mail Stop T-5 F09
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

VIA EMAIL: FOIA.Resource@nrc.gov

Re: Freedom of Information Act request & Expedited FOIA processing request.

To whom it may concern:

This is a request for records under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, et seq., for which I also seek expedited processing.

I am seeking the following records:

- Copies of all ethics waivers granted pursuant to [Executive Order 13770](#) (Jan. 28, 2017) for officials within the Nuclear Regulatory Commission from January 28, 2017 to present.

I respectfully submit that this request meets the criteria for expedited processing under applicable regulations because, as established and set forth below, I am a person primarily engaged in disseminating information and there is a compelling and urgent need to inform the public about an actual or alleged federal government activity.

The use of ethics waivers for political appointees within the Trump Administration has been the subject of widespread and ongoing public scrutiny. Due to questions that have been raised by and within Congress, the Office of Government Ethics, the media and the general public regarding ethics waivers for officials within the Trump Administration, there is currently an urgent need to inform the public about the actual government activity of complying with the executive branch ethics program. I believe the public disclosure of nonexempt materials covered by this FOIA request will serve to address that need.

Questions are widespread among members of the public and government officials concerning the nature of compliance with the executive branch ethics program, particularly the use of ethics waivers. (See, eg., [Letter from Office of Management and Budget Director John M. Mulvaney to Office of Government Ethics Director Walter M. Shaub, Jr., May 17, 2017](#) “[Senators Call on Trump to Disclose Ethics Waivers and White House Visitor Logs](#),” Office of Senator Sheldon Whitehouse, April 20, 2017; [Letter from Office of Government Ethics Director Walter M. Shaub, Jr. to Office of Management and Budget Director John M. Mulvaney, May 22, 2017](#); “[Ethics Agency Rejects White House Move To Block Ethics Waiver Disclosures](#)” National Public Radio, May 22, 2017; “[White House Moves to Block Ethics Inquiry Into Ex-Lobbyists on Payroll](#),” The New York Times, May 22, 2017; “[Top](#)

Ethics Officer Challenges Trump Over Secret Waivers for Ex-Lobbyists,” The New York Times, May 1, 2017; “Trump is Hiring Lobbyists and Top Ethics Official Says ‘There’s No Transparency,’” ProPublica, April 15, 2017). In light of the questions of public confidence surrounding the use and disclosure of ethics waivers within the Trump Administration, there is an urgent need for the general public to access factual information about the actual government activity of complying with the executive branch ethics program. Upon belief, this factual information is contained within the requested records and through this request I seek to access this information to write one or more news articles for publication in one of the nation’s largest general circulation newspapers.

Because this is a request by a member of the news media for information of significant public interest, I also ask that you waive any search fees in accordance with §552(a)(4)(A)(ii)(II).

For purposes of determining my status with respect to the expedited processing request and any fees that may be applicable to this request, please be advised that I am employed full-time as reporter based in McLean, Virginia for USA TODAY and its network of more than 100 partner daily newspapers owned and operated by Gannett Co. Inc., and that the purpose of this request is to gather information of potential interest to a segment of the public and use my editorial abilities to turn the raw materials into a distinct work with the intent to distribute that work to an audience of newspaper readers throughout the United States. Links to my most recently published material may be found here: <http://www.usatoday.com/staff/30847/steve-reilly/>. I hereby certify that the above is true and accurate to the best of my knowledge and ability.

Where possible, please furnish the requested records in an electronic format pursuant to 5 U.S.C. § 552(a)(3)(B)-(C), preferably via email to sreilly@usatoday.com.

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

As you know, the Act, in § 552(a)(6), grants an agency no more than twenty working days in which to respond to this request. See *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)).

I thank you sincerely for your prompt attention to this request and look forward to your timely reply.

Steve Reilly

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Investigative Reporter

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