



Department of Energy

Washington, DC 20585

September 28, 2009

MEMORANDUM TO:

**DOROTHY RIEHLE
FOIA OFFICER
RICHLAND OPERATIONS OFFICE**

**VERNON DAUB
FOIA OFFICER
CARLSBAD FIELD OFFICE**

**CLAYTON OGILVIE
FOIA OFFICER
IDAHO OPERATIONS OFFICE**

**MIRIAM LEGAN
FOIA OFFICER
CHICAGO OFFICE**

**PAULINE CONNER
FOIA OFFICER
SAVANNAH RIVER OPERATIONS OFFICE**

**MARIAN WILCOX
FOIA OFFICER
EMCBC**

**CAROLYN BECKNELL
FOIA OFFICER
NNSA SERVICE CENTER**

FROM:

**ALEXANDER C. MORRIS, FOIA OFFICER
OFFICE OF INFORMATION RESOURCES**

SUBJECT:

**FOIA REQUESTS FROM DAVID EPSTEIN
(FOIA-2009-000418 and FOIA-2009-000433)**

The attached request for information submitted by Mr. David Epstein is transferred to your office for action. Mr. Epstein submitted the requests under the Freedom of Information Act.

We have informed Mr. Epstein that his requests have been sent to multiple field offices for action. Please conduct a search of your files for documents responsive to the requests and inform the requester of the results of the search.

If you have questions about this correspondence, please contact Ms. Brenda Washington of my staff on (202) 586-6039.

Attachments:

- (1) Request Letters
- (2) Transfer Letter from HQ





Department of Energy

Washington, DC 20585

September 28, 2009

Mr. David Epstein
Pro Publica
One Exchange Plaza
23rd Floor
New York, NY 10006

Re: FOIA-2009-000418 and FOIA-2009-000433

Dear Mr. Epstein:

This is in further response to the requests for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. 552. Under request number FOIA-2009-000418, you asked for all records of phone calls, letters, e-mails or other communications between the Department and members of Congress or their staff members that pertain to provisions or potential future provisions of the American Recovery and Reinvestment Act that involves nuclear clean-up sites. You asked for correspondence from December 1, 2008 and June 9, 2009.

Under request number FOIA-2009-000433, you asked for all records of phone calls, letters, e-mails or other communications between the Department and employees or officials of lobbyists for private contractors involved in nuclear cleanup with the Department, regarding provisions or potential provisions of the American Recovery and Reinvestment Act. You asked for correspondence between December 1, 2008 through February 18, 2009.

In a letter dated August 13, 2009, you were informed that your request had been assigned to the Office of Environmental Management of the Department to conduct a search of its files for responsive documents. Since that time, we have determined that the Department's field offices may also have responsive records. For this reason, I have assigned both requests to the following offices. They are:

- (1) the Idaho Operations Office;
- (2) Carlsbad Field Office;
- (3) the Richland Operations Office;
- (4) the Chicago Office;
- (5) the Savannah River Operations Office;
- (6) the Environmental Management Consolidated Business Center, and
- (7) the National Nuclear Security Administration Service Center.

In addition, the Office of Environmental Management (EM) will continue to search for documents responsive to your request from Headquarters. Upon completion of the search from EM, I will provide a response to you.



If you have any questions about the processing of your requests by the Idaho Operations Office, please contact Mr. Clayton Ogilvie, FOIA Officer, Department of Energy, 155 Fremont Avenue, MS 1203, Idaho Falls, Idaho 83401. He can be reached on (208) 526-5190.

For questions about the processing of the request by the Carlsbad Field Office, please contact Mr. Vernon Daub, FOIA Officer, Department of Energy, P.O. Box 3090, Carlsbad, NM 88221. He can be reached on (575) 234-7303.

For questions about the processing of the request by the Richland Operations Office, please contact Ms. Dorothy Riehle, FOIA Officer, Department of Energy, P.O. Box 550, Mail Stop A7-75, Richland, WA 99352. She can be reached on (509) 376-6288.

For questions about the processing of the request by the Chicago Office, please contact Ms. Miriam Legan, FOIA Officer, Department of Energy, Chicago Office, 9800 S. Cass Avenue, Argonne, IL 60439. She can be reached on (630) 252-2041.

For questions about the processing of the request by the Savannah River Operations Office, please contact Ms. Pauline Conner, FOIA Officer, Department of Energy, P.O. Box A, Aiken, SC 29801. She can be reached on (803) 952-8134.

For questions about the processing of the request by the Environmental Management Consolidated Business Center, please contact Ms. Marian Wilcox, FOIA Officer, Department of Energy, EMCBC, 250 East 5th Street, Suite 500, Cincinnati, OH 45202. She can be reached on (513) 246-0582.

For questions about the processing of the request by the National Nuclear Security Administration, (NNSA) Service Center, please contact Ms. Carolyn Becknell, FOIA Officer, Department of Energy, P.O. Box 5400 Albuquerque, NM 87185-5400. She can be reached on (505) 845-4869.

If you have any questions about the processing of your requests or about this correspondence, you may contact Ms. Brenda Washington of my staff on (202) 586-6039.

I appreciate the opportunity to assist you with this matter.

Sincerely,



Alexander C. Morris
FOIA Officer
Office of Information Resources



June 10, 2009

Chris Morris, FOIA Officer
U.S. Department of Energy
FOIA/Privacy Act Office, MA-9D
1000 Independence Ave SW
Washington, DC 20585
Fax: (202) 586-0575

Dear Mr. Morris:

Under the Freedom of Information Act, I am requesting any and all records of phone calls, letters, e-mails or other communications between December 1, 2008 and June 9, 2009 from members of Congress or their staff members to the Department of Energy regarding provisions or potential future provisions of the American Recovery and Reinvestment Act that deal with nuclear cleanup sites. Please note that I mention "potential provisions" because part of the time period in my request is prior to passage of the ARRA, so communications would have discussed possible future provisions, or proposed provisions.

If possible, I would like to receive the information in electronic format. I can accept the data in several formats (xls, doc, pdf, etc.) and can accept the data on a variety of media (CD-ROM, e-mail attachment, etc.).

I am requesting expedited processing of this request, as there is an urgency to inform the public about these projects, particularly given that ARRA money for nuclear cleanup sites accounts for a large portion of federal stimulus money already contracted and many of the first new jobs created. Additionally, nuclear cleanup funds account for \$6 billion in ARRA funds. I am a person primarily engaged in disseminating information about federal government activity for the public's benefit. A USA Today article appearing June 10, 2009 notes that, pursuant to an FOIA request by USA Today, similar information to that I am requesting was released by agencies to USA Today. The agencies are not specified in the article, but if the Department of Energy is among them, perhaps part of the information gathering for this request has already been accomplished.

President Obama has spoken frequently about the inherently transparent nature of all decisions related to the stimulus package. He has also expressed the urgency of getting information out to the public, including journalists.

In order to help determine my status to assess fees, you should know I am a reporter for ProPublica, an independent, non-profit newsroom that produces investigative journalism in the public interest, based in New York.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information that is of current interest to the public because this information is being sought for dissemination to the general public.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities.

Because time is very much a factor, I ask that you communicate with me by telephone or e-mail if you have any questions. My phone number is 917-512-0213, and my e-mail address is david.epstein@propublica.org. To save time and cost, please e-mail the records if possible.

FOIA-2009-000418

JUN 10 2009 01

SCIENTIFIC/EDUCATIONAL/NEWS MEDIA

Branch

If you deny any part of this request, please cite each specific reason that you think justifies your refusal to release the information and notify me of appeal procedures available to me under the law.

Thank you for your assistance with my request.



David Epstein, reporter

Voice (917) 512-0213

Fax (212) 785-2634

David.epstein@propublica.org

One Exchange Plaza 23rd Floor New York, New York 10006 212-514-5250 propublica.org

[Faint handwritten notes and a date stamp are visible in the center of the page.]



June 15, 2009

Chris Morris, FOIA Officer
U.S. Department of Energy
FOIA/Privacy Act Office, MA-90
1000 Independence Ave SW
Washington, DC 20585
Fax: (202) 586-0575

JUN 15 2009 01
SCIENTIFIC/EDUCATIONAL NEWS MEDIA

Dear Mr. Morris:

Under the Freedom of Information Act, I am requesting any and all records of phone calls, letters, e-mails or other communications between December 1, 2008 and February, 18 2009 from employees or officials of or lobbyists for private contractors involved in nuclear cleanup to the Department of Energy regarding provisions or potential provisions of American Recovery and Reinvestment Act. Please note that I mention "potential provisions" because most of the time period in my request is prior to passage of the ARRA, so communications would have discussed possible future provisions, or proposed provisions related to economic stimulus legislation. Private companies (including their subsidiaries) that have received money under the ARRA for work at nuclear cleanup sites include Bechtel National, CH2M Hill, Fluor, and Shaw Group.

If possible, I would like to receive the information in electronic format. I can accept the data in several formats (xls, doc, pdf, etc.) and can accept the data on a variety of media (CD-ROM, e-mail attachment, etc.).

I am requesting expedited processing of this request, as there is an urgency to inform the public about these projects, particularly given that ARRA money for nuclear cleanup sites accounts for a large portion of federal stimulus money already contracted and many of the first new jobs created. Additionally, nuclear cleanup funds account for \$6 billion in ARRA funds. I am a person primarily engaged in disseminating information about federal government activity for the public's benefit.

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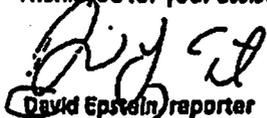
Because time is very much a factor, I ask that you communicate with me by telephone or e-mail if you have any questions. My phone number is 917-512-0213, and my e-mail address is david.epstein@propublica.org. To save time and cost, please e-mail the records if possible.

FOIA-2009-00433

David Epstein

If you deny any part of this request, please cite each specific reason that you think justifies your refusal to release the information and notify me of appeal procedures available to me under the law.

Thank you for your assistance with my request.



David Epstein reporter

Voice (917) 512-0213

Fax (212) 785-2634

David.epstein@propublica.org

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