



Department of Energy

Office of Science
Chicago Office
9800 South Cass Avenue
Argonne, Illinois 60439

April 27, 2010

Ms. Jennifer Haberkorn
The Washington Times
3600 New York Avenue, NE
Washington, DC 20002

Dear Ms. Haberkorn:

SUBJECT: U.S. DEPARTMENT OF ENERGY (DOE) OFFICE OF SCIENCE – CHICAGO OFFICE (SC-CH) FREEDOM OF INFORMATION ACT (FOIA) REQUEST NO. CH-2010-01287-F

I am the authorizing official responsible for making the determination required by Section 1004.5(b) of DOE regulations found at 10 CFR Part 1004, implementing the FOIA, 5 U.S.C. 552.

In your original request, you were seeking “copies of any and all correspondence between the Department of Energy and any of the following members of Congress: Rep. Tom Udall, Rep. Zach Wamp, Rep. Michael K. Simpson, Rep. Judy Biggert, Rep. Barbara Lee, Rep. Ellen O. Tauscher, Rep. Bob Goodlatte, Rep. Shelley Berkeley, Rep. Timothy J. Bishop.” You further stated in your original request that your request includes “correspondence between 2006 and November 2008.”

On March 26, 2010, the DOE Office of Inspector General (OIG) transmitted a letter to you wherein the OIG indicated that they located several documents potentially responsive to your request. Of the documents they located, the OIG indicated that “Document 7” was under the jurisdiction of the Office of Science (SC) ..., and the OIG further indicated that they were forwarding Document 7 to SC for a releasability determination and direct response to you. This letter represents our direct response to that portion of your FOIA request relative to “Document 7.”

After our review of “Document 7,” we have determined that document is not responsive to your request, i.e., “Document 7” is outside the scope of your original request because it is not correspondence between DOE and members of Congress.

Although you have been categorized as a “News Media” requester, and as such, you would normally be subject to fee assessment for duplication costs, because there was no duplication effort, there are no costs related to your subject FOIA request.



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Ms. Jennifer Haberkorn

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If you have any questions regarding this response, please contact me at (630) 252-2041 or via e-mail at miriam.legan@ch.doe.gov.

Sincerely,

A handwritten signature in cursive script that reads "Miriam R. Legan".

Miriam R. Legan
Freedom of Information Act Officer

cc: Linda Blevins, SC