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Subject: : Agency FOIA Requests

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR:Carrie B. Loy (CN=Carrie B. Loy/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 6-FEB-2003 18:01:35.00

SUBJECT:: Agency FOIA Requests

TO:Taylor A. Hughes (CN=Taylor A. Hughes/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Carmen M. Ingwell (CN=Carmen M. Ingwell/OU=WHO/O=EOP@EOP [WHO])

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TO:MKoch@who.eop.gov (MKoch@who.eop.gov [WHO])

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TO:Christie Parell (CN=Christie Parell/OU=WHO/O=EOP@EOP [WHO])

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TO:Ali H. Tulbah (CN=Ali H. Tulbah/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Edward Ingle (CN=Edward Ingle/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO:Brett M. Kavanaugh (CN=Brett M. Kavanaugh/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

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ATT CREATION TIME/DATE: 0 00:00:00.00

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AGENCY FOIA REQUESTS

DOL

Tom FitzGerald, Director, Kentucky Resources Council, Inc., Frankfort, Kentucky, is seeking:

copies of any inspection report, analytical document or enforcement action regarding breakthroughs from active underground mine or active surface mines into abandoned underground coal mines.

Ellen E. Smith, Publisher, Mine Safety and Health News, Pittsford, New York, is seeking:

copies of the last two MSHA inspection reports, violations found and citations issued to Central Cambria Drilling at the McElroy Coal Mine in Cameron, West Virginia. Smith is specifically interested in knowing when the mine shaft was last inspected prior to the accident that killed three men on January 22, 2003. She would also like copies of any citations issued based on those inspections and a copy of the ventilation plan, including the amounts of air required under the plan, and any MSHA and company correspondence related to the ventilation plan.

Matt Yule, Reporter, Inside Edition, is seeking:

data on all construction accidents in New York City between January 1, 2001, and January 30, 2003.

OPM

- OPM received a FOIA request from **a reporter with American Lawyer Media** (publisher of more than 25 news magazines and newspapers, including Legal Times, The American Lawyer, and The National Law Journal) asking for the correspondence between Representative Lane Evans (D-IL) and OPM concerning a FOIA request from the Congressman, including the legal opinion of the Office of the General Counsel as well pertinent e-mails. Congressman Evans FOIA request, submitted on 9/5/02, concerned the FY 2001 Disabled Veterans Affirmative Action Program (DVAAP), and specifically reports supplied by the agencies and a copy of the Office of General Counsel's May 18, 1998, opinion. OPM denied the request based on FOIA exemption 5 (protecting pre-decisional documents) and he has initiated a lawsuit in the district court for DC.
- OPM received a FOIA request (1/31) from **Quickhire, Inc., an Alexandria-based employment service firm**, requesting a copy of the Statement of Work for the contract that was awarded to TMP Worldwide for the USAJobs Recruitment One-Stop Initiative.

HHS

2/18/03-News Media Request -**The Philadelphia Inquirer** requested information about the liver transplant program at Thomas Jefferson University Hospital in Philadelphia, including all reports on intraoperative deaths and post-surgical deaths during the hospital stay; documents on failure to report such patient deaths or delay in reporting them; documents on the qualifications of transplant surgeons in the program; and any documents on complaints, investigations, or sanctions of this program since January 1, 2000.

2/25/03-News Media FOIA Request - **The Denver Post** requested copies of all approval and denial letters for grants from the University of Colorado Health Sciences Center to HRSA since January 1, 1999.

2/26/03-Columbia (Missouri) **Daily Tribune** FOIA Request - This news outlet requested a copy of the financial recovery plan developed by HRSA for the Family Health Center located at 1500 Vandiver Drive in Columbia, MO.

EPA

During the week of January 27-31, 2003, the Agency received 301 FOIA requests. Of the total, 37 were received in Headquarters. Year-to-date totals are 825 for Headquarters and 4,217 Agency-wide. Significant FOIA requests received this week include:

- (4) **Carl Weiser of the Gannett News Service** is requesting any correspondence since January 1, 2001, between EPA and the Cincinnati area congressional delegation which includes Sen. Mike DeWine, Sen. George Voinovich, Rep. Rob Portman, Rep. John Boehner, Rep. Steve Chabot, all of Ohio, and Rep. Ken Lucas of Kentucky.
- (5) **Mr. John D. Flaherty, a lobbyist for the Common Cause of Delaware**, is requesting any documents involving EPA, the state of Delaware, Delaware River Basin Commission, DOJ, Motiva Enterprises, and Shell Oil Products US regarding possible changes to a Consent Order entered into by EPA, DOJ, and Motiva (Civil Action No. H-01-0978). The mission of Common Cause of Delaware is to make the process of government more effective, to advance open, honest and responsive government, and to advocate that government officials be accountable to the public.
- (6) **Russell G. Martin from WRCB TV Channel 3** in Chattanooga, TN is requesting any records pertaining to warnings, concerns, and/or fines over the last 5 years involving ConAgra Foods. Mr. Martin is seeking this information because of environmental concerns raised by the nearby community.
- (7) **Ms. Sierra Weaver of the Southern Environmental Law Center** is requesting all documents relating to air quality permits sought by or issued to stationary air pollution sources in North Carolina, South Carolina, Tennessee, Alabama, and Georgia which

require compliance with any Clean Air Act New Source Performance Standard (NSPS). Ms. Weaver is seeking this information because of the current national attention directed at efforts to amend the Clean Air Act's New Source Review program.

- (8) Ms. **Laurie Valeriano of the Washington Toxics Coalition** is requesting the Summer 2002 test results submitted to EPA by the Shoalwater Tribe from the carbaryl spray in Willapa Bay, WA. Carbaryl is a pesticide that oyster growers use to control burrowing shrimp that can damage oyster beds.
- (9) Mr. **Bruce Nilles of the Sierra Club** is requesting all Clean Air Act Section 114 information requests that EPA has sent to and the responses provided to EPA from Midwest Generation and Commonwealth Edison regarding its coal-fired powerplants in Illinois since 1990. The Sierra Club is seeking these records because they are preparing comments for the facilities' draft Title V Clean Air Act permits that the State of Illinois will release later this year for public review.

DoED

NCLB State Accountability Plans. Lynn Amy Olson, representing EDUCATION WEEK, has submitted a Freedom of Information Act Request for access to and copies of the Consolidated State Application Accountability Workbooks prepared by each of the 50 states and the District of Columbia, that were due to the Department by January 31,

DOJ

DOJ has received the following significant FOIA requests:

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\$ **Michael Ravnitzky, of American Lawyer Media**, has requested all records concerning the contract awarded by the Department of Justice to KPMG Consulting to conduct an analysis of diversity in the Department's attorney workforce.

\$ **Ann Rees, of The Atkinson Fellowship in Public Policy**, has requested "all records in connection with the December 2002 agreement between Canada and the United States to share electronic information from criminal databases."

DOE

Pete Yost, Associated Press: Requested copies of the appointment calendar for Secretary Abraham and Deputy Secretary and former Chief of Staff Kyle McSlarrow for calendar year 2002 to the present. In addition, he requested appointment calendar for John McCutcheon,

Senior Policy Advisor and former White House Liaison from the time he came to the Department to the present.

DOC

- \$ Received 01/28/03 from **Carl Weiser, Gannett News Service**, requesting correspondence since January 1, 1997 between the Department of Commerce and Procter & Gamble Company or its representatives.
- \$ Received 1/30/03 from **Larry Dressler, Kauai Farm Bureau Development Corporation**, requesting AEDA grant documents for the construction of the Kauai Tropical Fruit Disinfestation Facility adjacent to the Lihue airport. @
- \$ Received 1/30/03, from **Randal Ivor-Smith, Pillsbury Winthrop LLP**, requesting information about a letter sent by DOC's Assistant Secretary for Market Access and Compliance William Lash to Dr. Jose Daniel Amado Vargas; letter sent by Juan Antonio Castro to A/S Lash; analysis, investigation or communications in response to the letters; inquiries made by STM Wireless to DOC about STM's efforts to obtain rights to sell telephone equipment in rural Peru, or concerning STM's allegations about the conduct of Gilat Satellite Networks, Ltd. with respect to a public tender to sell telephone services and equipment in Peru; and DOC's analysis or investigation in response to any such inquiry.