



May 7, 2001

Carol Ann Reed
 FOIA/PA Officer
 Nuclear Regulatory Commission
 fax: 301/415-5130
 Washington, DC 20555

FOIA/PA REQUEST

Case No: 2002-0256
 Date Rec'd: 5/7/02
 Action Off: _____
 Related Cases: _____

Dear Ms. Reed:

Re: Freedom of Information Request

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, I hereby request a copy of (or access to) all records pertaining to the removal of information from your web site, reading rooms, depository libraries, or any other venue in which the public can retrieve government information, after the September 11th attacks on the World Trade Center and Pentagon. This includes, but is not limited to, a list of web pages removed by your agency and the general content of those pages, any guidelines used by your agency to determine whether to remove information from the web or in other ways limit public access, and any justification for any decision to remove or limit information. I also request information on the rebuilding of your website, such as policy or guidance for putting information back online.

I am requesting these records for non-commercial use in the public interest, and accordingly, request a waiver of fees. The public should be able to evaluate government decisions to remove information from web sites and other public access points, and any criteria used for removing, or not removing, information. Such disclosure will contribute significantly to public understanding of the operations or activities of government.

Disclosure of these records is "likely to contribute" to an understanding of government operations or activities" by revealing how the NRC has approached the removal of public information from its web site(s) after September 11th. OMB Watch has the ability and intent to disseminate the information, or research derived from this information. Moreover, disclosure of this information would "significantly" contribute to public understanding because there is no information currently available to the public on this issue. The activities of government agencies in removing information from web sites has drawn significant attention, both critical and supportive, in the post-September 11th atmosphere. The public has a right to know how the decisions to remove information were reached.

2/11

Reed, page 2

OMB Watch has been analyzing government activities for almost 20 years, and has the ability and expertise to explain the requested information to the public. Moreover, OMB Watch has the ability to publicly disseminate information concerning the government activities disclosed by the records requested. OMB Watch publishes a bi-monthly newsletter to over 2,300 people, many of which re-distribute the information in agreement with us. OMB Watch recently began publishing "The Executive Report," a monthly online report that will focus on a range of issues including executive branch monitoring, information policy, and government accountability, among other issues, which has a readership of over 500 people. OMB Watch also disseminates reports, research, analyses, and other information to the public through its Internet site at www.ombwatch.org. The information disseminated on this site includes information regarding public access to government information.

OMB Watch is a 501 (c)(3), nonprofit, public interest organization. It conducts research and advocacy on a variety of issues, including the records management practices of government agencies and public access to government information. A copy of OMB Watch's most recent annual report is enclosed and OMB Watch's Form 990 filings with the IRS are available at http://www.ombwatch.org/990/1999/ombw_1999_990.pdf. The records requested here are not requested for any commercial purpose, but as part of research on the practices of the government with respect to the removal of public information from government web sites. Thus, OMB Watch does not have any "commercial interest" that is furthered by the requested disclosure; OMB Watch's primary and, indeed, sole interest is to secure public access to the information in the records requested.

I will expect a response within 20 working days as provided by law. If my request is denied in whole or in part, I expect a detailed justification for withholding the records. I also request any segregable portions that are not exempt to be disclosed.

Thank you for your prompt attention to this matter.

Very truly yours,

Sean Moulton

Sean Moulton
Senior Policy Analyst

Encl.