



Department of Energy

Washington, DC 20585

January 29, 2003

2002049/DOE005

Mr. William Ferroggiaro
The National Security Archive, GWU
Gelman Library, Suite 701
2130 H Street, N.W.
Washington, D.C. 20037

F2002-00423

Dear Mr. Ferroggiaro:

This is in final response to the request for information that you sent to the Department of Energy (DOE) under the Freedom of Information Act (FOIA), 5 U.S.C. 552. You asked for all records that concern the DOE implementation of the U.S. Attorney General John Ashcroft memorandum dated October 12, 2001, on the Freedom of Information Act.

We conducted a search of our files for documents responsive to the request. The search, however, found no responsive documents. Therefore, pursuant to Title 10 Code of Federal Regulations (CFR), section 1004.4 (d), I am unable to provide any documents responsive to your request.

Pursuant to 10 CFR 1004.7(b)(2), I am the person responsible for the determination that no responsive documents exist.

You may challenge the adequacy of these searches for responsive documents by submitting a written appeal to the Director, Office of Hearings and Appeals at the U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0107. You should submit the appeal within 30 calendar days of receipt of this determination. The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made.

The appeal must contain all the elements required by 10 CFR 1004.8. Judicial review will thereafter be available (1) in the District of Columbia; (2) in the district where you reside; (3) in the district where you have your principal place of business; or (4) in the district where the DOE records are located.

Pursuant to 10 CFR 1004.9(a)(6), there is no charge for searching our records to fill your request.

The above referenced number has been assigned to the request and you should refer to it in correspondence with the DOE about this matter. If you have questions about the processing of the request, you may contact Ms. Carol Wolf of my staff on (202) 586-5955.

I appreciate the opportunity to assist you in this matter.

Sincerely,

Abel Lopez, Director

FOIA/Privacy Act Group

Office of The Executive Secretariat

