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THE NATIONAL SECURITY ARCHIVE

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IN ALL CORRESPONDENCE PLEASE REFER
TO ARCHIVE FILE NO. 931055DOE004
11/22/1993

Received in Headquarters
1993 DEC -1 A 10:35
Date

Denise B. Diggin
Chief, FOIA/PA Branch
Energy Department
1000 Independence Avenue SW
Washington D.C. 20585

Dear Ms. Diggin:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. Section 552, et seq. (as amended), I hereby request disclosure of the documents described on the attached page of this letter for inspection and possible copying. If you regard any of these documents as potentially exempt from the FOIA's disclosure requirements, I request that you nonetheless exercise your discretion to disclose them. As the FOIA requires, please release all reasonably segregable nonexempt portions of documents which contain information you regard as exempt. To permit me to reach an intelligent and informed decision whether or not to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims.

This request is made on behalf of the National Security Archive, a nonprofit public interest research institute and library in Washington, D.C. The Archive is a tax-exempt nonprofit organization whose purpose is to enrich public policy debate by making widely available records on important areas of major public concern on foreign, defense and intelligence policy. Documents obtained by the Archive, including the records requested in this letter, are carefully analyzed, indexed, organized into collections and published. Archive document collections are also available for inspection and copying at the Archive by scholars, journalists, members of Congress and their staffs, present and former public officials, other public interest organizations, and the general public. Information in these documents is disseminated across the country through distribution of our published collections to research libraries and through the Archive's other publishing and media activities. I am conducting research on the subject of this request as part of an Archive research team which includes experts on the subject and which already has done extensive research and determined that the requested materials are necessary to our project.

Please also waive all fees in connection with this request. In National Security Archive v. U.S. Department of Defense, 880 F.2d 1381 (D.C. Cir. 1989), cert. denied, 110 S Ct. 1478 (1990), the Archive was declared entitled to a waiver of all search and review fees under the FOIA as a "representative of the news media." This request also qualifies for a waiver of duplication fees because disclosure of the information in the requested documents is in the public interest since release to us of these records, which directly relate to the formation of U.S. policy on the subject, is likely to contribute significantly to greater public understanding of the operations or activities of the government in making that policy. Should you decline to waive or reduce all duplication fees, we are prepared to pay normal reproduction costs if I decide to copy the records produced, but please describe your specific reasons in writing and notify us before incurring costs over \$100.

To expedite the release of the requested documents, please disclose them on an interim basis as they become available to you, without waiting until all the documents have been processed. If you have any questions regarding the identity of the records, their location, the scope of the request or any other matters, please call me at (202) 797-0882. I look forward to receiving your response within the ten-day statutory time period.

Sincerely,

William Bauer

93120103

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FOIA Requester: Burr, William

FOIA Sequence Number: 931055DOE004

Date of Request: 11/22/1993

NSA Record Number: 11646

Subject of Request:

Copies of the following Atomic Energy Commission documents, all of which are cited in Richard Hewlett and Jack Holl's "Atoms for Peace and War, 1953-1961" (page and endnote number cited in parantheses):

1. AEC Briefing Book, 11/52, used for meeting with President-Elect Eisenhower, (page 596, note 9)
2. Radford to Secretary of Defense, 12/15/53 (page 611, note 45)
3. Major General James Briggs to Strauss, 12/16/53 (page 611, note 45)
4. Commission meetings 958 and 959, 2/4 and 2/5/54 (page 611, note 49)
5. Strauss and Wilson to Eisenhower, 2/5/54 (page 611, note 49)
6. Eisenhower to Strauss, 2/6/54 (page 611, note 49)
7. D.C. Borg et al., Radioactive Fall-Out Hazards from Surface Bursts of Very High Yield Nuclear Weapons, Technical Analysis Report-AFSWP 507, 5/54 (page 624 note 18, document at DOE History Division)
8. J. K. Mansfield to P. F. Foster, 8/1/54 (page 624, note 19)
9. Draft Statement by Chairman, AEC. for Presentation in Executive Session, JCAE, 3/24/55 (page 624, note 19)
10. Conference on Long-Term Surveys and Studies of Marshal Islands, July 12-13, 1954 (page 624, note 19)
11. Report on Relative Effects of Test Limitations on Nuclear Weapons Programs of United States and Soviet Union, 10/1/56 (page 634, note 27)
12. General Advisory Committee meeting 58, 5/5 and 5/7/58 (page 648, note 101)

Note: I request that all documents be reviewed in their entirety, and that no information be omitted on the grounds of "non-relevance".