



Savannah River Site Watch

February 3, 2025

Freedom of Information Office
Savannah River Operations Office
P.O. Box A
Aiken, SC 29802

FOIA Request for SRS Communication on DEIA Restrictions

To Whom it Concerns:

This is a request filed under the Freedom of Information Act, as amended. Per applicable law and Department of Energy regulations, I anticipate a response to this request within 20 days. If the requested document is not provided within 20 days please provide the reason why and provide a date by which they will be provided.

This request is being filed on behalf of Savannah River Site Watch (SRS Watch), a corporation duly registered with the State of South Carolina and a registered 501(c)(3) non-profit organization. In addition to many FOIA requested filed on behalf of SRS Watch, I have filed many FOIA requests with DOE on behalf of other non-profit organizations, including Friends of the Earth, the Alliance for Nuclear Accountability, Greenpeace and the Nuclear Control Institute.

I request that any fees that may be associated with this request be waived. The information obtained in response to this request will be used solely for non-profit purposes in South Carolina, the United States and Germany. The information will contribute to the public's understanding of the manner in which DOE conducts its business and will specifically be used to inform the public about DOE's efforts to import spent nuclear fuel from Germany. The information obtained via this request will be provided to not only the public but also the media, the Savannah River Site Citizens Advisory Board (a duly embodied federal advisory panel) and members of the German government at both the state and federal levels. Over the years, I have demonstrated an ability to use information gathered via FOIA requests in a manner so as to educate the public about DOE and issues it is addressing. I request that the fee-waiver standard that has been applied to my requests in the past be applied to this request.

If any claim is made that any portion of any located documents are sensitive in nature or meet FOIA exclusions, I request that redacted copies of such documents be provided to me and that a full explanation be provided as to the reasons for any redactions. I request that documents be provided to me as they become available to staff and that the documents not be withheld until all pertinent documents are obtained.

Concerning the period of response to this request, I note that the FOIA states that “[e]ach agency, upon any request for records made under paragraph . . . (3) . . . shall determine within 20 [working] days . . . whether to comply with such request and shall immediately notify the person making such request of . . . such determination and the reasons therefor.” 5 U.S.C. § 552(a)(6)(A)(i). “[I]n order to make a determination,” an agency must, inter alia, “determine and communicate the scope of the documents it intends to produce and withhold, and the reasons for withholding any documents.” *Citizens for Responsibility and Ethics in Washington v. Fed. Election Comm’n*, 711 F.3d 180, 188 (D.C. Cir. 2013).

In “unusual circumstances,” an agency may extend FOIA’s 20 working-day deadline by up to ten additional working days, but the agency must also provide written notice to the requester including “the date on which a determination is expected to be dispatched.” 5 U.S.C. § 552(a)(6)(B)(i). Similarly, FOIA requires agencies to “provide[] information about the status of a request,” “including . . . an estimated date on which the agency will complete action on the request.” *Id.* § 552(a)(7)(B). DOE’s regulations recognize these requirements. See 10 C.F.R. § 1004.5(d)(1) (stating that DOE will act “within 20 days of a request for DOE records being received”); *id.* § 1004.5(d)(1)(iii) (recognizing that if DOE invokes “unusual circumstances” it may “take an extension not to exceed ten days” and must provide “the date on which a determination is expected to be dispatched”).

This request is being made in response to the Office of Personnel Management’s January 21, 2025 memorandum: “Initial Guidance Regarding DEIA Executive Orders.”

I hereby request:

Any communication, including emails, sent by the Office of Personnel Management (OPM) or by management of the Savannah River Site to DOE and contractor employees at SRS concerning compliance with the memorandum entitled “Initial Guidance Regarding DEIS Executive Orders.”

Any communication, including emails, sent to SRS staff directing that “Diversity, Equity, Inclusion and Accessibility” programs be halted and that the terms diversity, equity, inclusion and accessibility - as well as other terms, such as “justice” - be removed from SRS documents, reports and emails.

Thank you for your timely response to this request.

Sincerely,



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