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May 13, 2021

Ms. Jocelyn Richards
Acting Assistant General Counsel
Office of the Assistant General Counsel
for Ethics and Personnel Law
US Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
Jocelyn.Richards@hq.doe.gov

Re: Possible Ethics Violation by Acting Assistant Secretary Kelly Speakes-Backman

Dear Ms. Richards,

Protect the Public's Trust (PPT) is a non-profit organization dedicated to promoting ethics in government and restoring the public's trust in government officials. To that end, we respectfully ask your office to provide information that would assist the public in understanding whether Acting Assistant Secretary for Energy Efficiency and Renewable Energy Kelly Speakes-Backman has violated ethics laws, regulations, and/or the Biden Administration's Ethics Pledge during recent public speaking engagements.

Prior to joining the Biden Administration, Ms. Speakes-Backman was the CEO of the Energy Storage Association, the national trade association for energy storage entities. Upon joining the Department of Energy (DOE), Ms. Speakes-Backman became bound by ethics obligations including those concerning endorsement, involvement in particular matters involving her former employer and an obligation to avoid the appearance of bias when acting in her official capacity. Specifically, according to federal regulations at 5 CFR § 2635.702 (c)-(d), federal employees are prohibited from using their official title or official capacity to endorse specific "products, services, or enterprises" or "give rise to an appearance of use of public office or of giving preferential treatment."

Endorsement of the Energy Storage Association

On April 16, 2021, Ms. Speakes-Backman spoke in her official capacity as Acting Assistant Secretary for Energy Efficiency and Renewable Energy at a virtual International Conservation Caucus Foundation panel discussion entitled "[U.S. Congressional Briefing on Energy Storage Technology](#)". During the event, Ms. Speakes-Backman unnecessarily made multiple mentions of her former employer and implied her involvement in a major program initiative that would likely financially benefit her former employer and its members.



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The first instance occurred when Ms. Speakes-Backman was discussing the Energy Storage Grand Challenge – a major initiative at the Department of Energy and one she and her former employer were involved in supporting in 2020. At 32:03 of the video found here: <https://www.youtube.com/watch?v=5Nv4-O7Ib4U>, Ms. Speakes-Backman states, “Back in December 2020, when I was still with the Energy Storage Association, DOE published the energy storage grand challenge road map.”

During her presentation, Ms. Speakes-Backman also outlines several programmatic aspects of DOE’s energy storage goals that closely track initiatives articulated by the Energy Storage Association while she was CEO. In fact, many of these specific policies were even suggested as actions that her current office (EERE) should take during the Biden Administration as found in her former employer’s “[ESA Recommendations To Congress and the Administration for 2021 Energy Storage Policy](#).” Viewed in total, these statements contribute to the public’s perception that Ms. Speakes-Backman is giving preferential treatment to her former employer and its members while performing her official duties at DOE. A few examples of such statements are included below:

“This roadmap incorporates five tracks starting with fundamental R&D for storage technologies and following **all the way through to storage and commercialization.**”

“The first track, the technology development track will be on DOE’s **ongoing future storage R&D** with clear performance goals.”

“The manufacturing track or supply chain track, I should say, will develop **technologies approaches and strategies for US manufacturing** that supports and strengthens our leadership in innovation and continued scale manufacturing.”

“The technology transition track is going to ensure that DOE’s R&D transitions to domestic markets through field validation, **public-private partnerships, bankable business model development and the dissemination of high-quality market data.** Especially for technologies beyond batteries.”

“Then there's the **policy and valuation track, one of my favorites** that is going to provide important data and tools and analysis to **appropriately value energy storage** for its flexibility in markets and for providing capacity resilience and ancillary services.”

“And finally, the workforce development track is going to advance technical education workforce development programs to train and educate



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a growing workforce to conduct further research and to **develop design manufacturers and operate energy storage systems.**”

A neutral observer could likely hear such statements and believe Ms. Speakes-Backman is directly involved with and deliberating on issues that are likely to deliver a financial benefit and/or endorsement of the Energy Storage Association and its private sector members. Many of these member companies may also stand to receive federal dollars to help achieve these programmatic goals.

Later in her talk at marker 43:18, Ms. Speakes-Backman again references her former employer in what may be a Freudian slip given the previous statements: “I’m stealing this a little bit from my days at Energy Storage Association but [energy storage] really does provide a more resilient, efficient, sustainable and affordable grid...”

The multiple references to the Energy Storage Association and subsequent policy discussion on specific programmatic elements likely to deliver financial benefits to her previous employer raise several concerns:

- 1) Ms. Speakes-Backman’s comments mentioning the Energy Storage Association by name while speaking in her official capacity at an event centered around the very products and services the entity and its members sell and/or advocate could be or perceived to be an endorsement of that entity by the Department of Energy. Has this been investigated and discussed with Ms. Speakes-Backman to avoid similar incidents from occurring in the future?
- 2) Ms. Speakes-Backman’s comments throughout the event suggest that she may be working on or participating in deliberations concerning matters that directly financially benefit her former employer and its members. If so, this likely raises questions of whether she is acting consistently with her ethics obligations under 5 CFR § 2635.702 and the Biden Ethics Pledge. What procedures are in place to ensure Ms. Speakes-Backman is not violating her ethics obligations by participating in particular matters that could financially benefit or endorse her former employer or its members?
- 3) What is the process by which Ms. Speakes-Backman was approved or cleared to attend and speak at this event by DOE’s Ethics Office? Did the Ethics Office clear her prepared remarks in advance to ensure the text did not include possible endorsements such as the aforementioned remarks?

Continued Communications with Former Employer?

Ms. Speakes-Backman’s remarks at the April 16, 2021 event were further marred by the event’s subsequent panelist, who implied continued communications with the Acting Assistant Secretary. Mark Reedy, a partner at Kilpatrick Townsend – which is a Full



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Member of the Energy Storage Association, according to their website – stated in his opening remarks at marker 53:27, “It’s going to be tough to refer to her as the acting secretary or the assistant secretary because I know her as Kelly having worked with her closely on the Energy Storage Association for years.”

Did Ms. Speakes-Backman disclose to the ethics office prior to the event that a former member would be one of the panelists? Did she receive guidance and approval based on this information? Mr. Reedy’s remarks contribute to public perception that Ms. Speakes-Backman may continue to have a working relationship on issues important to her former employer. Have ethics officials at DOE provided guidance to Ms. Speakes-Backman that this would likely present a conflict of interest if pertaining to particular matters?

Endorsement and/or Financial Benefit to Former Member Company?

Review of Ms. Speakes-Backman’s other public appearances suggest that PPT’s concerns may not be limited to the April 16, 2021 event.

On April 21, 2021, Ms. Speakes-Backman gave a keynote presentation at the Association of Energy Engineers’ Conference titled, “Energy Efficiency for Transformative Solutions.” Specifically, she was the Keynote Speaker for the [CWEEL Plenary Session](#). While the conference had many sponsors, Ms. Speakes-Backman’s specific role as a CWEEL Keynote speaker had only one sponsor which happened to be ConEdison, a “Leadership Circle Member” of her former employer.

Again, these facts surrounding Ms. Speakes-Backman’s public appearance raise questions about whether she violated her ethics obligation by attending and speaking in her official capacity at an event sponsored by a prominent member of her former employer.

- 1) Was Ms. Speakes-Backman aware that one of her employer’s “Leadership Council Members” was the lone sponsor for the portion of the conference where Ms. Speakes-Backman was the keynote speaker?
- 2) Did she relay this information to ethics officials prior to accepting the invitation to speak? If so, what guidance, if any, did the Ethics Office provide to Ms. Speakes-Backman about possible conflicts and/or an appearance of a conflict of interest that could result from her acceptance of this invitation? Did she provide her prepared remarks for ethics approval prior to accepting the invitation and attending the event?
- 3) Has Ms. Speakes-Backman sought guidance or received counseling to avoid participating in events that present an inherent appearance of a conflict of interest or endorsement of a former employer’s member?



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Pattern of Preferential Treatment?

On March 11, 2021, Ms. Speakes-Backman participated in a panel discussion for the National Association of Energy Service Companies (NAESCO) titled, “What’s on the Horizon for Energy Efficiency?” The only other panelist joining Ms. Speakes-Backman was Kelly Glover, the President of the Alliance to Save Energy. While not her immediate previous employer, Ms. Speakes-Backman’s time at the organization was surrounded by [ethics concerns](#). Notably, she started at the Exelon-funded Alliance to Save Energy shortly after approving the Exelon-Pepco merger in her role at the Maryland Public Service Commission.

Viewed in light of the previous events discussed in this letter, Ms. Speakes-Backman’s public appearances suggest a pattern of advancing the interests of her former employers and potentially endorsing them. At the very least, her participation contributes to a perception that she may not be fully consulting with the Department’s Ethics Office or providing sufficient information in order to receive appropriate guidance and counseling prior to accepting such invitations.

Ethics obligations exist to reduce the likelihood that senior government officials are making decisions in a biased or arbitrary manner or to benefit the interests of former employers, clients, or related parties. Ensuring the avoidance of conflicts of interest or the appearance of bias is crucial to ensuring honest, ethical government that preserves the trust of the American people.

Therefore, PPT asks you to respond and provide the relevant records demonstrating whether or not Ms. Speakes-Backman is acting consistently with her ethics obligation; whether or not she has endorsed, intentionally or otherwise, her former employer and its members while speaking in her official capacity; whether or not she is providing sufficient information and receiving appropriate guidance from ethics officials on whether it is appropriate to participate in similar events in the future. Finally, we seek to understand the process by which such speaking invitations are reviewed and approved by the DOE Ethics Office. The Freedom of Information Act request seeking these specific records is attached in Attachment A below. Thank you.

Sincerely,

Michael Chamberlain
Director
Protect the Public’s Trust



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ATTACHMENT A

VIA ELECTRONIC MAIL

May 13, 2021

FOIA Requester Service Center
US Department of Energy
1000 Independence Avenue, SW
Mail Stop MA-46
Washington, DC 20585

Re: Ethics Records and Communications of Kelly Speakes-Backman

Dear FOIA Officer,

This is a request under the Freedom of Information Act, 5 U.S.C. § 552, *as amended* (FOIA), from the Protect the Public's Trust (PPT), a non-profit organization dedicated to promoting ethics in government and restoring the public's trust in government officials.

Records Requested

In light of the several instances of public appearances where Ms. Speakes-Backman appears to have endorsed or implied participation in matters where her former employer would receive a financial benefit, PPT requests the following records.

1. All communications to, from or pertaining to Kelly Speakes-Backman, including schedules, calendars, virtual meeting logs (e.g., Zoom, Teams, or other platform used by the Department), meeting invites, public appearances, guidance or counseling provided by the DOE Ethics Office pertaining to an ethics matter of Kelly Speakes-Backman. This should include all communications pertaining to Ms. Speakes-Backman produced by, received by or discussed among employees within the DOE's Office of the Assistant Counsel for Ethics and Personnel Law. It should also include all relevant records within the Office of Energy Efficiency and Renewable Energy (EERE), Office of Electricity or other relevant offices at DOE. If any requested records were produced prior to the official start date of any individual those should also be included.



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For this request, the term “all records” refers to, but is not limited to, any and all documents, correspondence (including, but not limited to, inter and/or intra-agency correspondence as well as correspondence with entities or individuals outside the federal government), emails, text messages, letters, notes, telephone records, telephone notes, minutes, memoranda, comments, files, presentations, consultations, biological opinions, assessments, evaluations, schedules, telephone logs, digital logs such as those produced by Microsoft Teams (including Teams file folders or collaborative work documents housed in Teams), papers published, and/or unpublished, reports, studies, photographs and other images, data (including raw data, GPS or GIS data, UTM, LiDAR, etc.), maps, and/or all other responsive records, in draft or final form.

This request is not meant to exclude any other request that, although not specifically requested, are reasonably related to the subject matter of this request. If you or your office have destroyed or determine to withhold any records that could be reasonably construed to be responsive to this request, I ask that you indicate this fact and the reasons therefore in your response.

Under the FOIA Improvement Act of 2016, agencies are prohibited from denying requests for information under the FOIA unless the agency reasonably believes release of the information will harm an interest that is protected by the exemption. FOIA Improvement Act of 2016 (Public Law No. 114-185), codified at 5 U.S.C. § 552(a)(8)(A).

Should you decide to invoke a FOIA exemption, please include sufficient information for us to assess the basis for the exemption, including any interest(s) that would be harmed by release. Please include a detailed ledger which includes:

1. Basic factual material about each withheld record, including the originator, date, length, general subject matter, and location of each item; and
2. Complete explanations and justifications for the withholding, including the specific exemption(s) under which the record (or portion thereof) was withheld and a full explanation of how each exemption applies to the withheld material. Such statements will be helpful in deciding whether to appeal an adverse determination. Your written justification may help to avoid litigation.

If you determine that portions of the records requested are exempt from disclosure, we request that you segregate the exempt portions and mail the non-exempt portions of such records to my attention at the address below within the statutory time limit. 5 U.S.C. § 552(b).

PPT is willing to receive records on a rolling basis.



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Given the urgency of the public's need to know whether Ms. Speakes-Backman is performing her duties consistent with her ethical obligations, we request that the FOIA office use the Department's Records Enterprise Management System to search and process this request. Given the likelihood of potential ethics violations outlined in the letter above and to advance the public interest in ensuring a clean government, we request expedited processing.

Finally, FOIA's "frequently requested record" provision was enacted as part of the 1996 Electronic Freedom of Information Act Amendments, and requires all federal agencies to give "reading room" treatment to any FOIA-processed records that, "because of the nature of their subject matter, the agency determines have become the subject of subsequent requests for substantially the same records." 5 U.S.C. § 552(a)(2)(D)(ii)(I). Also, enacted as part of the 2016 FOIA Improvement Act, FOIA's Rule of 3 requires all federal agencies to proactively "make available for public inspection in an electronic format" "copies of records, regardless of form or format ... that have been released to any person ... and ... that have been requested 3 or more times." 5 U.S.C. § 552(a)(2)(D)(ii)(I). Therefore, we respectfully request that you make available online any records that the agency determines will become the subject of subsequent requests for substantially the same records, and records that have been requested three or more times.

Format of Requested Records

Under FOIA, you are obligated to provide records in a readily accessible electronic format and in the format requested. See, e.g., 5 U.S.C. § 552(a)(3)(B) ("In making any record available to a person under this paragraph, an agency shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format."). "Readily accessible" means text-searchable and OCR-formatted. See 5 U.S.C. § 552(a)(3)(B). We ask that you please provide all records in an electronic format. Additionally, please provide the records either in (1) load-ready format with a CSV file index or Excel spreadsheet, or; (2) for files that are in .PDF format, without any "portfolios" or "embedded files." Portfolios and embedded files within files are not readily accessible. Please do not provide the records in a single, or "batched," .PDF file. We appreciate the inclusion of an index.

If you should seek to withhold or redact any responsive records, we request that you: (1) identify each such record with specificity (including date, author, recipient, and parties copied); (2) explain in full the basis for withholding responsive material; and (3) provide all segregable portions of the records for which you claim a specific exemption. 5 U.S.C. § 552(b). Please correlate any redactions with specific exemptions under FOIA.



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Fee Waiver Request

FOIA was designed to provide citizens a broad right to access government records. FOIA's basic purpose is to "open agency action to the light of public scrutiny," with a focus on the public's "right to be informed about what their government is up to." *U.S. Dep't of Justice v. Reporters Comm. for Freedom of Press*, 489 U.S. 749, 773-74 (1989) (internal quotation and citations omitted). In order to provide public access to this information, FOIA's fee waiver provision requires that "[d]ocuments shall be furnished without any charge or at a [reduced] charge," if the request satisfies the standard. 5 U.S.C. § 552(a)(4)(A)(iii). FOIA's fee waiver requirement is "liberally construed." *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1310 (D.C. Cir. 2003); *Forest Guardians v. U.S. Dept. of Interior*, 416 F.3d 1173, 1178 (10th Cir. 2005).

The 1986 fee waiver amendments were designed specifically to provide non-profit organizations such as PPT access to government records without the payment of fees. Indeed, FOIA's fee waiver provision was intended "to prevent government agencies from using high fees to discourage certain types of requesters and requests," which are "consistently associated with requests from journalists, scholars, and non-profit public interest groups." *Ettlinger v. FBI*, 596 F.Supp. 867, 872 (D. Mass. 1984) (emphasis added). As one Senator stated, "[a]gencies should not be allowed to use fees as an offensive weapon against requesters seeking access to Government information" 132 Cong. Rec. S. 14298 (statement of Senator Leahy).

I. PPT Qualifies for a Fee Waiver.

Under FOIA, a party is entitled to a fee waiver when "disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the [Federal] government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A)(iii). The DOE FOIA regulations at 10 C.F.R. § 1004.9(a)(8) establish the same standard.

Thus, DOE must consider four factors to determine whether a request is in the public interest: (1) whether the subject of the requested records concerns "the operations or activities of the Federal government," (2) whether the disclosure is "likely to contribute" to an understanding of government operations or activities, (3) whether the disclosure "will contribute to public understanding" of a reasonably broad audience of persons interested in the subject, and (4) whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities. 10 C.F.R. § 1004.9(a)(8). As shown below, PPT meets each of these factors.



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A. The Subject of This Request Concerns “The Operations and Activities of the Government.”

The subject matter of this request concerns the operations and activities of DOE. This request asks for: All communications to, from or pertaining to Kelly Speakes-Backman, including schedules, calendars, virtual meeting logs (e.g., Zoom, Teams, or other platform used by the Department), meeting invites, public appearances, guidance or counseling provided by the DOE Ethics Office pertaining to an ethics matter of Kelly Speakes-Backman. This should include all communications pertaining to Ms. Speakes-Backman produced by, received by or discussed among employees within the DOE’s Office of the Assistant Counsel for Ethics and Personnel Law. It should also include all relevant records within the Office of Energy Efficiency and Renewable Energy (EERE), Office of Electricity or other relevant offices at DOE. If any requested records were produced prior to the official start date of any individual those should also be included.

B. Disclosure is “Likely to Contribute” to an Understanding of Government Operations or Activities.

The requested records are meaningfully informative about government operations or activities and will contribute to an increased understanding of those operations and activities by the public.

Disclosure of the requested records will allow PPT to convey to the public information about whether a senior official is acting consistently with her ethics obligations. After disclosing records relating to Ms. Speakes-Backman, PPT will inform the public about whether a senior official at the Department of Energy responsible for overseeing billions in taxpayer funds is endorsing or participating in matters that financially benefit her former employer or its members. Once the information is made available, PPT will analyze it and present it to its followers and the general public in a manner that will meaningfully enhance the public’s understanding of this topic.

Thus, the requested records are likely to contribute to an understanding of DOE’s operations and activities.

C. Disclosure of the Requested Records Will Contribute to a Reasonably Broad Audience of Interested Persons’ Understanding of the Ethics Compliance of a Senior Political Appointee at the Department of Energy.

The requested records will contribute to public understanding of whether the ethics advice provided by career officials is being followed and whether a senior political appointee is appropriately participating in particular matters at DOE. Review of these records will assist the public in knowing whether future actions, decisions, and deliberations of non-career appointees are being conducted in a compliant manner. As explained above, the records will contribute to public understanding of this topic.



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Ethics obligations exist to reduce the likelihood that senior government officials are making decisions in a biased or arbitrary manner or to benefit the interests of former employers, clients or related parties. Ensuring the avoidance of conflicts of interest or the appearance of bias is of interest to a reasonably broad segment of the public. PPT will use the information it obtains from the disclosed records to educate the public at large about what obligations have been identified for Ms. Speakes-Backman. *See W. Watersheds Proj. v. Brown*, 318 F.Supp.2d 1036, 1040 (D. Idaho 2004) (“... find[ing] that WWP adequately specified the public interest to be served, that is, educating the public about the ecological conditions of the land managed by the BLM and also how ... management strategies employed by the BLM may adversely affect the environment.”).

Through PPT’s synthesis and dissemination (by means discussed in Section II, below), disclosure of information contained and gleaned from the requested records will contribute to a broad audience of persons who are interested in the subject matter. *Ettlinger v. FBI*, 596 F.Supp. at 876 (benefit to a population group of some size distinct from the requester alone is sufficient); *Carney v. Dep’t of Justice*, 19 F.3d 807, 815 (2d Cir. 1994), cert. denied, 513 U.S. 823 (1994) (applying “public” to require a sufficient “breadth of benefit” beyond the requester’s own interests); *Cnty. Legal Servs. v. Dep’t of Hous. & Urban Dev.*, 405 F.Supp.2d 553, 557 (E.D. Pa. 2005) (in granting fee waiver to community legal group, court noted that while the requester’s “work by its nature is unlikely to reach a very general audience,” “there is a segment of the public that is interested in its work”).

Indeed, the public does not currently have an ability to easily evaluate the requested records, which concern the integrity of one of the most high-profile and well-funded Offices within DOE. We are also unaware of any previous release to the public of these or similar records. *See Cnty. Legal Servs. v. HUD*, 405 F.Supp.2d 553, 560 (D. Pa. 2005) (because requested records “clarify important facts” about agency policy, “the CLS request would likely shed light on information that is new to the interested public.”). As the Ninth Circuit observed in *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1286 (9th Cir. 1987), “[FOIA] legislative history suggests that information [has more potential to contribute to public understanding] to the degree that the information is new and supports public oversight of agency operations....”

Disclosure of these records is not only “likely to contribute,” but is certain to contribute, to public understanding of whether Ms. Speakes-Backman is acting consistently with her ethics obligations. The public is always well served when it knows how the government conducts its activities, particularly matters touching on ethics questions. Hence, there can be no dispute that disclosure of the requested records to the public will educate the public about the potential conflicts of interest, recusal obligations, and ethics guidance provided to Ms. Speakes-Backman.



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D. Disclosure is Likely to Contribute Significantly to Public Understanding of Government Operations or Activities.

PPT is not requesting these records merely for their intrinsic informational value. Disclosure of the requested records will significantly enhance the public's understanding of the potential conflicts of interest and likelihood of an appearance of bias in decision-making as compared to the level of public understanding that exists prior to the disclosure. Indeed, public understanding will be significantly increased as a result of disclosure.

The records are also certain to shed light on DOE's compliance with its own mission and responsibility to protect our nation's nuclear arsenal and expend taxpayer funds wisely. Such public oversight of agency action is vital to our democratic system and clearly envisioned by the drafters of the FOIA. Thus, PPT meets this factor as well.

II. PPT has the Ability to Disseminate the Requested Information Broadly.

PPT is a non-profit organization that informs, educates, and counsels the public about the importance of government officials acting consistently with their ethics obligations. A key component of being able to fulfill this mission and educate the public about these duties is access to information that articulates what obligations exist for senior government officials. PPT intends to publish information from requested records on its website, distribute the records and expert analysis to its followers through social media channels including Twitter, Facebook, and other similar platforms. PPT also has a robust network of reporters, bloggers, and media publications interested in its content and that have durable relationships with the organization. PPT intends to use any or all of these far-reaching media outlets to share with the public information obtained as a result of this request.

Through these means, PPT will ensure: (1) that the information requested contributes significantly to the public's understanding of the government's operations or activities; (2) that the information enhances the public's understanding to a greater degree than currently exists; (3) that PPT possesses the expertise to explain the requested information to the public; (4) that PPT possesses the ability to disseminate the requested information to the general public; (5) and that the news media recognizes PPT as a reliable source in the field of government ethics and conduct.

Public oversight and enhanced understanding of DOE's duties is absolutely necessary. In determining whether disclosure of requested information will contribute significantly to public understanding, a guiding test is whether the requester will disseminate the information to a reasonably broad audience of persons interested in the subject. *Carney v U.S. Dept. of Justice*, 19 F.3d 807 (2nd Cir. 1994). PPT need not show how it intends to distribute the information, because "[n]othing in FOIA, the [agency] regulation, or our



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case law require[s] such pointless specificity.” *Judicial Watch*, 326 F.3d at 1314. It is sufficient for PPT to show how it distributes information to the public generally. *Id.*

III. Obtaining the Requested Records is of No Commercial Interest to PPT.

Access to government records, disclosure forms, and similar materials through FOIA requests is essential to PPT’s role of educating the general public. PPT is a 501(c)(3) nonprofit organization with supporters and members of the public who seek a transparent, ethical and impartial government that makes decisions in the best interests of all Americans, not former employers and special interests. PPT has no commercial interest and will realize no commercial benefit from the release of the requested records.

IV. Conclusion

For all of the foregoing reasons, PPT qualifies for a full fee waiver. We hope that the Department will immediately grant this fee waiver request and begin to search and disclose the requested records without any unnecessary delays.

If you have any questions, please contact me at foia@protectpublictrust.org. All records and any related correspondence should be sent to my attention at the address below.

Sincerely,

Morgan Yardis
Research and Publication Associate
foia@protectpublictrust.org