Enclosure 1

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Barton, Jayne

MRM FOIA # 2007-032
MMS FOIA # 2007-00206

From: MMSFOIA
Sent: Tuesday, May 08, 2007 11:34 AM
To: Fay, Tracey
Subject: FW: Shutdown FOIA

Royalty collection issues during Internet shut down

Ginny Morgan
MMS FOIA/Privacy Officer
703-787-1689

From: Beth Daley [mailto:beth@pogo.org]
Sent: Friday, May 04, 2007 5:20 PM
To: MMSFOIA
Subject: Shutdown FOIA

May 4, 2007

Ginny Morgan

MS 2200

381 Elden Street

Herndon, VA 20170-4817

Re: Freedom of Information Act Request

Dear Ms. Morgan:

I am making this request under the Freedom Of Information Act ("FOIA"), 5 U.S.C. § 552.

I would also like to receive copies of all memos, policy directives, emails, letters, research, analyses, documents

and communications concerning procedures, difficulties, problems, and successes encountered relating to royalty collections during Judge Royce Lamberth's court ordered shut down of DOI's Internet access (the shutdown occurred in December, 2001, June, 2003, and March, 2004).

I request a waiver of all costs associated with fulfilling this submission pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). Disclosure of the requested records will further the "public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest" of the requester, the Project On Government Oversight (POGO). POGO has no commercial interest in this FOIA request. POGO's only interest in making this request is to improve public understanding of Minerals Management Service (MMS) royalty collection policies, practices, and procedures.

Since January of 2006, the topic of oil and gas royalty collections by the MMS has been a focus of hundreds of news media articles, multiple investigations by the Government Accountability Office and the DOI Inspector General, False Claims Act litigation, and the active interest for dozens of members of Congress. In 2007, the Congress will hold a dozen or more hearings which feature inquiries and debate concerning the royalty policies, practices, and procedures of the MMS. For example, in January, the Senate Energy Committee held a full committee hearing on "Oil and Gas Royalty Management." On March 28th, the House Natural Resources Committee will hold a hearing concerning oil and gas royalty collections. Other hearings and Congressional oversight are anticipated. Also in 2007, four False Claims Act lawsuits will progress through the courts concerning the topic of royalties that allegedly went uncollected by the MMS. In addition, DOI IG and GAO reports will be issued concerning their investigations into the functioning of MMS royalty collections. Finally, the Department of Justice may recommend criminal prosecution of employees at the MMS who engaged in illegal activity.

Founded in 1981, POGO is an independent nonprofit that investigates and exposes corruption in order to achieve a more accountable federal government. POGO disseminates information about its activities to thousands of concerned citizens, policymakers, and the media via email, direct mail, and its web site http://www.pogo.org, which receives 100,000 visitors monthly. The information provided by the agency will be used for the following activities: publication by email and on our website; publication in reports and newsletters issued by POGO; publication in the newsletters of affiliated nonprofit organizations; efforts to

educate Congress, the Executive Branch, and other policymakers in Washington, DC; or investigational projects conducted in conjunction with the news media.

If this request is denied in full or in part, please cite the exemptions pursuant to 5 U.S.C. § 552(b) that justify the denial. If an exemption applies, however, please consider exercising the agency's discretionary release powers to disclose the records. Additionally, please release all reasonably segregable portions of the records that do not meet an exemption.

I look forward to your response within 20 days of the receipt of this request, unless, in the case of "unusual circumstances," the time limitation is "extended by written notice." I may appeal this request if it is wholly or partially denied or if the agency fails to respond within 20 days. I am aware that, if successful, a federal district

court may assess "reasonable attorney fees and other litigation costs" per 5 U.S.C. § 552(a)(4)(E).

Please contact me if this request requires further clarification. Thank you for your prompt attention to this matter.

Sincerely,

Beth M. Daley

Director of Investigations

***** POGO HAS MOVED -- NOTE OUR NEW SUITE # BELOW *****

Beth Daley

Director of Investigations

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