

**CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA**

WILLIAM L. KOVACS
VICE PRESIDENT
ENVIRONMENT, TECHNOLOGY &
REGULATORY AFFAIRS

1615 H STREET, N.W.
WASHINGTON, D.C. 20062
(202) 463-5457

January 30, 2004

Ms. Brenda Dolan
United States Department of Commerce
FOIA/PA Officer
Room 5327
14th Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Ms. Dolan:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552, and on behalf of the United States Chamber of Commerce (Chamber), I hereby request copies of the agency documents described below. The term “agency” refers to the agency or department, its components, subcomponents, and/or any program or office that has created, issued, maintains, or possess the requested documents.

The documents requested include copies of any documents that identify any consent decree and/or final settlement agreement that the agency entered into in federal court during the ten years preceding the date upon which the agency receives this request, and in which the agency was named as a defendant in the litigation. Such documents may include individual descriptions, summaries, or lists of cases that substantially set forth any of the following: (1) the name of the parties to the litigation; (2) the subject matter of the litigation; (3) the name of the court in which the consent decree and/or final settlement agreement was entered; (4) the docket or citation number; and (5) the date of the consent decree and/or final settlement agreement. [Note: We do not require multiple or duplicative references to the same cases, but rather seek a comprehensive identification of all cases where the agency was named as a defendant in litigation and the litigation was resolved through the use of a consent decree and/or final settlement agreement.]

Under current regulations and case law pertaining to the Freedom of Information Act, the Chamber believes these documents are available to us and to other members of the public.

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If any portion of this request is denied, we request a detailed statement of the reasons for the withholding and an index or similar statement of the nature of the documents withheld. To expedite this request, the Chamber is willing to discuss specific instances and/or other exemption claims in advance of a final decision by the agency. In the event of deletions, we request that a reason be stated for each partial denial of access.

Pursuant to the Freedom of Information Act, the Chamber agrees to pay reasonable charges incurred to search for and copy these documents, upon presentation of an invoice with the finished copies. If any such search and copying fees exceed \$500, please telephone me in advance at (202) 463-5533 for agreement to such charges.

I look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script, appearing to read "William L. Kovacs".

William L. Kovacs