

**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. Melba D. Moye
National Transportation Safety Board
FOIA Officer
490 L'Enfant Plaza East, S.W.

Washington, D.C. 20594

RE: FREEDOM OF INFORMATION ACT REQUEST

Dear Ms. Moye:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552, and on behalf of the United States Chamber of Commerce (Chamber), we 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:

1. copies of any departmental or agency policies, procedures, memoranda, or guidance documents instructing agency personnel on how, when, and/or under what circumstances the agency may enter into consent decrees or final settlement agreements with private litigants in any litigation brought by or against the agency; and;
2. copies of any departmental or agency policies, procedures, memoranda, or guidance documents that authorize or require the agency to publish and/or provide an opportunity for public notice and comment on any consent decrees or final settlement agreements into which the agency may enter, including any requirement that such notice be published in the *Federal Register*.

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

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.

«Salutation»

January 30, 2004

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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 documents. 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 black ink, appearing to read "William L. Kovacs", is centered on the page. The signature is written in a cursive style with a prominent initial "W".

William L. Kovacs