



## FREEDOM OF INFORMATION ACT REQUEST

**January 19, 2012**

Office of Information Programs and Services  
A/GIS/IPS/RL  
U. S. Department of State  
Washington, D. C. 20522-8100

**RE: Reminder, Outstanding Freedom of Information Act Request — Ref. No. No. F-2011-26740**

**BY CERTIFIED MAIL**

Dear Department of State FOIA Staff,

As you know, the Freedom of Information Act (FOIA) is a critical tool to preserve democratic institutions, and it is chiefly responsible for ensuring an open and transparent government. This letter serves as a reminder that the Institute for Energy Research continues to await the Department's FOIA compliance 5 U.S.C. 552 *et seq.*, to our request originally sent November 18, 2011. Accounting for federal holidays, this is now the 40<sup>th</sup> business day since our request was sent and more the 30 days since the State Department received the request.

Yesterday, the American public learned that the Department would recommend that the President deny the Keystone XL pipeline permit. This recommendation by the State Department, and President Obama's subsequent denial, warrant the strictest scrutiny by the American public. These developments heighten the need to ensure that the Department's actions over the course of its three-year evaluation of the Keystone XL pipeline permit were consistent, fair, and thorough.

IER is concerned that improper political influence has been exerted on the State Department from outside of the Department urging Secretary Hillary Clinton and other department officials to delay the pipeline permit and ultimately reject it. Strong circumstantial evidence exists that the State Department's decision to recommend that the President reject the Keystone XL permit relies not on the merits of the permit or the national interest, but on partisan political considerations. After all, the State Department's Environmental Impact Statement EIS found that the environmental risks and limited and manageable.

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Moreover, the failure to comply with the law and respond in a timely and thorough manner to our FOIA request is especially troubling given the Department's compliance with FOIA requests from other organizations that are more supportive of the President's agenda and have opposed the Keystone XL project. (See <http://www.foe.org/news/archives/2012-01-more-keystone-xl-documents-and-redactions>). This apparent double standard is a clear violation of FOIA standards and provides evidence that the State Department's actions on the Keystone XL pipeline have been politicized.

Please provide records responsive to this request immediately and inform us if it completes State Department's response.

Sincerely,

A handwritten signature in black ink that reads "Daniel R. Simmons". The signature is written in a cursive, flowing style.

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