



Department of Energy

Brookhaven Site Office

P.O. Box 5000

Upton, New York 11973

SEP 20 2010

Mr. Noah Gittell
Physicians Committee for Responsible Medicine
5100 Wisconsin Ave., NW
Washington, DC 20016

Dear Mr. Gittell:

SUBJECT: U.S. DEPARTMENT OF ENERGY (DOE) FREEDOM OF INFORMATION ACT
(FOIA) REQUEST #CH-2010-01945-F

I am the authorizing official responsible for making the determination required by Section 1004.5(b) of DOE regulations found at 10 CFR Part 1004, which implements the FOIA, 5 U.S.C. 552.

This letter is in final response to your e-mail request for information dated August 18, 2010, which was controlled under the subject FOIA request number. In your request, you were seeking the following information for the time period "July 2010 – Present": "All communications between Samuel Aronson, Ph.D., Laboratory Director of Brookhaven National Laboratory (BNL) and employees of the DOE Office of Science (SC) regarding proposed radiation research involving live non-human primates." In your subsequent e-mail of August 26, 2010, to DOE FOIA Officer Miriam Legan, you narrowed your request to include only communications between Samuel Aronson and the following individuals: 1) Michael Holland, Manager, DOE-SC-Brookhaven Site Office, and 2) All employees of the DOE-SC Headquarters office.

Be advised that we requested that Brookhaven Science Associates, Inc. (BSA), the contractor that operates BNL, conduct a search for responsive records, and we have identified several e-mail communications that are responsive to your request. We are enclosing those e-mail communications in full release of records responsive to your request.

You have been categorized as an "Other" requester, and as such, you are subject to search and duplication fees related to your request. The first 2 hours of search time and the first 100 pages of duplication are not charged under FOIA for an "Other" requester. Also, fees are not charged if the total cost does not exceed the \$15.00 threshold for charging fees under FOIA. Although you indicated in your request that you are willing to pay fees up to \$200.00 for your request, because search time did not exceed 2 hours and duplication fees do not meet the \$15.00 fee threshold, there are no fees associated with your request at this time.

M. Gittell

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SEP 20 2010

If you have any questions regarding your request, please contact Miriam Legan, the DOE Chicago Office FOIA Officer, at (630) 252-2041 or miriam.legan@ch.doe.gov, or Attorney Michael McCann, DOE FOIA Counsel, at (631) 344-3440 or mccann@bnl.gov.

Sincerely,

A handwritten signature in cursive script that reads "M. Holland".

Michael D. Holland
Manager

Enclosures:
As Stated

cc: M. Legan, SC-CH, w/o

From: Aronson, Samuel
Sent: Wednesday, August 04, 2010 4:56 PM
To: Binkley, Steve
Subject: RE: NASA expt !!

Thanks Steve. I think we have a letter from Israel too. He and discussed the issue several times in person and on the phone.
Sam

Sam Aronson, Director
Brookhaven National Laboratory
Building 460
P. O. Box 5000
Upton, NY 11973-5000
[631] 344-2772
[631] 344-5803 (fax)
samaronson@bnl.gov

From: Binkley, Steve [mailto:Steve.Binkley@science.doe.gov]
Sent: Wednesday, August 04, 2010 4:52 PM
To: Aronson, Samuel
Subject: Re: NASA expt !!

The letter is from Congressman Israel.

I will pdf it and send it to you.

Steve

From: Aronson, Samuel <samaronson@bnl.gov>
To: Binkley, Steve
Sent: Wed Aug 04 16:47:59 2010
Subject: RE: NASA expt !!

Steve,
Thanks; I didn't get to bring it up on the phone with Bill. Are you able to tell me the name of the member of Congress who contacted DOE?
Sam

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samaronson@bnl.gov

From: Binkley, Steve [mailto:Steve.Binkley@science.doe.gov]
Sent: Wednesday, August 04, 2010 4:19 PM
To: Aronson, Samuel
Subject: RE: NASA expt !!

Sam,

Bill did not mention this – we will have to ask him.

As an aside, we have a letter to DOE from a member of Congress on this subject also.

Steve

From: Aronson, Samuel [mailto:samaronson@bnl.gov]
Sent: Wednesday, August 04, 2010 3:59 PM
To: Binkley, Steve
Subject: FW: NASA expt !!

Steve,
I just saw this. Did this come up in Bill's discussions with NASA? Perhaps we can consider it on the phone later.
Sam

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From: Bond, Peter D
Sent: Wednesday, August 04, 2010 3:54 PM
To: Vigdor, Steven; Aronson, Samuel
Subject: NASA expt !!

You may not have seen this

NASA Bill Addresses Nonhuman Primate Use in Radiation Studies

The House Committee on Science and Technology has approved an amendment to the National Aeronautics and Space Administration (NASA) Reauthorization bill, [H.R. 5781](#), requiring NASA's Administrator to transmit to Congress, within 12 months, a report regarding prior radiation research on nonhuman primates and the justification and rationale for additional research. In preparing this report, NASA must consult with other agencies that have conducted radiation research using nonhuman primates. This amendment, offered by Rep. Gary Peters (D-MI) and approved by voice vote, was likely prompted by ongoing animal rights protests against a proposed NASA radiation study. ([NABR Update Vol. 31, No. 4 in Activist News.](#)) H.R. 5781 is expected to be taken up by the full House of Representatives after summer recess ends on September 10.

Troutman, Anne

From: Aronson, Samuel
Sent: Wednesday, August 04, 2010 4:48 PM
To: Binkley, Steve
Subject: RE: NASA expt !!

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Subject: FW: NASA expt !!

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Troutman, Anne

From: Aronson, Samuel
Sent: Monday, August 02, 2010 4:39 PM
To: Binkley, Steve
Subject: RE: NASA

Steve,
Great, thanks. Please keep me informed.
Sam

Sam Aronson, Director
Brookhaven National Laboratory
Building 460
P. O. Box 5000
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[631] 344-5803 (fax)
samaronson@bnl.gov

From: Binkley, Steve [mailto:Steve.Binkley@science.doe.gov]
Sent: Monday, August 02, 2010 3:47 PM
To: Aronson, Samuel
Subject: RE: NASA

Sam,

Bill wanted to speak with one other person at NASA before talking to Doug Cooke. This preliminary call is set for 2:00 Tuesday. I will try to get the Cooke call to occur later Tuesday afternoon, assuming Cooke is available.

Steve

From: Aronson, Samuel [mailto:samaronson@bnl.gov]
Sent: Monday, August 02, 2010 10:04 AM
To: Binkley, Steve
Subject: NASA

Hi Steve,
May I ask whether Bill will be able to speak with Doug Cooke at NASA soon?
Thanks,
Sam

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Troutman, Anne

From: Aronson, Samuel
Sent: Friday, July 30, 2010 9:39 AM
To: Binkley, Steve
Subject: RE: NASA Contact

Steve,

Thanks. It would be helpful in our process if that call could take place by early next week. Later next week is a animal rights rally on the East End and I'd like to get to the point of publishing a decision before then. Please let me know when you are arranging for Bill to talk with Doug Cooke.

Thanks,
Sam

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[631] 344-2772
[631] 344-5803 (fax)
samaronson@bnl.gov

From: Binkley, Steve [mailto:Steve.Binkley@science.doe.gov]
Sent: Tuesday, July 27, 2010 4:11 PM
To: Aronson, Samuel
Subject: RE: NASA Contact

Sam,

Thank you for cc'ing me on this. I will follow-up with Bill and get a time on the calendar for him to call Mr. Cooke.

Steve

From: Aronson, Samuel [mailto:samaronson@bnl.gov]
Sent: Tuesday, July 27, 2010 12:37 PM
To: Brinkman, Bill
Cc: Binkley, Steve
Subject: NASA Contact

Bill,

Regarding our discussion on Sunday – a person you might speak to at NASA is

Douglas R. Cooke
Associate Administrator for Exploration Systems Mission Directorate
202 358 1523

He is the person above the NSRL program people in NASA that I have been in contact with. His bio is at http://www.nasa.gov/exploration/about/cooke_bio.html

Doug is an aerospace engineer by training. It's not easy to find a PhD scientist in the NASA management ranks at Doug's level or higher. The only one I'm aware of is Ed Weiler who is Associate Administrator for Science; I've never spoken with him.

I hope things are going well at ITER.

Sam

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