



AMERICANS FOR LIMITED GOVERNMENT

9900 MAIN STREET SUITE 303 · FAIRFAX, VA 22031 · PHONE: 703.383.0880 · FAX: 703.383.5288 · WWW.GETLIBERTY.ORG

May 7, 2012

U.S. Department of Labor - MSHA
FOIA Officer
1100 Wilson Blvd., Room 2314
Arlington, VA 22209-3939

Via email to: foiarequest@dol.gov

Re: Freedom of Information Act (FOIA) Request

Dear FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552 et seq., I request on behalf of ALG copies of the federal records described below. Please provide any records that exist in the following categories:

- I. For Gregory R. Wagner, M.D., Deputy Assistant Secretary for Policy:
 1. Past position titles and occupational series from July 29, 2009 and after;
 2. Past grades from July 29, 2009 and after;
 3. Past annual salary rates (including performance awards or bonuses, incentive awards, merit pay amount, Meritorious or Distinguished Executive Ranks, and allowances and differentials) from July 29, 2009, and after; and
 4. Past duty stations (includes room numbers, shop designations, or other identifying information regarding buildings or places of employment).

This information pursuant to 5 C.F.R. § 293.311 "is available to the public."

- II. All travel vouchers and vouchers for any other types of reimbursement submitted by Dr. Wagner from July 29, 2009 through the present;
- III. All records of reimbursements from MSHA to the National Institute for Occupational Safety and Health (NIOSH) for Dr. Wagner's salary; and

- IV. All records related to the removal of Dr. Wagner's biography from the MHSA website.

Pursuant to 5 U.S.C. § 552(a)(6)(A), please advise my counsel, whose information is listed below, within 20 days whether you will comply with this request and provide the documents.

I work for Americans for Limited Government, but am not seeking this information for any commercial use. Disclosure of such information is in the public interest as it would likely contribute significantly to public understanding of the operations or activities of the government. I therefore request that any fees associated with this request be waived in accordance with 5 U.S.C. 552(a)(4)(A)(iii), or at least be limited in accordance with 5 U.S.C. § 552(a)(4)(A)(ii)(II). I would also request that if you deny the fee waiver, that I be notified in advance.

To the extent that you deny any part of this request, please cite specific exemptions to FOIA that you believe justifies your denial. In addition, for any documents withheld by the agency, please provide a description containing the information that would be required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

Please send the requested records to the following address:

Nathan Paul Mehrens
General Counsel
Americans for Limited Government
9900 Main Street
Suite 303
Fairfax, VA 22031

If you have any questions regarding these FOIA requests please contact Nathan Paul Mehrens at 703.383.0880 or by email at nathan@getliberty.org.

Thank you in advance for your assistance.

Sincerely,



William Wilson
President