



**U.S. Department of Energy**  
Office of Science Berkeley Site Office (SC-BSO)  
Lawrence Berkeley National Laboratory (LBNL)  
1 Cyclotron Road, MS 90-1023  
Berkeley, CA 94710



December 21, 2005

Mr. Kevin L. Russell  
Law Offices of Chernoff, Vilhauer,  
McClung & Stenzel, LLP  
1600 ODS Tower  
601 S.W. Second Avenue  
Portland, Oregon 97204-3157

Re: Freedom of Information Act Request Docket No. F2005-00685  
CVMS File No. 7431.0081

Dear Mr. Russel:

I am the Authorizing Official responsible for making the determination required by Section 1004.5(b) of the U.S. Department of Energy (DOE) regulations found at 10 CFR Part 1004, which implements the Freedom of Information Act (FOIA), 5 U.S.C. 552.

This letter responds to your FOIA request letter dated October 27, 2005 that "relates to information gathered by the Physics Division Berkeley Livermore Labs (LAB) regarding their duties for JMRI project." Your letter goes on specify the categories of records that you are seeking.

After looking into your request, we have determined that the matters referred to therein relate to activities and communications of Mr. Bob Jacobsen, who has a part time faculty appointment with the DOE Lawrence Berkeley National Laboratory (LBNL), Physics Department<sup>1</sup>. We have also concluded that Mr. Jacobsen apparently used his LBNL e-mail account in connection with JMRI related correspondence. Finally, we have confirmed that: 1) the "JMRI project" is not an LBNL funded, sponsored or supported activity; and 2) neither the LBNL Physics Department nor any other LBNL operation, performs any duties for or in support of the "JMRI project."

Consequently, there are no records related to LBNL's (or the LBNL Physics Division's) "duties for" the JMRI project.

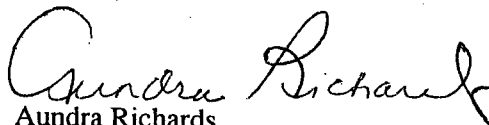
This completes the action on your request. No fees are assessed in processing this request.

You are advised of your right to appeal the adequacy of the search within 30 days of your receipt of this letter, by writing to the Director, Office of Hearings and Appeals, HQ-1, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C., 20585. Both the letter and the envelope should be clearly marked "FREEDOM OF INFORMATION APPEAL". You are further advised that judicial review will thereafter be available within the district in which you reside, have a principal place of business, where the records are located, or in the District of Columbia.

<sup>1</sup> DOE's National Nuclear Security Administration (NNSA) owns the Lawrence Livermore National Laboratory (LLNL), which is located Livermore, California. We have not referred your FOIA request to NNSA as we are unaware of any relevant connections between Mr. Jacobsen and LLNL.

If you have questions or are in need of additional information, please contact Patrick M. Burke of this office at (510) 486-7203

Sincerely,

A cursive handwritten signature of Aundra Richards.

Aundra Richards  
Director  
Berkeley Site Office

cc: L. Rohde  
P. Burke