



**U.S. Department  
of Transportation**

Office of the Secretary  
of Transportation

Carl Malamud  
Public.Resource.Org  
1005 Gravenstein Highway North  
Sebastopol, CA 95472

**GENERAL COUNSEL**

1200 New Jersey Avenue, SE  
Washington, DC 20590

JUL 2 2009

**File No.: FY 2009-137**

Dear Mr. Malamud:

This is in response to your Freedom of Information Act (FOIA) request dated May 20, 2009. You requested copies:

Any memoranda or budgetary documents that detail the total amount actually spent or budgeted to be spent by the U.S. Department of Transportation (DOT) to access the PACER system run by the Administrative Office of the Courts.

Any agreements, contracts, or memoranda of understanding between DOT and the Administrative Office of the Courts.

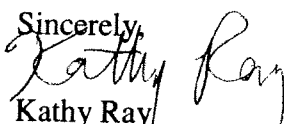
Any memoranda or other documents from DOT management to DOT lawyers asking them to curtail, limit, or otherwise ration their use of the PACER system due to cost considerations.

Any contracts, memoranda, or budgetary materials detailing the specific agreements and amount of money spent by DOT with commercial legal information providers such as Thomson WestLaw or the ReedElsevier LexisNexis service.

A search within the appropriate program offices of the Office of the Secretary of Transportation (OST) found no responsive documents.

I am the person responsible for this determination. If you are dissatisfied with this response, you may appeal to Rosalind A. Knapp, Deputy General Counsel, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC 20590. An appeal must be made in writing and be submitted within 30 days after you received this determination. It should contain any information and argument you wish to rely on and the envelope in which the appeal is sent should be prominently marked "FOIA Appeal." The Deputy General Counsel's determination will be administratively final.

If you have any questions, please contact Jeff Davis at (202) 366-5531.

Sincerely,  
  
Kathy Ray  
FOIA Officer