

From: charis_wilson@nps.gov on behalf of [FOIA, NPS](#)
To: [Clarice Julka](#)
Subject: Fwd: CANE establishment: FOIA from: Mark Kaufman
Date: Monday, November 5, 2018 2:52:46 PM

FYI...

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **FOIA, NPS** <npsfoia@nps.gov>
Date: Mon, Nov 5, 2018 at 2:48 PM
Subject: Re: CANE establishment: FOIA from: Mark Kaufman
To: "SER FOIA, NPS" <ser_foia@nps.gov>, Ben West <ben_west@nps.gov>

Hi everyone,

Just wanted to make sure that you understand that we do **not** and should **not** reaching out to staff at DOI or the Solicitor's office to request that they search for records that may be responsive to this request. Under the [DOI regulations](#), because they submitted to the NPS we are only required to deal with records that are in *our* possession and control.

To that end what should happen is:

1. We search NPS files for potentially responsive records.
2. Remembering that the presumption in FOIA is for release, we review the materials in accordance with established [DOI foreseeable harm](#) standards.
3. Once we had review completed, have any proposed redactions reviewed by the Solicitor staff.
4. Assuming there will be department equities, e.g. correspondence with Aurelia and others in ExecSec, we would then send response package up to the department for the required [Awareness Review](#).

Also, as previously mentioned, if while searching SER files you identify staff within other NPS offices such as OCLA or DIR that might have responsive records, let me know and either myself or Jessica McHugh, the WASO FOIA Liaison, can work with their offices to conduct additional searches for responsive records. However, we do not need to request that staff in other non-NPS offices search their files.



United States Department of the Interior

NATIONAL PARK SERVICE
12795 W. Alameda Parkway
P.O. Box 25287
Denver, Colorado 80225-0287

April 30, 2019

A7221 (2550)

Hudson Tate Munoz

(b) (6)

Dear Mr. Munoz:

Reference: Awareness Review Process

Subject: Response to Freedom of Information Act (FOIA) Request NPS-2019-00809

This letter is in response to your Freedom of Information Act (FOIA) request dated April 11, 2019, in which you requested:

any and all communications sent or received by FOIA processors in the NPS that mention terms such as political awareness, awareness review, awareness process, heightened awareness, heightened political awareness, and any other similar term. Please limit your search to email communications sent or received by FOIA processors in the NPS FOIA office from November 2018 to the date of the search.

Additionally, per our conversation today, April 30, 2019, you have modified your request to exclude any attachments. Upon further review, your request is granted in part and denied in part. We are providing you one file totaling 212 pages of responsive records. However, portions of six pages are being withheld under Exemption 5, which allows an agency to withhold "inter-agency or intra-agency memorandums or letters which would not be available by law to a party... in litigation with the agency." 5 U.S.C. § 552(b)(5); see *Nat'l Labor Relations Bd. v. Sears Roebuck & Co.*, 421 U.S. 132, 149 (1975). Exemption 5 therefore incorporates the privileges that protect materials from discovery in litigation, including the deliberative process, attorney work-product, attorney-client, and commercial information privileges. We are withholding this information because it qualifies to be withheld under the following privilege:

Deliberative Process Privilege

The deliberative process privilege protects the decision-making process of government agencies and encourages the "frank exchange of ideas on legal or policy matters" by ensuring agencies are not "forced to operate in a fish bowl." *Mend Data Cent., Inc. v. United States Dep't of the Air Force*, 566 F.2d 242, 256 (D.C. Cir. 1977) (internal citations omitted). A number of policy purposes have been attributed to the deliberative process privilege. Among the most important are to: (1) "assure that subordinates . . . will feel free to provide the decisionmaker with their uninhibited opinions and recommendations"; (2) "protect against premature disclosure of

proposed policies”; and (3) “protect against confusing the issues and misleading the public.” *Coastal States Gas Corp. v. United States Dep’t of Energy*, 617 F.2d 854, 866 (D.C. Cir. 1980).

The deliberative process privilege protects materials that are both predecisional and deliberative. The privilege covers records that “reflect the give-and-take of the consultative process” and may include “recommendations, draft documents, proposals, suggestions, and other subjective documents which reflect the personal opinions of the writer rather than the policy of the agency.” *Id.*

The materials that have been withheld under the deliberative process privilege of Exemption 5 are both predecisional and deliberative. They do not contain or represent formal or informal agency policies or decisions. They are the result of frank and open discussions among employees of the Department of the Interior. Their contents have been held confidential by all parties and public dissemination of this information would chill free and open discussions between National Park Service employees, Department of the Interior employees, and their legal representatives in the Department of the Interior’s Office of the Solicitor (SOL). The information being withheld consists of links to drives containing deliberative documents and summaries of conversations held with SOL.

The links being withheld constitute “intra-agency” documents because they are only shared with members of the Department or their consultants and/or contractors having access to the Departmental mail system for the purpose of conducting official government business, including holding discussions that are deliberative and pre-decisional.

In addition to qualifying as “intra-agency” documents, it has been determined that these links qualify as “confidential commercial information”, which also protectable by Exemption 5. In this case, the government entered the marketplace as an ordinary commercial buyer of a cloud-based email and document sharing solution. If the links were released, the government’s financial interest would be significantly harmed. The links would no longer be private since unknown, non-governmental parties could potentially access the files.

Accordingly, the funds spent on purchasing the cloud based communication system would therefore have been wasted, and the links would be of no use. Because the release of the links would significantly harm both the government’s financial interest and the deliberative process, the National Park Service is withholding the conference call numbers in accordance with Exemption 5 of the FOIA.

Additionally, portions of three pages are being withheld under Exemptions 6. Exemption 6 allows us to withhold information that if released would constitute a clearly unwarranted invasion of personal privacy.

The information being withheld relates to an individual(s) other than yourself. The information being withheld consists of two personal phone numbers and the work email address of the Secretary of the Interior. We have determined that the individuals to whom this information pertains have a substantial privacy interest in withholding it. You have not provided information that explains a relevant public interest under the FOIA in the disclosure of this personal information. Additionally, we have determined that the disclosure of this information would shed little or no light on the performance of the agency’s statutory duties and could result in Secretary’s work e-mail being subject to spamming or denial-of-service (DOS) attacks. Because the harm to personal privacy is greater than whatever public interest might be served by disclosure, we have determined that the release of the information that is being withheld would constitute a clearly unwarranted invasion of the privacy of these individuals and we are therefore withholding it under Exemption 6.

Pursuant to regulation, 43 CFR 2.24(b) the following person is responsible for this denial:

Charis Wilson
NPS FOIA Officer

Additionally the following attorney was consulted during the preparation of this response:

Jason Waanders, Attorney-Advisor, Office of the Solicitor
U.S. Department of the Interior, Philadelphia, PA

You have the right to appeal this denial of your request. You may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your appeal must be received no later than 90 workdays after the date of this final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe the records are available, including where they might be found, if the location is known to you. Please note, appeals received after 5 p.m. EST will be considered to have been received as of the following day.

Also as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation.

You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001

E-mail: ogis@nara.gov
Phone: 301-837-1996
Fax: 301-837-0348
Toll-free: 1-877-684-6448

Additionally, because the National Park Service creates and maintains law enforcement records, we are required by the Department of Justice to provide the following information, even though it may or may not apply to your specific request. Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a

standard notification that we are required to give all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Please do not hesitate to contact me, both as the NPS FOIA Liaison and the person who processed your request, with any further questions or concerns. I can be reached at the address above or by phone at 303-969-2959. I can also be reached via e-mail at charis_wilson@nps.gov.

Sincerely,

Charis Wilson
NPS FOIA Officer

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Nov 1, 2018 at 2:10 PM, SER FOIA, NPS <ser_foia@nps.gov> wrote:
Okay, will do. Thank you Charis.

Matt Johnson
[FOIA and Privacy Act](#)
[Southeast Regional Office Communications](#)
National Park Service
404.507.5615

On Thu, Nov 1, 2018 at 3:16 PM FOIA, NPS <npsfoia@nps.gov> wrote:
Hi Matt,

From what I was initially able to determine the staff in the SER lands office and SER Planning and Compliance, e.g. Ben West, had the lead on this issue, both in corresponding with the county and in the Solicitor's office. They may have subsequently asked for input from WASO staff, e.g. OCLA, in regards to reviewing proposed testimony and legislation. So I think at this point SER should take the lead and do an initial search for records. Then, if while reviewing them you identify other WASO offices that might have responsive records then you can let me know and either Jessica or I can work with staff in those offices to search for records.

Also, FWIW, since they specify the creation being by Presidential Proclamation, I think we can legitimately use January 20, 2017, as the date limiter for our search. That is only records created during the current administration would be responsive.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959

Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Nov 1, 2018 at 10:12 AM, SER FOIA, NPS <ser_foia@nps.gov> wrote:
Charis,

The preponderance of documents are likely to be with other, higher offices in NPS and Interior.

This is with regard to Mr. Kaufmen's specific concerns, i.e. "correspondence between the National Park Service and Executive Branch, the Department of Interior and Executive Branch, The National Park Service and the Department of Interior, and all correspondence between the Department of Interior agencies and Jessamine County, Kentucky regarding the creation of Camp Nelson Historic and Archeological District as a National Monument by presidential proclamation."

The regional office was not the primary outlet of communication with Jessamine County, Kentucky.

Don't you agree? Thanks for considering this. Cheers,

Matt Johnson
[FOIA and Privacy Act](#)
[Southeast Regional Office Communications](#)
National Park Service
404.507.5615

On Wed, Oct 31, 2018 at 2:59 PM FOIA, NPS <npsfoia@nps.gov> wrote:
Hi Matt & Mike,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557

1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>
Date: Wed, Oct 31, 2018 at 9:22 AM
Subject: FOIA from: Mark Kaufman
To: npsfoia@nps.gov

Submitted on Wednesday, October 31, 2018 - 11:22am

Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: Mark Kaufman

Mailing Address: [114 5th Avenue](#)

City: New York

State or Country: New York

Zip or Postal Code: 10011

Address Type: Business

Daytime Phone Number: 310-977-5073

Fax Number:

E-mail Address: mkaufman@mashable.com

Confirm E-mail Address : mkaufman@mashable.com

Your Organization: Mashable

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: National Park Service (NPS)

Relevant park, refuge, site or other location: Camp Nelson National Monument

Request Description:

I request a copy of the following documents be sent to me:

All correspondence, emails, and memos regarding the designation of Camp Nelson Historic and Archeological District as a National Monument (Camp Neslon National Monument) through Presidential Proclamation by way of the Antiquities Act.

Specifically, correspondence between the National Park Service and Executive Branch, the Department of Interior and Executive Branch, The National Park Service and the Department of Interior, and all correspondence between the Department of Interior agencies and Jessamine County, Kentucky regarding the creation of Camp Nelson Historic and Archeological District as a National Monument by presidential proclamation.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification: I certify that the above statement(s) concerning expedited processing are true and correct to the best of my knowledge and belief.

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount:

To assist in determining my requester category to assess fees, you should know that I am: a representative of the news media and this request is made as part of a news gathering effort and not for commercial use

Affiliated Organization:

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.

- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.:

I am a journalist working in news media and am requesting these documents not for commercial use, but for a news gathering effort.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/496446>

From: [Wilson, Charis](#)
To: [Richard Anderson](#)
Cc: [Peter Christian](#)
Subject: Re: FOIA Questions
Date: Friday, November 16, 2018 8:11:56 AM

Hi Richard,

Your SOL is correct. We cannot use regulations to w/h regulations under Exemptions only statutes in the US Code or provisions in public law that have not yet been incorporated into the US Code. Since the proposals are not inter- or intra-agency documents, they do not qualify for withholding under Exemption 5.

So our only option is Exemption 4. However, before we can assert Exemption 4, we have to do a consultation with the submitter(s) in accordance with [43 CFR 2 Subpart F](#). Additionally, even though 36 C.F.R. § 51.100 says we may release after award, we would still need to do an Exemption 4 consultation if we were thinking about releasing the proposal.

As far as the political's list we have no authority or control over that list. So one of the things I have done is to do a search of the materials for domain names in emails, e.g. [@ios.doi.gov](#) or [@sol.doi.gov](#) and then checking to see if they are listed. But then remembering that the Awareness Review Process will include the three NPS folks, including Dan Smith. However, if I knew based on the subject that we had discussions with another bureau, e.g. BLM or FWS, then you might have to do a bit more searching.

I had moved the meeting for this month to the 29th. However, I have received so many decline notices, that I am thinking of just cancelling it for this month.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

On Thu, Nov 15, 2018 at 5:22 PM Anderson, Richard <richard_anderson@nps.gov> wrote:
Charis,

1. Our solicitor tells me that I cannot use a regulation as authority for a FOIA redaction, e.g. 36 C.F.R. § 51.100 to withhold a concession bid when the award has not been done yet. She said I may only use a statute and then use Exemption 3, or use some other FOIA exemption. I feel obligated to follow the reg and that I must find some exemption that fits, like Exemption 5, deliberative process. It just feels weird to not follow a subject matter regulation.

2. Awareness Process. The list of political appointees at (b) (5) is not user friendly for me. Rather than check the names one-by-one, I'd like to figure out how to load a block of appointees names and search for all of them in one pass through the document.

3. The Dept of State FOIA from PEER about Biosphere Reserves that was "referred" to us is due Monday, but I'm off next week. It is NPS-FOIA-2019-00200. I have a call and an email into the Dept of State with questions (I don't agree with or understand any of their redactions, and I don't know if we are supposed to do document searches here in NPS or just use the 70-page responsive documents they sent us). They emailed back that they will have the FOIA analyst that was working on that FOIA call me back, and in the meantime I am not to send the requester a response. So if my questions are not resolved tomorrow, I'll be late with the response. What kind of note should I send the requester?

4. Our next FOIA call-in is Dec 20th, right?

Thanks.

Dick

Richard L. Anderson
FOIA Officer
National Park Service, Alaska Region
240 W 5th Ave
Anchorage AK 99501
richard_anderson@nps.gov
907-644-3525

... to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. -- NPS Organic Act 1916

From: [Bowman, Randal](#)
To: [WASO FOIA Requests, NPS](#)
Cc: [Christine Powell; NPS FOIA](#)
Subject: Re: 72 Hr. Awareness Review: FOIA-NPS-2018-00237 (Ruch) Fish Wildlife and States
Date: Friday, November 30, 2018 12:31:00 PM

I also did not think they were deliberative, as the Secretary's Memo that called for the material to be submitted did not indicate that material would be used for any subsequent action, but seemed to be for informational purposes.

However, since I reviewed it before Maureen asked the question, it would probably best if you responded.

On Fri, Nov 30, 2018 at 1:42 PM WASO FOIA Requests, NPS

<waso_foia_requests@nps.gov> wrote:

Randy,

At Maureen's request I have contacted Jason Waanders in SOL.

He has expressed that [REDACTED]

[REDACTED]

[REDACTED]

In order to withhold anything under Exemption 5, we would need to know more specifically what information she and/or the Dept. have concerns over. Before anything could be withheld. In accordance with Department policy, they would need to identify what specifically (paragraphs or sentences) they are concerned about as well as an explanation of the foreseeable harm in its release. Guidance on that can be found in the attached memo.

It should be noted that under the FOIA, if no harm can be identified we are not able to withhold and would have to release.

Additional, NRSS provided these records as fully releasable with no potential withholdings or exemptions were deemed necessary. Jenifer Wyse was included in the transmittal email by the NRSS POC and was made aware of this request.

I have not responded to ASFWP directly as I wanted to notify you both first. Please let me know if you wish to relay this to ASFWP directly from the Director's Office or if you wish for me to contact ASFWP.

I will stand by for your direction.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

On Thu, Nov 29, 2018 at 4:10 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

The Assistant Secretary's office is concerned that the material proposed for release may be deliberative. This should have an SOL answer.

On Thu, Nov 29, 2018 at 3:51 PM WASO FOIA Requests, NPS
<waso_foia_requests@nps.gov> wrote:

All,

FOIA NPS-2019-00237 is anticipated to be released on Tuesday, December 4th.
The attached documents are being provided to you for 72 Awareness Review.

Requester:

Jeff Ruch of PEER

Request: (Full request attached)

Records related the communications, response, and recommended steps by NPS in response to the September 10, 2018 Memo from the Secretary titled "State Fish and Wildlife Management Authority on Department of the Interior Lands and Waters"

Response Documents:

1. Incoming Request
2. Draft Response Letter
3. .pdf of responsiveness

Reviews:

Solicitor review - No withholdings, therefore none required
NPS FYI - Dir, COS, Randal Bowman, & Comms
DOI Awareness Reviews - A. Skipwith, R. Hambleton, A. Travnicsek, (+M. Foster)

Action Dates:

11/28 24 hr. DIR FYI
11/29 72 hr. DOI Awareness Review
12/4 Anticipated Release Date*

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

From: charis_wilson@nps.gov on behalf of [FOIA, NPS](#)
To: [NPS WASO FOIA Requests](#)
Subject: Re: Seeking Guidance: FOIA-NPS-2019-00143
Date: Tuesday, December 11, 2018 7:15:36 AM

No. Per the guidance we only need to provide copies of what we will be releasing.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 11, 2018 at 6:00 AM WASO FOIA Requests, NPS

<waso_foia_requests@nps.gov> wrote:

Thanks. Should I provide the letter to EPA in my awareness review?

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

On Mon, Dec 10, 2018 at 6:51 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Looks good. The only thing I would change is in the letter to EPA. It should say the records originated with their AGENCY not their bureau!.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Mon, Dec 10, 2018 at 1:50 PM WASO FOIA Requests, NPS

<waso_foia_requests@nps.gov> wrote:

Charis,

I received a VM from Dominic on 11/30 confirming that this was generated by EPA, sent to OMB, and then sent to us.

This is my first shot at doing a referral letter.

I have attached my response letter and referral letter as well as the documents in question. Let me know if you think these are good?

Also when I send up the Response docs for Awareness review, should I also provide them with what was sent out as a referral?

Thanks for your advice on this.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

On Thu, Nov 29, 2018 at 3:33 PM WASO FOIA Requests, NPS

<waso_foia_requests@nps.gov> wrote:

Joseph and Dominic,

We received the attached FOIA from American Oversight. A search of our records brought up an email that came from your office.

I am looking to find out if the attachment was something that was generated out of your office and sent to bureaus for review or if it is an EPA generated document?

If EPA we will submit to them as a consult. However, if generated by your office can you provide any recommendations or comments for foreseeable harm.

Please feel free to contact me directly with any additional questions.

I thank you in advance for your assistance.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

From: [Wilson, Charis](#)
To: [Quick, Andrea](#)
Cc: [Jessica McHugh](#)
Subject: Re: NPS Senior Staff Meeting
Date: Friday, December 14, 2018 2:32:56 PM
Attachments: Awareness Review FOIA Issues Memo_12_14_18.docx

Hi Andrea,

Please see the attached memo regarding our concerns over the continuing delays resulting from the FOIA awareness review process.

Feel free to contact me with any questions.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." -
Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

On Fri, Dec 14, 2018 at 12:01 PM Quick, Andrea <andrea_quick@nps.gov> wrote:

Hi all,

Next Tuesday is the Senior Staff meeting. I anticipate some added attention to the FOIA program during this meeting. If you have any hot items, or concerns about any FOIA, please let me know so we can give Kevin and Shane a heads up. I will be sending the VRP memo in just a few minutes. Thanks again!

Sincerely,

Andrea Quick
Records and FOIA Manager
Portfolio Management and Strategic Planning Division
National Park Service (WASO)
Office: (202) 354-2196
Mobile: (202) 641-4467
https://ir.sharepoint.nps.gov/PMSP/RM/_layouts/15/start.aspx#/SitePages/Home.aspx

TO: DAD OCIO PMSP

FROM: WASO FOIA Office

RE: Awareness Review Process Delays

DATE: December 12, 2018

Current Status:

The Awareness Process [memo](#) issued by the DOI FOIA Officer, Cindy Cafaro on May 24, 2018, directed the National Park Service to review FOIA responses for any records that reference or contain email communications with Presidentially Appointed, Senate Confirmed (PAS), Non-Career Senior Executive (NCSE), and/or Schedule C employees. Bureau FOIA staff were to then to provide identified personnel a 72 hour Awareness Review notification of the pending FOIA release. The memo also specifically stated that the review was to be conducted within the existing legal FOIA response deadlines.

Currently there are ten requests that have been sent up for the required awareness review. NPS FOIA personnel have been instructed by DOI staff to hold off on issuing responses for nine of those requests, seven of which are now on the FOIA backlog. For two of the nine requests holds were requested for responses that consisted of records that had been previously released under FOIA.

One of the requests instructing NPS to delay the issuing of responses was issued so as to verify the adequacy of the search and the completeness of the response. One other request to delay issuing a response raised the issue of whether the information could be withhold as deliberative and predecisional. However, no further response has been received to the message sent to the party requesting the hold summarizing the Solicitor consult results, which found that there was no justification for withholding as deliberative and predecisional. The remaining eight hold requests contained no information as to the reason or justification for delaying the responses.

Potential Risks:

Delays resulting from the Awareness Review process, which prevent the NPS from responding to requests within the legally required 20 workday time frame, are preventing the NPS from meeting its legal obligations under the FOIA. Such delays leave the NPS open to potential litigation, which could result in the assessment of attorney fees. Such fees would need to be paid

out of the relevant NPS units' operating budgets, even if the failure to issue a timely response directly resulted from Awareness Review delays.

Since many of these requests have been submitted by members of the media there is also a risk that the NPS could be subject to media scrutiny relating to this issue, similar to coverage, such as [this](#) or [this](#), of the Department of Homeland Security in 2010, which ultimately resulted in a Congressional committee [investigation](#), and further OIG investigations.

Requested Action:

The NPS FOIA Officer and the WASO FOIA Liaison accordingly request that this issue be escalated to Senior NPS management so that they are aware of the risks and can make determinations as to any further NPS actions.

From: [Watts, Christopher](#)
To: [FOIA, NPS](#)
Cc: [Christopher Watts](#); [Lisa Mendelson](#); [May, Peter](#)
Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo OXON MOU
Date: Tuesday, December 18, 2018 6:55:58 AM
Attachments: OXON Incoming.pdf
MOU - US Department of the Interior 9.15.17 signed.pdf

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response letter since this is 1 record and hopefully a quick turn around.*

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additionally, I received a note attached with the request:

"The only outstanding question is what reason I should cite for the Department of Interior not making the MOU public without the FOIA? "

Documents:

1. Incoming Request
2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required
NPS FYI - Dir, COS, Randal Bowman, & Comms
DOI Awareness Reviews: **????**

Action Dates:

12/19: 24 hr. DIR FYI
12/21: 72 hr. DOI Awareness Review
01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

From: charis_wilson@nps.gov on behalf of [FOIA, NPS](#)
To: [Alma Ripps](#)
Subject: Fwd: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
Date: Tuesday, December 18, 2018 1:17:33 PM
Attachments: OXON Incoming.pdf
MOU - US Department of the Interior 9.15.17 signed.pdf

FYI, since I got an out of office message for Chris.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **FOIA, NPS** <npsfoia@nps.gov>
Date: Tue, Dec 18, 2018 at 1:14 PM
Subject: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
To: Randal Bowman <randal_bowman@nps.gov>, Jeremy Barnum
<jeremy_barnum@nps.gov>, Christine Powell <chris_powell@nps.gov>, Hubbel Relat
<hubbel_relat@ios.doi.gov>
Cc: Andrea Quick <andrea_quick@nps.gov>, Christopher Watts
<christopher_watts@nps.gov>

All,

Passing along a notification for a pending FOIA release. As an FYI, we have at least two additional requests for records relating to Oxon Cove and communications with the Governor of Maryland, so I am also recommending that we proactively post this on our FOIA frequently requested documents page. I have also confirmed with SOL, Jason Waanders, that Exemption 5 cannot be used to withhold it, however, there is nothing that bars us from giving a courtesy heads up to the state of the pending release if we so choose.

Please feel free to contact either myself or the NCR FOIA Officer, Chris Watts, if you have any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Watts, Christopher** <cwatts@nps.gov>
Date: Tue, Dec 18, 2018 at 6:55 AM
Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo OXON MOU
To: FOIA, NPS <npsfoia@nps.gov>
Cc: Christopher Watts <cwatts@nps.gov>, Lisa Mendelson <Lisa_Mendelson-Ielmini@nps.gov>, May, Peter <pmay@nps.gov>

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response letter since this is 1 record and hopefully a quick turn around.*

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additional issues for your awareness:

1. Requester wants to know "...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA.
2. We have been advised that the State of Maryland may have refused a similar request to release the MOU under Maryland's FOIA on the basis that they consider it to be deliberative and predecisional. However, our SOL has advised that we cannot withhold it.

Documents:

1. Incoming Request

2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required

NPS FYI - Dir, COS, Randal Bowman, & Comms

DOI Awareness Reviews: Formal 72 Hour not required as no political equities

Action Dates:

12/19: 24 hr. DIR FYI

12/21: 72 hr. DOI Awareness Review

01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts

Freedom of Information Act Officer

National Park Service / National Capital Region

[1100 Ohio Drive SW](#)

[Washington, DC 20242](#)

202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™

National Park Service

U.S. Department of the Interior

<http://www.nps.gov/faqs.htm>

From: [Watts, Christopher](#)
To: [Bowman, Randal](#)
Cc: [FOIA, NPS](#); [Jeremy Barnum](#); [Christine Powell](#); [Hubbel Relat](#); [Andrea Quick](#)
Subject: Re: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
Date: Wednesday, December 19, 2018 4:56:48 AM

Randal:

The question was in the body of the email containing the FOIA request attachment.

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

On Tue, Dec 18, 2018 at 3:44 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

"

On Tue, Dec 18, 2018 at 3:14 PM FOIA, NPS <npsfoia@nps.gov> wrote:

All,

Passing along a notification for a pending FOIA release. As an FYI, we have at least two additional requests for records relating to Oxon Cove and communications with the Governor of Maryland, so I am also recommending that we proactively post this on our FOIA frequently requested documents page. I have also confirmed with SOL, Jason Waanders, that Exemption 5 cannot be used to withhold it, however, there is nothing that bars us from giving a courtesy heads up to the state of the pending release if we so choose.

Please feel free to contact either myself or the NCR FOIA Officer, Chris Watts, if you have any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Watts, Christopher** <cwatts@nps.gov>

Date: Tue, Dec 18, 2018 at 6:55 AM

Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo OXON MOU

To: FOIA, NPS <npsfoia@nps.gov>

Cc: Christopher Watts <cwatts@nps.gov>, Lisa Mendelson <Lisa_Mendelson-Ielmini@nps.gov>, May, Peter <pmay@nps.gov>

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response letter since this is 1 record and hopefully a quick turn around.*

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additional issues for your awareness:

1. Requester wants to know "...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA.
2. We have been advised that the State of Maryland may have refused a similar request to release the MOU under Maryland's FOIA on the basis that they consider it to be deliberative and predecisional. However, our SOL has advised

that we cannot withhold it.

Documents:

1. Incoming Request
2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required

NPS FYI - Dir, COS, Randal Bowman, & Comms

DOI Awareness Reviews: Formal 72 Hour not required as no political equities

Action Dates:

12/19: 24 hr. DIR FYI

12/21: 72 hr. DOI Awareness Review

01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts

Freedom of Information Act Officer

National Park Service / National Capital Region

[1100 Ohio Drive SW](#)

[Washington, DC 20242](#)

202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™

National Park Service

U.S. Department of the Interior

<http://www.nps.gov/faqs.htm>

From: charis_wilson@nps.gov on behalf of [FOIA, NPS](#)
To: [Bowman, Randal](#)
Subject: Re: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
Date: Wednesday, December 19, 2018 9:39:40 AM

It was in the cover "letter" email that had the incoming request attached. I am sorry for any confusion. Basically she wants to know why the person who turned down her original request for the MOU and told her to file FOIA did so. Unfortunately at this time, neither Christopher or I have any information on who rejected her original request.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 5:53 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

My question was in my response email yesterday afternoon - I received a "Thank you" but no answer.

Tuesday reply: I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

On Tue, Dec 18, 2018 at 6:25 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Randy,

Not sure what question you are referring to?

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer

12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 2:40 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

What about my question on denial of the pre-FOIA request?

On Tue, Dec 18, 2018 at 4:23 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Thank you.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 1:44 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

"

On Tue, Dec 18, 2018 at 3:14 PM FOIA, NPS <npsfoia@nps.gov> wrote:

All,

Passing along a notification for a pending FOIA release. As an FYI, we have at least two additional requests for records relating to Oxon Cove and communications with the Governor of Maryland, so I am also recommending that we proactively post this on our FOIA frequently requested documents page. I have also confirmed with SOL, Jason Waanders, that Exemption 5 cannot be used to withhold it, however, there is nothing that bars us from giving a courtesy heads up to the state of the pending release if we so choose.

Please feel free to contact either myself or the NCR FOIA Officer, Chris Watts, if you have any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Watts, Christopher** <cwatts@nps.gov>
Date: Tue, Dec 18, 2018 at 6:55 AM
Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo OXON MOU
To: FOIA, NPS <npsfoia@nps.gov>
Cc: Christopher Watts <cwatts@nps.gov>, Lisa Mendelson <Lisa_Mendelson-Ielmini@nps.gov>, May, Peter <pmay@nps.gov>

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response letter since this is 1 record and hopefully a quick turn around.*

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additional issues for your awareness:

1. Requester wants to know "...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? "
The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA.
2. We have been advised that the State of Maryland may have refused a similar request to release the MOU under Maryland's FOIA on the basis that they consider it to be deliberative and predecisional. However, our SOL has advised that we cannot withhold it.

Documents:

1. Incoming Request
2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required
NPS FYI - Dir, COS, Randal Bowman, & Comms
DOI Awareness Reviews: Formal 72 Hour not required as no political equities

Action Dates:

12/19: 24 hr. DIR FYI
12/21: 72 hr. DOI Awareness Review
01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

From: [Bowman, Randal](#)
To: [FOIA, NPS](#)
Subject: Re: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
Date: Wednesday, December 19, 2018 12:12:55 PM

In that case my recommendation is to ignore the question unless she sends it again, and in that case forward it to Public Affairs with the note that you have no idea who denied her request and so cannot find an answer to her question.

On Wed, Dec 19, 2018 at 11:40 AM FOIA, NPS <npsfoia@nps.gov> wrote:

It was in the cover "letter" email that had the incoming request attached. I am sorry for any confusion. Basically she wants to know why the person who turned down her original request for the MOU and told her to file FOIA did so. Unfortunately at this time, neither Christopher or I have any information on who rejected her original request.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 5:53 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

My question was in my response email yesterday afternoon - I received a "Thank you" but no answer.

Tuesday reply: I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

On Tue, Dec 18, 2018 at 6:25 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Randy,

Not sure what question you are referring to?

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 2:40 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

What about my question on denial of the pre-FOIA request?

On Tue, Dec 18, 2018 at 4:23 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Thank you.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 1:44 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? "

The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a

subsequent letter or by phone?

"

On Tue, Dec 18, 2018 at 3:14 PM FOIA, NPS <npsfoia@nps.gov> wrote:
All,

Passing along a notification for a pending FOIA release. As an FYI, we have at least two additional requests for records relating to Oxon Cove and communications with the Governor of Maryland, so I am also recommending that we proactively post this on our FOIA frequently requested documents page. I have also confirmed with SOL, Jason Waanders, that Exemption 5 cannot be used to withhold it, however, there is nothing that bars us from giving a courtesy heads up to the state of the pending release if we so choose.

Please feel free to contact either myself or the NCR FOIA Officer, Chris Watts, if you have any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Watts, Christopher** <cwatts@nps.gov>
Date: Tue, Dec 18, 2018 at 6:55 AM
Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo OXON MOU
To: FOIA, NPS <npsfoia@nps.gov>
Cc: Christopher Watts <cwatts@nps.gov>, Lisa Mendelson <Lisa_Mendelson-Ielmini@nps.gov>, May, Peter <pmay@nps.gov>

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response*

letter since this is 1 record and hopefully a quick turn around.

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additional issues for your awareness:

1. Requester wants to know "...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA.
2. We have been advised that the State of Maryland may have refused a similar request to release the MOU under Maryland's FOIA on the basis that they consider it to be deliberative and predecisional. However, our SOL has advised that we cannot withhold it.

Documents:

1. Incoming Request
2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required
NPS FYI - Dir, COS, Randal Bowman, & Comms
DOI Awareness Reviews: Formal 72 Hour not required as no political equities

Action Dates:

12/19: 24 hr. DIR FYI
12/21: 72 hr. DOI Awareness Review
01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

From: charis_wilson@nps.gov on behalf of [FOIA, NPS](#)
To: [Bowman, Randal](#)
Cc: [Christopher Watts](#)
Subject: Re: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
Date: Wednesday, December 19, 2018 1:18:58 PM

Thank you. That sounds like an excellent plan, especially as FOIA technically does not require us to answer questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 12:12 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

In that case my recommendation is to ignore the question unless she sends it again, and in that case forward it to Public Affairs with the note that you have no idea who denied her request and so cannot find an answer to her question.

On Wed, Dec 19, 2018 at 11:40 AM FOIA, NPS <npsfoia@nps.gov> wrote:

It was in the cover "letter" email that had the incoming request attached. I am sorry for any confusion. Basically she wants to know why the person who turned down her original request for the MOU and told her to file FOIA did so. Unfortunately at this time, neither Christopher or I have any information on who rejected her original request.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 5:53 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

My question was in my response email yesterday afternoon - I received a "Thank you" but no answer.

Tuesday reply: I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

On Tue, Dec 18, 2018 at 6:25 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Randy,

Not sure what question you are referring to?

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 2:40 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

What about my question on denial of the pre-FOIA request?

On Tue, Dec 18, 2018 at 4:23 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Thank you.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287

Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 1:44 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

"

On Tue, Dec 18, 2018 at 3:14 PM FOIA, NPS <npsfoia@nps.gov> wrote:
All,

Passing along a notification for a pending FOIA release. As an FYI, we have at least two additional requests for records relating to Oxon Cove and communications with the Governor of Maryland, so I am also recommending that we proactively post this on our FOIA frequently requested documents page. I have also confirmed with SOL, Jason Waanders, that Exemption 5 cannot be used to withhold it, however, there is nothing that bars us from giving a courtesy heads up to the state of the pending release if we so choose.

Please feel free to contact either myself or the NCR FOIA Officer, Chris Watts, if you have any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287

Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Watts, Christopher** <cwatts@nps.gov>
Date: Tue, Dec 18, 2018 at 6:55 AM
Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo OXON MOU
To: FOIA, NPS <npsfoia@nps.gov>
Cc: Christopher Watts <cwatts@nps.gov>, Lisa Mendelson
<Lisa_Mendelson-Jelmini@nps.gov>, May, Peter <pmay@nps.gov>

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response letter since this is 1 record and hopefully a quick turn around.*

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additional issues for your awareness:

1. Requester wants to know "...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA.
2. We have been advised that the State of Maryland may have refused a similar request to release the MOU under Maryland's FOIA on the basis that they consider it to be deliberative and predecisional. However, our SOL has advised that we cannot withhold it.

Documents:

1. Incoming Request
2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required

NPS FYI - Dir, COS, Randal Bowman, & Comms
DOI Awareness Reviews: Formal 72 Hour not required as no political
equities

Action Dates:

12/19: 24 hr. DIR FYI

12/21: 72 hr. DOI Awareness Review

01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

From: [Bowman, Randal](#)
To: [FOIA, NPS](#)
Cc: [Watts, Christopher](#)
Subject: Re: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
Date: Thursday, December 20, 2018 2:46:32 PM

Hubbel said he has no problem with release of the memo. Our email exchange covers other issues, so I'm not forwarding his reply but there were no qualifications on his answer.

On Thu, Dec 20, 2018 at 10:43 AM FOIA, NPS <npsfoia@nps.gov> wrote:

Thank you.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Dec 20, 2018 at 7:58 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

We had a brief discussion on this at the Director's staff meeting. I will contact Hubbel directly on whether he thinks we should give notice to Gov. Hogan and if so, who should do that. This presumably will also remind him that the release is scheduled to go out.

On Thu, Dec 20, 2018 at 9:47 AM FOIA, NPS <npsfoia@nps.gov> wrote:

I have sent a notification to Hubbel Relat in the Secretary's Office. So far I have not received any response from him.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Dec 20, 2018 at 6:13 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

That is Charis' call, not mine.

On Thu, Dec 20, 2018 at 7:14 AM Watts, Christopher <cwatts@nps.gov> wrote:
Thanks all. I still need confirmation that the Department is okay with my releasing this document to the WaPo. Who is giving the okay?

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

On Wed, Dec 19, 2018 at 3:33 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

I've alerted Jeremy Barnum that this might come up. He also agrees this is the best approach.

On Wed, Dec 19, 2018 at 3:19 PM FOIA, NPS <npsfoia@nps.gov> wrote:
Thank you. That sounds like an excellent plan, especially as FOIA technically does not require us to answer questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 12:12 PM Bowman, Randal

<randal_bowman@nps.gov> wrote:

In that case my recommendation is to ignore the question unless she sends it again, and in that case forward it to Public Affairs with the note that you have no idea who denied her request and so cannot find an answer to her question.

On Wed, Dec 19, 2018 at 11:40 AM FOIA, NPS <npsfoia@nps.gov> wrote:

It was in the cover "letter" email that had the incoming request attached. I am sorry for any confusion. Basically she wants to know why the person who turned down her original request for the MOU and told her to file FOIA did so. Unfortunately at this time, neither Christopher or I have any information on who rejected her original request.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 5:53 AM Bowman, Randal

<randal_bowman@nps.gov> wrote:

My question was in my response email yesterday afternoon - I received a "Thank you" but no answer.

Tuesday reply: I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

On Tue, Dec 18, 2018 at 6:25 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Randy,

Not sure what question you are referring to?

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 2:40 PM Bowman, Randal
<randal_bowman@nps.gov> wrote:

What about my question on denial of the pre-FOIA request?

On Tue, Dec 18, 2018 at 4:23 PM FOIA, NPS <npsfoia@nps.gov>
wrote:

Thank you.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 1:44 PM Bowman, Randal
<randal_bowman@nps.gov> wrote:

I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it

without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

"

On Tue, Dec 18, 2018 at 3:14 PM FOIA, NPS

[<npsfoia@nps.gov>](mailto:npsfoia@nps.gov) wrote:

All,

Passing along a notification for a pending FOIA release. As an FYI, we have at least two additional requests for records relating to Oxon Cove and communications with the Governor of Maryland, so I am also recommending that we proactively post this on our FOIA frequently requested documents page. I have also confirmed with SOL, Jason Waanders, that Exemption 5 cannot be used to withhold it, however, there is nothing that bars us from giving a courtesy heads up to the state of the pending release if we so choose.

Please feel free to contact either myself or the NCR FOIA Officer, Chris Watts, if you have any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Watts, Christopher** [<cwatts@nps.gov>](mailto:cwatts@nps.gov)

Date: Tue, Dec 18, 2018 at 6:55 AM

Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo
OXON MOU

To: FOIA, NPS [<npsfoia@nps.gov>](mailto:npsfoia@nps.gov)

Cc: Christopher Watts [<cwatts@nps.gov>](mailto:cwatts@nps.gov), Lisa Mendelson

<Lisa_Mendelson-Ielmini@nps.gov>, May, Peter
<pmay@nps.gov>

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response letter since this is 1 record and hopefully a quick turn around.*

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additional issues for your awareness:

1. Requester wants to know "...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA.
2. We have been advised that the State of Maryland may have refused a similar request to release the MOU under Maryland's FOIA on the basis that they consider it to be deliberative and predecisional. However, our SOL has advised that we cannot withhold it.

Documents:

1. Incoming Request
2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required
NPS FYI - Dir, COS, Randal Bowman, & Comms
DOI Awareness Reviews: Formal 72 Hour not required as no political equities

Action Dates:

12/19: 24 hr. DIR FYI
12/21: 72 hr. DOI Awareness Review
01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

From: charis_wilson@nps.gov on behalf of [FOIA, NPS](#)
To: [Bowman, Randal](#)
Subject: Re: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
Date: Thursday, December 20, 2018 4:03:53 PM

Thank you.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Dec 20, 2018 at 2:46 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

Hubbel said he has no problem with release of the memo. Our email exchange covers other issues, so I'm not forwarding his reply but there were no qualifications on his answer.

On Thu, Dec 20, 2018 at 10:43 AM FOIA, NPS <npsfoia@nps.gov> wrote:

Thank you.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Dec 20, 2018 at 7:58 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

We had a brief discussion on this at the Director's staff meeting. I will contact Hubbel directly on whether he thinks we should give notice to Gov. Hogan and if so, who

should do that. This presumably will also remind him that the release is scheduled to go out.

On Thu, Dec 20, 2018 at 9:47 AM FOIA, NPS <npsfoia@nps.gov> wrote:

I have sent a notification to Hubbel Relat in the Secretary's Office. So far I have not received any response from him.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Dec 20, 2018 at 6:13 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

That is Charis' call, not mine.

On Thu, Dec 20, 2018 at 7:14 AM Watts, Christopher <cwatts@nps.gov> wrote:

Thanks all. I still need confirmation that the Department is okay with my releasing this document to the WaPo. Who is giving the okay?

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

On Wed, Dec 19, 2018 at 3:33 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

I've alerted Jeremy Barnum that this might come up. He also agrees this is the best approach.

On Wed, Dec 19, 2018 at 3:19 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Thank you. That sounds like an excellent plan, especially as FOIA technically does not require us to answer questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 12:12 PM Bowman, Randal
<randal_bowman@nps.gov> wrote:

In that case my recommendation is to ignore the question unless she sends it again, and in that case forward it to Public Affairs with the note that you have no idea who denied her request and so cannot find an answer to her question.

On Wed, Dec 19, 2018 at 11:40 AM FOIA, NPS <npsfoia@nps.gov> wrote:

It was in the cover "letter" email that had the incoming request attached. I am sorry for any confusion. Basically she wants to know why the person who turned down her original request for the MOU and told her to file FOIA did so. Unfortunately at this time, neither Christopher or I have any information on who rejected her original request.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 5:53 AM Bowman, Randal
<randal_bowman@nps.gov> wrote:

My question was in my response email yesterday afternoon - I received a "Thank you" but no answer.

Tuesday reply: I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

On Tue, Dec 18, 2018 at 6:25 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Randy,

Not sure what question you are referring to?

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 2:40 PM Bowman, Randal
<randal_bowman@nps.gov> wrote:

What about my question on denial of the pre-FOIA request?

On Tue, Dec 18, 2018 at 4:23 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Thank you.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway

PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 1:44 PM Bowman, Randal
<randal_bowman@nps.gov> wrote:

I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

"

On Tue, Dec 18, 2018 at 3:14 PM FOIA, NPS
<npsfoia@nps.gov> wrote:

All,

Passing along a notification for a pending FOIA release. As an FYI, we have at least two additional requests for records relating to Oxon Cove and communications with the Governor of Maryland, so I am also recommending that we proactively post this on our FOIA frequently requested documents page. I have also confirmed with SOL, Jason Waanders, that Exemption 5 cannot be used to withhold it, however, there is nothing that bars us from giving a courtesy heads up to the state of the pending release if we so choose.

Please feel free to contact either myself or the NCR FOIA Officer, Chris Watts, if you have any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Watts, Christopher** <cwatts@nps.gov>
Date: Tue, Dec 18, 2018 at 6:55 AM
Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo
OXON MOU
To: FOIA, NPS <npsfoia@nps.gov>
Cc: Christopher Watts <cwatts@nps.gov>, Lisa Mendelson
<Lisa_Mendelson-Ielmini@nps.gov>, May, Peter
<pmay@nps.gov>

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response letter since this is 1 record and hopefully a quick turn around.*

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additional issues for your awareness:

1. Requester wants to know "...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA.
2. We have been advised that the State of Maryland may have refused a similar request to release the MOU under Maryland's FOIA on the basis that they consider it

to be deliberative and predecisional. However, our SOL has advised that we cannot withhold it.

Documents:

1. Incoming Request
2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required

NPS FYI - Dir, COS, Randal Bowman, & Comms

DOI Awareness Reviews: Formal 72 Hour not required as no political equities

Action Dates:

12/19: 24 hr. DIR FYI

12/21: 72 hr. DOI Awareness Review

01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts

Freedom of Information Act Officer

National Park Service / National Capital Region

[1100 Ohio Drive SW](#)

[Washington, DC 20242](#)

202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™

National Park Service

U.S. Department of the Interior

<http://www.nps.gov/faqs.htm>

From: [Watts, Christopher](#)
To: [FOIA, NPS](#)
Subject: Re: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
Date: Friday, December 21, 2018 7:13:04 AM

already done- waiting on a response.

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

On Thu, Dec 20, 2018 at 6:05 PM FOIA, NPS <npsfoia@nps.gov> wrote:

I would send this email to your leadership and let them know that based on that response our intention is to release the memo tomorrow. I would also suggest we let Jenny and Jeremy know as well.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Bowman, Randal** <randal_bowman@nps.gov>
Date: Thu, Dec 20, 2018 at 2:46 PM
Subject: Re: ***Pending FOIA Release*** NPS-2019-00354 Chason WaPo OXON MOU
To: FOIA, NPS <npsfoia@nps.gov>
Cc: Watts, Christopher <cwatts@nps.gov>

Hubbel said he has no problem with release of the memo. Our email exchange covers other issues, so I'm not forwarding his reply but there were no qualifications on his answer.

On Thu, Dec 20, 2018 at 10:43 AM FOIA, NPS <npsfoia@nps.gov> wrote:

Thank you.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Dec 20, 2018 at 7:58 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

We had a brief discussion on this at the Director's staff meeting. I will contact Hubbel directly on whether he thinks we should give notice to Gov. Hogan and if so, who should do that. This presumably will also remind him that the release is scheduled to go out.

On Thu, Dec 20, 2018 at 9:47 AM FOIA, NPS <npsfoia@nps.gov> wrote:

I have sent a notification to Hubbel Relat in the Secretary's Office. So far I have not received any response from him.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Thu, Dec 20, 2018 at 6:13 AM Bowman, Randal <randal_bowman@nps.gov> wrote:

That is Charis' call, not mine.

On Thu, Dec 20, 2018 at 7:14 AM Watts, Christopher <cwatts@nps.gov> wrote:
Thanks all. I still need confirmation that the Department is okay with my releasing this document to the WaPo. Who is giving the okay?

Christopher Watts
Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

On Wed, Dec 19, 2018 at 3:33 PM Bowman, Randal <randal_bowman@nps.gov> wrote:

I've alerted Jeremy Barnum that this might come up. He also agrees this is the best approach.

On Wed, Dec 19, 2018 at 3:19 PM FOIA, NPS <npsfoia@nps.gov> wrote:
Thank you. That sounds like an excellent plan, especially as FOIA technically does not require us to answer questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 12:12 PM Bowman, Randal
<randal_bowman@nps.gov> wrote:

In that case my recommendation is to ignore the question unless she sends it again, and in that case forward it to Public Affairs with the note that you

have no idea who denied her request and so cannot find an answer to her question.

On Wed, Dec 19, 2018 at 11:40 AM FOIA, NPS <npsfoia@nps.gov> wrote:

It was in the cover "letter" email that had the incoming request attached. I am sorry for any confusion. Basically she wants to know why the person who turned down her original request for the MOU and told her to file FOIA did so. Unfortunately at this time, neither Christopher or I have any information on who rejected her original request.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Wed, Dec 19, 2018 at 5:53 AM Bowman, Randal

<randal_bowman@nps.gov> wrote:

My question was in my response email yesterday afternoon - I received a "Thank you" but no answer.

Tuesday reply: I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

On Tue, Dec 18, 2018 at 6:25 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Randy,

Not sure what question you are referring to?

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 2:40 PM Bowman, Randal
<randal_bowman@nps.gov> wrote:

What about my question on denial of the pre-FOIA request?

On Tue, Dec 18, 2018 at 4:23 PM FOIA, NPS <npsfoia@nps.gov>
wrote:

Thank you.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Dec 18, 2018 at 1:44 PM Bowman, Randal
<randal_bowman@nps.gov> wrote:

I also do not see a basis for withholding the MOU.

As far as additional issue 1 -

"1. Requester wants to know ...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA." -

there is no such question in the written request. Was the question received in a subsequent letter or by phone?

"

On Tue, Dec 18, 2018 at 3:14 PM FOIA, NPS

<npsfoia@nps.gov> wrote:

All,

Passing along a notification for a pending FOIA release. As an FYI, we have at least two additional requests for records relating to Oxon Cove and communications with the Governor of Maryland, so I am also recommending that we proactively post this on our FOIA frequently requested documents page. I have also confirmed with SOL, Jason Waanders, that Exemption 5 cannot be used to withhold it, however, there is nothing that bars us from giving a courtesy heads up to the state of the pending release if we so choose.

Please feel free to contact either myself or the NCR FOIA Officer, Chris Watts, if you have any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Watts, Christopher** <cwatts@nps.gov>

Date: Tue, Dec 18, 2018 at 6:55 AM

Subject: FYI: 72hr Review Needed FOIA 2019-00354 WaPo
OXON MOU

To: FOIA, NPS <npsfoia@nps.gov>

Cc: Christopher Watts <cwatts@nps.gov>, Lisa Mendelson
<Lisa_Mendelson-Jelmini@nps.gov>, May, Peter
<pmay@nps.gov>

Charis:

The attached documents are an FYI for FOIA NPS-2019-00354 that is to be submitted to the Dept for awareness. *I'm holding off on the response letter since this is 1 record and hopefully a quick turn around.*

Requester:

Rachel Chason, The Washington Post

Request: (request attached)

"A copy of the memorandum of understanding regarding a potential land exchange for Oxon Cove."

Additional issues for your awareness:

1. Requester wants to know "...what reason I should cite for the Department of Interior not making the MOU public without the FOIA? " The NCR and NPS FOIA Officer are unable to answer this question as we do not know who originally told the requester that they would not release it without a FOIA.
2. We have been advised that the State of Maryland may have refused a similar request to release the MOU under Maryland's FOIA on the basis that they consider it to be deliberative and predecisional. However, our SOL has advised that we cannot withhold it.

Documents:

1. Incoming Request
2. .pdf of responsive

Reviews:

Solicitor review - No withholding, therefore none required

NPS FYI - Dir, COS, Randal Bowman, & Comms

DOI Awareness Reviews: Formal 72 Hour not required as no political equities

Action Dates:

12/19: 24 hr. DIR FYI

12/21: 72 hr. DOI Awareness Review

01/25: Anticipated Release Date (or sooner)

Please let me know when I can release the record.

Christopher Watts

Freedom of Information Act Officer
National Park Service / National Capital Region
[1100 Ohio Drive SW](#)
[Washington, DC 20242](#)
202-619-7485 (d)

I am a graduate of the 2017 [GOAL Leadership Academy](#).

EXPERIENCE YOUR AMERICA™
National Park Service
U.S. Department of the Interior
<http://www.nps.gov/faqs.htm>

From: nicholas_banco@ios.doi.gov on behalf of [OS, OS FOIA](#)
To: [leah Bernhardt](#); [BLM, WO FOIA](#); [BIA FOIA](#); [FOIA, BOEM](#); [FOIA, FWHQ](#); [NPS FOIA](#); [SOL Foia](#); [GS-GIO Freedom of Information Act](#)
Subject: OS-2018-00959 Informal Litigation Consultation - Time Sensitive
Date: Tuesday, February 12, 2019 4:35:58 PM
Attachments: BIA Combined.pdf
FWS and SOL Combined.pdf
BLM Combined.pdf
BOEM Combined.pdf
BOEM and SOL Combined.pdf
USGS Combined.pdf
NPS Combined.pdf
SOL Combined.pdf
FWS Combined.pdf
18-00959qa.pdf

Hi everyone,

OS is currently preparing the final release of responsive materials for use in litigation concerning FOIA policies since 1/20/2017. To expedite the consultation process, I've created one email chain for the entire set of equities OS received during the course of its search. I've also taken the liberty of pre-bracketing the materials with potential withholdings, please do not hesitate to suggest the expansion or retraction of them.

For ease of reference, I'll provide a brief synopsis of the contents of each attachment.

The Department has a status update due next week; if at all possible, please provide your comments by COB Tuesday February 19, 2019.

I've cc'd the SOL attorney, Leah Bernhardt, for awareness.

BIA Combined: 10 pages concerning awareness reviews.

BLM Combined: 44 pages primarily concerning one of FY2017's 10 oldest FOIAs.

BOEM and SOL Combined: 55 pages concerning a harm analysis for a FOIA litigation.

BOEM Combined: 41 pages primarily concerning awareness reviews.

FWS and SOL Combined: 15 pages of discussion on the releasability of particular materials.

FWS Combined: 153 pages concerning awareness reviews and the processing on of one of the 10 oldest FOIAs.

NPS Combined: 85 pages of awareness reviews and FOIA coordination.

SOL Combined: 91 pages of SOL FOIA and SOL attorney communications.

USGS Combined: 21 pages of awareness reviews.

Thanks,

Nick

--

Department of the Interior
Office of the Secretary, FOIA Office
1849 C Street, NW, MS-7328
Washington, D.C. 20240
os.foia@ios.doi.gov
(202) 513-0765 - phone
(202) 219-2374 - fax

NPS Combined.pdf

To: Caroline Boulton[caroline_boulton@ios.doi.gov]; Scott Hommel[scott_hommel@ios.doi.gov]; Magallanes, Downey[downey_magallanes@ios.doi.gov]; Michael Argo[michael_argo@ios.doi.gov]; Rick May[rick_may@ios.doi.gov]; Evan Wilson[evan_wilson@ios.doi.gov]; Vincent Devito[vincent_devito@ios.doi.gov]; Joshua Campbell[joshua.campbell@sol.doi.gov]; David Mihalic[david_mihalic@ios.doi.gov]; Lori Mashburn[lori_mashburn@ios.doi.gov]; David Bernhardt (b) (6) [REDACTED] James Cason[james_cason@ios.doi.gov]; Todd Willens[todd_willens@ios.doi.gov]; Matthew Dermody[matthew_dermody@ios.doi.gov]; James Voyles[james_voyles@ios.doi.gov]; Gary Lawkowski[gary_lawkowski@ios.doi.gov]; Susan Combs[susan_combs@ios.doi.gov]; Scott Cameron[scott_cameron@ios.doi.gov]; Steven Howke[steven_howke@ios.doi.gov]; Timothy Petty[timothy_petty@ios.doi.gov]; Andrea Travnicek[andrea_travnicek@ios.doi.gov]; Austin Ewell[austin_ewell@ios.doi.gov]; Ryan Nichols[ryan_nichols@ios.doi.gov]; Alexander Sterhan[asterhan@usbr.gov]; Brenda Burman[burman@usbr.gov]; Alan Mikkelsen[alan_mikkelsen@ios.doi.gov]; James Reilly[jfreilly@usgs.gov]; Joseph Balash[joseph_balash@ios.doi.gov]; Katharine MacGregor[katharine_macgregor@ios.doi.gov]; Casey Hammond[casey_hammond@ios.doi.gov]; William Dove[william_dove@ios.doi.gov]; Brian Steed[bsteed@blm.gov]; Kristen Benedetto[kristen.benedetto@bia.gov]; Thomas Baptiste[tbaptiste@blm.gov]; Scott Angelle[scott.angelle@bsee.gov]; Preston Beard[preston.beard@bsee.gov]; James Schindler[james.schindler@boem.gov]; Landon Davis[lldavis@osmre.gov]; Aurelia Skipwith[aurelia_skipwith@ios.doi.gov]; Marshall Critchfield[marshall_critchfield@ios.doi.gov]; Paul (Dan) Smith[paul_smith@nps.gov]; Charles Laudner[charles_laudner@nps.gov]; Erian Pavlik[brian_pavlik@nps.gov]; Greg Sheehan[greg_j_sheehan@fws.gov]; Zachariah Gambill[zachariah_gambill@fws.gov]; John Tahsuda[john.tahsuda@bia.gov]; Kyle Scherer[kyle.scherer@bia.gov]; Douglas Domenech[douglas_domenech@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]; Brandon Middleton[brandon.middleton@sol.doi.gov]; Cally Younger[cally.younger@sol.doi.gov]; John Tanner[john_tanner@ios.doi.gov]; Micah Chambers[micah_chambers@ios.doi.gov]; Amanda Kaster[amanda_kaster@ios.doi.gov]; Blake Deeley[blake_deeley@ios.doi.gov]; Todd Wynn[todd_wynn@ios.doi.gov]; Benjamin Cassidy[benjamin_cassidy@ios.doi.gov]; Timothy Williams[timothy_williams@ios.doi.gov]; Jason Funes[jason_funes@ios.doi.gov]; Russell Newell[russell_newell@ios.doi.gov]; Heather Swift[heather_swift@ios.doi.gov]; Alex Hinson[alex_hinson@ios.doi.gov]; Faith Vander Voort[faith_vandervoort@ios.doi.gov]; John Bockmier[john_bockmier@ios.doi.gov]; Eli Nachmany[eli_nachmany@ios.doi.gov]; Leila Getto[leila_getto@ios.doi.gov]; Aaron Thiele[aaron_thiele@ios.doi.gov]; Stephen Wackowski[stephen_wackowski@ios.doi.gov]
Cc: Andrea Quick[andrea_quick@nps.gov]; Kevin Schmitt[kevin_schmitt@nps.gov]; Waanders, Jason[jason.waanders@sol.doi.gov]
From: charis_wilson@nps.gov
Sent: 2018-06-27T15:52:44-04:00
Importance: Normal
Subject: ***FOIA Awareness Review*** 18-764 Annatoyn FOIA Processing Guidance
Received: 2018-06-27T15:53:44-04:00
[18-764 Responsive REDACTED.pdf](#)
[18-764 Annatoyn FOIA process INCOMING.pdf](#)

Hello everyone,

In accordance with the May 24, 2018, Awareness Process memo, I am notifying you that the National Park Service is preparing to issue a response to a FOIA request, which includes responsive records in which your name appears. I have attached a copy the file containing the responsive records. The document in which your name appears begins on page 28. For your convenience I have also attached a copy of the original incoming request.

Currently NPS is planning to issue our response the morning of July 2, 2018. Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

To: Laura Rigas[laura_rigas@ios.doi.gov]
From: Howarth, Robert
Sent: 2017-08-20T07:22:22-04:00
Importance: Normal
Subject: Fwd: ***Pending Release*** Zuckerberg FOIA packet for ExecSec review
Received: 2017-08-20T07:22:49-04:00
[Zuckerberg Visit combined wProposedRedactions PostOS v2.pdf](#)
[Zuckerberg GLAC visit Requests.pdf](#)

Laura, for your review and awareness. Any questions, call me.

Rob

----- Forwarded message -----

From: FOIA, NPS <npsfoia@nps.gov>
Date: Fri, Aug 18, 2017 at 4:48 PM
Subject: ***Pending Release*** Zuckerberg FOIA packet for ExecSec review
To: Robert Howarth <robert_howarth@ios.doi.gov>
Cc: Clarice Julka <os_foia@ios.doi.gov>, "May, Brian" <bmay@usgs.gov>, "S. Litsa Marinos" <smarinos@usgs.gov>, Andrea Quick <andrea_quick@nps.gov>

Hi Rob,

We have received about a half dozen requests for FOIAs relating to Mr. Zuckerber's visit to Glacier, including one from a reporter with the Washington Post., copies of which are attached. Because some of the materials contain ExecSec information and the decision that prompted the FOIAs was made at the DOI level, I wanted to give staff at DOI a chance to review the materials before I post them on our FOIA reading room.

I will be out on leave through the 24th. And am planning to post the materials on Friday the 25th barring any objections. Also as an FYI, both USGS and OS have received similar requests. Brian May at USGS is out next week, but if you have questions about their materials you can reach out to Litsa Marinos <smarinos@usgs.gov> as she is working on their Zuckerberg materials in Brian's absence.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

--

Robert Howarth
Deputy Director for Correspondence and FOIA Management
Office of the Executive Secretariat and Regulatory Affairs
Department of the Interior
1849 C Street, NW
Washington, DC 20240
202-208-3181
202-208-4451 (direct)
202-549-8961 (cell)

To: Heather Swift[heather_swift@ios.doi.gov]; Russell Newell[russell_newell@ios.doi.gov]
From: Laura Rigas
Sent: 2017-08-20T22:04:36-04:00
Importance: Normal
Subject: Fwd: ***Pending Release*** Zuckerberg FOIA packet for ExecSec review
Received: 2017-08-20T22:05:21-04:00
[ATT00001.htm](#)
[Zuckerberg Visit combined wProposedRedactions PostOS v2.pdf](#)
[Zuckerberg GLAC visit Requests.pdf](#)
[ATT00002.htm](#)

Laura Keehner Rigas
Communications Director
U.S. Department of the Interior
(202) 897-7022 cell
@Interior

Begin forwarded message:

From: "Howarth, Robert" <robert_howarth@ios.doi.gov>
To: Laura Rigas <laura_rigas@ios.doi.gov>
Subject: Fwd: ***Pending Release*** Zuckerberg FOIA packet for ExecSec review

Laura, for your review and awareness. Any questions, call me.

Rob

----- Forwarded message -----

From: **FOIA, NPS** <npsfoia@nps.gov>
Date: Fri, Aug 18, 2017 at 4:48 PM
Subject: ***Pending Release*** Zuckerberg FOIA packet for ExecSec review
To: Robert Howarth <robert_howarth@ios.doi.gov>
Cc: Clarice Julka <os_foia@ios.doi.gov>, "May, Brian" <bmay@usgs.gov>, "S. Litsa Marinos" <smarinos@usgs.gov>, Andrea Quick <andrea_quick@nps.gov>

Hi Rob,

We have received about a half dozen requests for FOIAs relating to Mr. Zuckerber's visit to Glacier, including one from a reporter with the Washington Post., copies of which are attached. Because some of the materials contain ExecSec information and the decision that prompted the FOIAs was made at the DOI level, I wanted to give staff at DOI a chance to review the materials before I post them on our FOIA reading room.

I will be out on leave through the 24th. And am planning to post the materials on Friday the 25th barring any objections. Also as an FYI, both USGS and OS have received similar requests. Brian May at USGS is out next week, but if you have

questions about their materials you can reach out to Litsa Marinos
<smarinos@usgs.gov> as she is working on their Zuckerberg materials in Brian's
absence.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

--

Robert Howarth
Deputy Director for Correspondence and FOIA Management
Office of the Executive Secretariat and Regulatory Affairs
Department of the Interior
1849 C Street, NW
Washington, DC 20240
202-208-3181
202-208-4451 (direct)
202-549-8961 (cell)

To: Paul (Dan) Smith[paul_smith@nps.gov]; Charles Laudner[charles_laudner@nps.gov]; Natalie Davis[natalie_davis@ios.doi.gov]; Zachariah Gambill[zachariah_gambill@fws.gov]; Douglas Domenech[douglas_domenech@ios.doi.gov]; Laura Rigas[laura_rigas@ios.doi.gov]; Faith Vander Voort[faith_vandervoort@ios.doi.gov]; Susan Combs[susan_combs@ios.doi.gov]; Marshall Critchfield[marshall_critchfield@ios.doi.gov]; Aurelia Skipwith[aurelia_skipwith@ios.doi.gov]; Ryan Hambleton[ryan_hambleton@ios.doi.gov]
Cc: Kevin Schmitt[kevin_schmitt@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; Christine Powell[chris_powell@nps.gov]; Robert Howarth[robert_howarth@ios.doi.gov]
From: jessica_mchugh@nps.gov
Sent: 2018-06-06T10:31:33-04:00
Importance: Normal
Subject: FOIA Awareness: NPS 18-00756 Laudner Resume and Calendar
Received: 2018-06-06T10:31:43-04:00
[Incoming Request 18-756 Sweeney Laudner Resume and Calendar.pdf](#)
[Schedule Laudner, Charles 2.5.18-5.22.18.pdf](#)
[RESUME Laudner, Charles.pdf](#)
[Response 18-756 Sweeney Laudner Resume and Calendar 6.4.18.docx](#)

Good Morning,

This email is for Awareness review in response to FOIA NPS-18-00756, which has been prepared for release.

Attached you will find the incoming request, records for release, and our response letter to be sent out on June 12th. Below you will find a brief overview

Requester:

John Sweeney for American Bridge 21st Century

Request:

Copies of any and all resumes and scheduling documents for Charles "Chuck" Laudner from March 1, 2017 through the present.

Documents for Release:

Laudner - Resume
Laudner -Schedule

Redactions consist of conference call numbers and pass codes and an employee's personal cell phone number.

Reviews:

This package has been reviewed by Jason Waanders in SOL and the NPS Director's Office.

Should you have any additional questions, please feel to contact me.

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

To: FOIA, NPS[npsfoia@nps.gov]
From: Cameron, Scott
Sent: 2018-06-27T17:01:47-04:00
Importance: Normal
Subject: Re: ***FOIA Awareness Review**** 18-764 Annatoyn FOIA Processing Guidance
Received: 2018-06-27T17:02:37-04:00

reviewed and no objection

Thanks,
Scott
Scott J. Cameron
Acting Assistant Secretary for Policy, Management and Budget
Office of the Secretary of the Interior
Office 202 208 1927
Direct 202 208 4242
Cell 202 706 9031

On Wed, Jun 27, 2018 at 3:52 PM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hello everyone,
In accordance with the May 24, 2018, Awareness Process memo, I am notifying you that the National Park Service is preparing to issue a response to a FOIA request, which includes responsive records in which your name appears. I have attached a copy the file containing the responsive records. The document in which your name appears begins on page 28. For your convenience I have also attached a copy of the original incoming request.

Currently NPS is planning to issue our response the morning of July 2, 2018. Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

To: Smith, Paul (Dan)[paul_smith@nps.gov]
Cc: Downey Magallanes[downey_magallanes@ios.doi.gov]; Kevin Schmitt[kevin_schmitt@nps.gov]; WASO FOIA Requests, NPS[waso_foia_requests@nps.gov]; Christine Powell[chris_powell@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; Caroline Boulton[caroline_boulton@ios.doi.gov]; Robert Howarth[robert_howarth@ios.doi.gov]; John Bockmier[john_bockmier@ios.doi.gov]; Swift, Heather[heather_swift@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]
From: Relat, Hubbel
Sent: 2018-07-31T09:31:09-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-31T09:31:16-04:00

Thanks all. Jason and I spoke yesterday. There is a pending question we are trying to work through right now. We are trying to resolve it today if possible.

On Mon, Jul 30, 2018 at 4:57 PM, Smith, Paul (Dan) <paul_smith@nps.gov> wrote:

Downey,

Jessica has asked Jason to contact Hubbel directly.
Chris

On Mon, Jul 30, 2018 at 2:39 PM, Downey Magallanes <downey_magallanes@ios.doi.gov> wrote:

NPS- please put the Solicitor you consulted on this FOIA in touch with Hubbel Relat in the Solicitors office as soon as possible. He is included on this email. Thanks.

Sent from my iPhone

On Jul 27, 2018, at 10:05 AM, Magallanes, Downey <downey_magallanes@ios.doi.gov> wrote:

Thank you for sharing. I will get back to you. Downey

On Thu, Jul 26, 2018 at 5:02 PM, WASO FOIA Requests, NPS <waso_foia_requests@nps.gov> wrote:

Good Afternoon,
The attached materials are in response to FOIA NPS-2018-00843.

Requester:
Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:

Records (Emails)

Email transmittal letter

Reviews:

Solicitor review by Jason Waanders

NPS Dir & Comms - FYI only

Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed

7/25 Dir Courtesy FYI

7/26 Department Awareness Review Submission

8/1 Projected document release

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh

WASO FOIA Liaison

202-354-1449

waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>

Date: Wed, Jun 13, 2018 at 8:36 AM

Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with 43 CFR 2.15 the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,
I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>
Date: Fri, Jun 8, 2018 at 4:47 PM
Subject: [EXTERNAL] FOIA Request
To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding" of government operations and is not "primarily in the commercial interest of the requester."^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public's business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project's financial interest. Western Values Project's mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency's interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

--

Hubbel Relat
Special Assistant to the Solicitor
U.S. Department of the Interior

202-208-5578

hubbel.relat@sol.doi.gov

To: Relat, Hubbel[hubbel.relat@sol.doi.gov]
Cc: Smith, Paul (Dan)[paul_smith@nps.gov]; Downey Magallanes[downey_magallanes@ios.doi.gov]; Kevin Schmitt[kevin_schmitt@nps.gov]; Christine Powell[chris_powell@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; Caroline Boulton[caroline_boulton@ios.doi.gov]; Robert Howarth[robert_howarth@ios.doi.gov]; John Bockmier[john_bockmier@ios.doi.gov]; Swift, Heather[heather_swift@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]
From: jessica_mchugh@nps.gov
Sent: 2018-07-31T09:36:35-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-31T09:37:26-04:00

Thank you for the update. I will stand by for further guidance.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

On Tue, Jul 31, 2018 at 9:31 AM, Relat, Hubbel <hubbel.relat@sol.doi.gov> wrote:

Thanks all. Jason and I spoke yesterday. There is a pending question we are trying to work through right now. We are trying to resolve it today if possible.

On Mon, Jul 30, 2018 at 4:57 PM, Smith, Paul (Dan) <paul_smith@nps.gov> wrote:

Downey,

Jessica has asked Jason to contact Hubbel directly.
Chris

On Mon, Jul 30, 2018 at 2:39 PM, Downey Magallanes <downey_magallanes@ios.doi.gov> wrote:

NPS- please put the Solicitor you consulted on this FOIA in touch with Hubbel Relat in the Solicitors office as soon as possible. He is included on this email. Thanks.

Sent from my iPhone

On Jul 27, 2018, at 10:05 AM, Magallanes, Downey <downey_magallanes@ios.doi.gov> wrote:

Thank you for sharing. I will get back to you. Downey

On Thu, Jul 26, 2018 at 5:02 PM, WASO FOIA Requests, NPS

<waso_foia_requests@nps.gov> wrote:

Good Afternoon,

The attached materials are in response to FOIA NPS-2018-00843.

Requester:

Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:

Records (Emails)

Email transmittal letter

Reviews:

Solicitor review by Jason Waanders

NPS Dir & Comms - FYI only

Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed

7/25 Dir Courtesy FYI

7/26 Department Awareness Review Submission

8/1 Projected document release

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh

WASO FOIA Liaison
202-354-1449

waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>

Date: Wed, Jun 13, 2018 at 8:36 AM

Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with [43 CFR 2.15](#) the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,
I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](https://www.nps.gov/visiting/index.htm)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>
Date: Fri, Jun 8, 2018 at 4:47 PM
Subject: [EXTERNAL] FOIA Request

To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding" of government operations and is not "primarily in the commercial interest of the requester."^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public's business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project's financial interest. Western Values Project's mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency's interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy

U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

--

Hubbel Relat
Special Assistant to the Solicitor
U.S. Department of the Interior
202-208-5578
hubbel.relat@sol.doi.gov

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

To: Downey Magallanes[downey_magallanes@ios.doi.gov]; Leila Getto[leila_getto@ios.doi.gov]
Cc: Robert Howarth[robert_howarth@ios.doi.gov]; Christine Powell[chris_powell@nps.gov]; Kevin Schmitt[kevin_schmitt@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; John Bockmier[john_bockmier@ios.doi.gov]
From: jessica_mchugh@nps.gov
Sent: 2018-07-05T11:37:32-04:00
Importance: Normal
Subject: FOIA AWARENESS REVIEW: NPS-18-888 (Lefebvre) Zinke Lincoln tour (For release 7/11)
Received: 2018-07-05T11:37:43-04:00
[18-888 Lefebvre Zinke LINC tour INCOMING.pdf](#)
[18-888 Transmittal Email.docx](#)
[18-888 Lefebvre Responsives.pdf](#)

Good Morning,

This email is an FYI regarding FOIA NPS-18-00888, which has been prepared for release.

The attached email transmittal response and prepared responsives will be released on July 11th, after the 72 hr awareness.

If you have any questions or concerns, please let me know prior to COB July 10th

Below you will find a brief overview.

Requester:

Ben Lefebvre of Politico

Request:

"Visitor book entries for the Lincoln Memorial for August 3, 2017" and "Communications to/from NPS employees and the Interior Office of the Secretary referencing Zinke's August 3, 2017, tour of the Lincoln Memorial"

Documents for Release:

E. Hackett- Email Correspondence (no redactions)

Reviews:

No Solicitor review required

NPS Dir & Comms - FYI only

Awareness Reviews - Downey Magallanes and Leila Getto

Jessica McHugh

WASO FOIA Liaison

202 354 1449

waso_foia_requests@nps.gov

To: Caroline Boulton[caroline_boulton@ios.doi.gov]; Downey Magallanes[downey_magallanes@ios.doi.gov]
Cc: Robert Howarth[robert_howarth@ios.doi.gov]; Christine Powell[chris_powell@nps.gov]; Kevin Schmitt[kevin_schmitt@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; John Bockmier[john_bockmier@ios.doi.gov]
From: jessica_mchugh@nps.gov
Sent: 2018-07-26T17:02:10-04:00
Importance: Normal
Subject: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-26T17:02:31-04:00
[18-843 Saeger E. Hackett L. Zinke Emails Response.docx](#)
[18-843 Hackett Emails combined redacted.pdf](#)

Good Afternoon,

The attached materials are in response to FOIA NPS-2018-00843.

Requester:

Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:

Records (Emails)

Email transmittal letter

Reviews:

Solicitor review by Jason Waanders

NPS Dir & Comms - FYI only

Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed

7/25 Dir Courtesy FYI

7/26 Department Awareness Review Submission

8/1 Projected document release

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>
Date: Wed, Jun 13, 2018 at 8:36 AM
Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request
To: Chris Saeger <csaeger@westernvaluesproject.org>
Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with [43 CFR 2.15](#) the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor

U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,
I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>

Date: Fri, Jun 8, 2018 at 4:47 PM

Subject: [EXTERNAL] FOIA Request

To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding" of government operations and is not "primarily in the commercial interest of the requester."^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public's business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project's financial interest. Western Values Project's mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency's interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

To: Susan Combs[susan_combs@ios.doi.gov]; Todd Willens[todd_willens@ios.doi.gov]; Downey Magallanes[downey_magallanes@ios.doi.gov]
Cc: Maureen Foster[maureen_foster@ios.doi.gov]; Christine Powell[chris_powell@nps.gov]; Paul (Dan) Smith[paul_smith@nps.gov]; Randal Bowman[randal_bowman@ios.doi.gov]; Kerrie Evans[kerrie_evans@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; Kevin Schmitt[kevin_schmitt@nps.gov]
From: jessica_mchugh@nps.gov
Sent: 2018-08-16T13:16:42-04:00
Importance: Normal
Subject: FOIA AWARENESS REVIEW: NPS-2018-00887 (Buffalo Field Campaign) YELL Bison (Anticipated Release Date 8/22)
Received: 2018-08-16T13:17:31-04:00
[NPS-2018-00887 Request.pdf](#)

All,

The following link is to a temporary google drive folder containing materials response to FOIA NPS-2018-00887.

(b) (5)

Requester:

Mr. Darrell Geist, Buffalo Field Campaign

Request (incoming request attached):

"The policy surrounding the size of the bison population or herds in the Yellowstone ecosystem," excluding documents previously produced by Yellowstone regarding bison census or population size estimates, and records available on ibmp.info.

Prepared by:

Kerrie Evans, YELL FOIA Officer
(307) 344-2002

Response Documents Provided by YELL:

Email transmittal letter

- NPS-2018-00887 Response Letter

3 PDFs

- Release in Entirety Complete Set
- (b)5DD Complete Set
- (b)7e Complete Set

Note: The Yellowstone FOIA Officer has prepared separate folders for ease of the awareness reviewer. These folder contain record(s) specific to the corresponding named entity and have are contained in the complete sets listed above.

Reviews:

Solicitor review completed by Kate Williams-Shuck, SOL, Rocky Mountain Region
NPS Awareness Review - P. Danny Smith (+ COS and Comms)

Department Level Awareness Reviews - Susan Combs, Todd Willens (+ AFWP COS),
Downey Magallanes (for Ryan Zinke) w/ FYI to OES

Action Dates:

8/1 Solicitor Review Complete

8/13 NPS Awareness Review

8/16 DOI Awareness Review

8/22 Anticipated Release Date

Should you have any questions or concerns regarding this material please do not
hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

To: downey_magallanes@ios.doi.gov[downey_magallanes@ios.doi.gov]
From: G Hackett
Sent: 2018-06-22T12:14:55-04:00
Importance: Normal
Subject: Fwd: 18-843 Saeger Hackett Zola Zinke correspondence FOIA - Due NTL June 28
Received: 2018-06-22T12:15:05-04:00

FYI

Sent from my iPhone

Begin forwarded message:

From: "WASO FOIA Requests, NPS" <waso_foia_requests@nps.gov>
Date: June 22, 2018 at 12:06:59 PM EDT
To: "Hackett, G" <elaine_hackett@nps.gov>
Subject: 18-843 Saeger Hackett Zola Zinke correspondence FOIA - Due NTL June 28

Hi Elaine,

I am covering for Jessica who is out on leave this week. I wanted to follow up to make sure you had seen her clarification that this request is for copies of any correspondence you have had with the Secretary's wife, Zola Zinke. You can copy and paste the following into the Bison Connect search bar:

AFTER:2017/01/01 [to:lolazinke@gmail.com](mailto:lolazinke@gmail.com) OR
[from:lolazinke@gmail.com](mailto:lolazinke@gmail.com)

Our response to this request is due July 6, 2018. However, we need copies of responsive records no later than June 28, 2018, so that we can complete the required Departmental Awareness Review process by the July 6 deadline.

Feel free to contact me with any questions.

Charis Wilson
NPS FOIA Officer
303-969-2959

---for

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Wed, Jun 13, 2018 at 6:41 AM, WASO FOIA Requests, NPS
<waso_foia_requests@nps.gov> wrote:

Elaine,

Just wanted to check in and be sure I was clear in my follow up email that the request was for the second cut and past I sent you for Lola.

Sorry for the confusion with that. Please do not hesitate to call me with any questions.

Thanks.

On Mon, Jun 11, 2018 at 4:27 PM, WASO FOIA Requests, NPS
<waso_foia_requests@nps.gov> wrote:

Ugh.. Sorry for some reason this emails address reverted to the original cut paste and not my post editing format.
My apologies for the oversight.

That should have been: TO:lolazinke@gmail.com OR FROM:lolazinke@gmail.com
AFTER:2017/01/01

Thanks again.

On Mon, Jun 11, 2018 at 4:03 PM, Hackett, G <elaine_hackett@nps.gov> wrote:

I have no emails to: Steve Howke or from: Steve Howke.

Thanks

On Mon, Jun 11, 2018 at 3:54 PM, WASO FOIA Requests, NPS
<waso_foia_requests@nps.gov> wrote:

Elaine,

We received the attached FOIA request for records you all may hold. To help make your email search(es) easier, you can cut and paste the following into BisonConnect.

TO:Steven_howke@ios.doi.gov OR FROM:steven_howke@ios.doi.gov AFTER:2017/01/01

When you, or an employee conducting searches on your behalf, submit your response(s), please complete and provide me the attached form. This information is used for processing and reporting and also assists in creating our response to the requester.

Please advise me if any portion of the potentially responsive records may need to be withheld because they contain personally identifiable information (PII), deliberative and predecisional information, confidential business information, etc.

Please **label results** something like "**18-843 Hackett Results**". That way when the DMU system sends me an e-mail with the link to the results, I'll know which request the file(s) belong to.

For your convenience, I have attached a copy of the instructions for using the FOIA DMU tool to extract materials out of BisonConnect.

Our response is due on July 6, 2018. I will need any response materials by June 22, 2018 to ensure time for response preparation and any necessary reviews. However, if you can get them to me sooner that would be extremely helpful.

As an FYI, we have been advised by DOI to include the following language in all FOIA search requests:

Under the Federal Records Act, government employees are prohibited from using non-official email accounts for official business unless they either carbon copy the

messages sent via non-official email accounts to their official email account or forward such messages to their official email account within 20 days. If you have responsive records located on a non-official email account that have not

already

been carbon copied or forwarded

to your official email account, you must 1) forward them to your official email account if you are within the 20-day window and provide

them to the FOIA Office as part of your search response or 2) provide

them to the FOIA Office from your non-official email account as part of your search response.

When searches locate no responsive records, please provide a negative response. Doing so will help ensure that we comply with the FOIA's reasonable search standards.

If you require assistance or have any questions, please feel free to contact me.

Sincerely,

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

TO:lolazinke@gmail.com OR FROM:lolakinke@gmail.com AFTER:2016/12/31

----- Forwarded message -----

From: **FOIA, NPS** <npsfoia@nps.gov>

Date: Mon, Jun 11, 2018 at 9:33 AM

Subject: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request
To: NPS WASO FOIA Requests <waso_foia_requests@nps.gov>
Cc: Chris Saeger <csaeger@westernvaluesproject.org>

Hi Jessica,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>
Date: Fri, Jun 8, 2018 at 4:47 PM
Subject: [EXTERNAL] FOIA Request
To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.”^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public’s business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project’s financial interest. Western Values Project’s mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency’s interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484

F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] *See, e.g., McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Elaine Hackett (On Detail in the Immediate Office of the Secretary)
NPS Congressional Liaison
1849 C Street - NW Room 2427
Washington, DC 20240
202-208-7331 (direct)
202-329-5735 (cell)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

To: Swift, Heather[heather_swift@ios.doi.gov]
From: Magallanes, Downey
Sent: 2018-07-27T10:01:50-04:00
Importance: Normal
Subject: Fwd: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-27T10:01:56-04:00
[18-843 Saeger E. Hackett L. Zinke Emails Response.docx](#)
[18-843 Hackett Emails combined redacted.pdf](#)

pls review

----- Forwarded message -----

From: WASO FOIA Requests, NPS <waso_foia_requests@nps.gov>
Date: Thu, Jul 26, 2018 at 5:02 PM
Subject: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
To: Caroline Boulton <caroline_boulton@ios.doi.gov>, Downey Magallanes <downey_magallanes@ios.doi.gov>
Cc: Robert Howarth <robert_howarth@ios.doi.gov>, Christine Powell <chris_powell@nps.gov>, Kevin Schmitt <kevin_schmitt@nps.gov>, Andrea Quick <andrea_quick@nps.gov>, John Bockmier <john_bockmier@ios.doi.gov>

Good Afternoon,

The attached materials are in response to FOIA NPS-2018-00843.

Requester:

Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:

Records (Emails)

Email transmittal letter

Reviews:

Solicitor review by Jason Waanders

NPS Dir & Comms - FYI only

Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed

7/25 Dir Courtesy FYI

7/26 Department Awareness Review Submission

8/1 Projected document release

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>

Date: Wed, Jun 13, 2018 at 8:36 AM

Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with 43 CFR 2.15 the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than

\$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>
Date: Fri, Jun 8, 2018 at 4:47 PM
Subject: [EXTERNAL] FOIA Request
To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding" of government operations and is not "primarily in the commercial interest of the requester."^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public's business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project's financial interest. Western Values Project's mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency's interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

To: hubbel.relat@sol.doi.gov[hubbel.relat@sol.doi.gov];
heather_swift@ios.doi.gov[heather_swift@ios.doi.gov]
From: Downey Magallanes
Sent: 2018-07-27T12:58:53-04:00
Importance: Normal
Subject: Fwd: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-27T12:59:13-04:00
[ATT00001.htm](#)
[18-843 Saeger E. Hackett L. Zinke Emails Response.docx](#)
[18-843 Hackett Emails combined redacted.pdf](#)
[ATT00002.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "WASO FOIA Requests, NPS" <waso_foia_requests@nps.gov>
Date: July 26, 2018 at 5:02:10 PM EDT
To: Caroline Boulton <caroline_boulton@ios.doi.gov>, Downey Magallanes
<downey_magallanes@ios.doi.gov>
Cc: Robert Howarth <robert_howarth@ios.doi.gov>, Christine Powell
<chris_powell@nps.gov>, Kevin Schmitt <kevin_schmitt@nps.gov>, Andrea
Quick <andrea_quick@nps.gov>, John Bockmier <john_bockmier@ios.doi.gov>
Subject: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke
Emails (For Release 8/1)

Good Afternoon,
The attached materials are in response to FOIA NPS-2018-00843.

Requester:
Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:
Records (Emails)

Email transmittal letter

Reviews:

Solicitor review by Jason Waanders

NPS Dir & Comms - FYI only

Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed

7/25 Dir Courtesy FYI

7/26 Department Awareness Review Submission

8/1 Projected document release

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>

Date: Wed, Jun 13, 2018 at 8:36 AM

Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with 43 CFR 2.15 the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>

Date: Fri, Jun 8, 2018 at 4:47 PM

Subject: [EXTERNAL] FOIA Request

To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant

government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.”^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public’s business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project’s financial interest. Western Values Project’s mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaege@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency’s interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] *See, e.g., McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

To: downey_magallanes@ios.doi.gov[downey_magallanes@ios.doi.gov]
From: Schmitt, Kevin
Sent: 2018-07-27T10:05:32-04:00
Importance: Normal
Subject: Out of Office - returning 7/30 Re: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-27T10:05:40-04:00

Thank you for your message. I am out of the office 7/27, returning 7/30. If your matter is urgent, please contact shane_compton@nps.gov.

Thanks again,
Kevin Schmitt

--

Kevin Schmitt
Deputy AD/Deputy ACIO
Information Resources Management Directorate
National Park Service
202-354-1421 (o)
202-230-2974 (m)

To: WASO FOIA Requests, NPS[waso_foia_requests@nps.gov];
downey_magallanes@ios.doi.gov[downey_magallanes@ios.doi.gov];
hubbel.relat@sol.doi.gov[hubbel.relat@sol.doi.gov]
Cc: Christine Powell[chris_powell@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; Kevin
Schmitt[kevin_schmitt@nps.gov]
From: Heather Swift
Sent: 2018-07-28T10:54:37-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For
Release 8/1)
Received: 2018-07-28T10:54:47-04:00

The request only specifies emails to/from the individuals. Would like to discuss on Monday.

Please be sure to include Downey and Hubble on the replies, as I had included them originally and am putting them back on this chain.

Thanks much,

Heather Swift
Press Secretary
US Department of the Interior

On Jul 27, 2018, at 4:17 PM, WASO FOIA Requests, NPS <waso_foia_requests@nps.gov> wrote:

Heather,
Thank you for your response.

Those records are included because the conversation between Ms. Shulkin and Mrs. Zinke were incorporated into the conversations between Mrs. Zinke and Elaine.
Therefore, we have to treat the entire thread (begins on pg. 1) as the record and are not able to remove that part of the thread as "non-responsive."

The response package was reviewed by our SOL on July 24th before being sent up the chain for further reviews.

Please let me know if there are any additional questions or concerns that require clarification regarding this awareness review and scheduled release of 8/1.

Jessica C. McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

On Fri, Jul 27, 2018 at 1:14 PM, Swift, Heather <heather_swift@ios.doi.gov> wrote:

A number of pages in this are non-responsive as they are between Ms. Hackett and Mrs. Shulkin and Mrs. Zinke is not included.

-
Heather Swift
Press Secretary
U.S. Department of the Interior
@DOIPressSec | @SecretaryZinke | @Interior
Heather_Swift@ios.doi.gov | Interior_Press@ios.doi.gov

On Fri, Jul 27, 2018 at 10:01 AM, Magallanes, Downey
<downey_magallanes@ios.doi.gov> wrote:

pls review

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>
Date: Thu, Jul 26, 2018 at 5:02 PM
Subject: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke
Emails (For Release 8/1)
To: Caroline Boulton <caroline_boulton@ios.doi.gov>, Downey Magallanes
<downey_magallanes@ios.doi.gov>
Cc: Robert Howarth <robert_howarth@ios.doi.gov>, Christine Powell
<chris_powell@nps.gov>, Kevin Schmitt <kevin_schmitt@nps.gov>, Andrea
Quick <andrea_quick@nps.gov>, John Bockmier
<john_bockmier@ios.doi.gov>

Good Afternoon,

The attached materials are in response to FOIA NPS-2018-00843.

Requester:

Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:

Records (Emails)

Email transmittal letter

Reviews:

Solicitor review by Jason Waanders

NPS Dir & Comms - FYI only

Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed

7/25 Dir Courtesy FYI

7/26 Department Awareness Review Submission

8/1 Projected document release

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh

WASO FOIA Liaison

202-354-1449

waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>

Date: Wed, Jun 13, 2018 at 8:36 AM

Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with 43 CFR 2.15 the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>
Date: Fri, Jun 8, 2018 at 4:47 PM
Subject: [EXTERNAL] FOIA Request
To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant

government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.”^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public’s business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project’s financial interest. Western Values Project’s mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency’s interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] *See, e.g., McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

<18-843 Hackett Emails combined redacted.pdf>

To: Kevin Schmitt[kevin_schmitt@nps.gov]; WASO FOIA Requests, NPS[waso_foia_requests@nps.gov]; Christine Powell[chris_powell@nps.gov]; Andrea Quick[andrea_quick@nps.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]; Robert Howarth[robert_howarth@ios.doi.gov]; John Bockmier[john_bockmier@ios.doi.gov]; Swift, Heather[heather_swift@ios.doi.gov]; hubbel.relat@sol.doi.gov[hubbel.relat@sol.doi.gov]; Paul_Smith@nps.gov[Paul_Smith@nps.gov]
From: Downey Magallanes
Sent: 2018-07-30T14:39:39-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-30T14:40:37-04:00

NPS- please put the Solicitor you consulted on this FOIA in touch with Hubbel Relat in the Solicitors office as soon as possible. He is included on this email. Thanks.

Sent from my iPhone

On Jul 27, 2018, at 10:05 AM, Magallanes, Downey <downey_magallanes@ios.doi.gov> wrote:

Thank you for sharing. I will get back to you. Downey

On Thu, Jul 26, 2018 at 5:02 PM, WASO FOIA Requests, NPS <waso_foia_requests@nps.gov> wrote:

Good Afternoon,
The attached materials are in response to FOIA NPS-2018-00843.

Requester:
Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:
Records (Emails)
Email transmittal letter

Reviews:
Solicitor review by Jason Waanders

NPS Dir & Comms - FYI only
Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed

7/25 Dir Courtesy FYI

7/26 Department Awareness Review Submission

8/1 Projected document release

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>

Date: Wed, Jun 13, 2018 at 8:36 AM

Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with [43 CFR 2.15](#) the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some

of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,
I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>
Date: Fri, Jun 8, 2018 at 4:47 PM
Subject: [EXTERNAL] FOIA Request
To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.”^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public’s business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project’s financial interest. Western Values Project’s mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency’s interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

To: WASO FOIA Requests, NPS[waso_foia_requests@nps.gov]
Cc: Caroline Boulton[caroline_boulton@ios.doi.gov]; Robert Howarth[robert_howarth@ios.doi.gov]; Christine Powell[chris_powell@nps.gov]; Kevin Schmitt[kevin_schmitt@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; John Bockmier[john_bockmier@ios.doi.gov]; Swift, Heather[heather_swift@ios.doi.gov]
From: Magallanes, Downey
Sent: 2018-07-27T10:05:24-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-27T10:05:31-04:00

Thank you for sharing. I will get back to you. Downey

On Thu, Jul 26, 2018 at 5:02 PM, WASO FOIA Requests, NPS <waso_foia_requests@nps.gov> wrote:

Good Afternoon,
The attached materials are in response to FOIA NPS-2018-00843.

Requester:
Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:
Records (Emails)
Email transmittal letter

Reviews:
Solicitor review by Jason Waanders
NPS Dir & Comms - FYI only
Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:
Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed

7/25 Dir Courtesy FYI

7/26 Department Awareness Review Submission

8/1 Projected document release

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>

Date: Wed, Jun 13, 2018 at 8:36 AM

Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request

To: Chris Saeger <csaeger@westernvaluesproject.org>

Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with [43 CFR 2.15](#) the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959

Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>
Date: Fri, Jun 8, 2018 at 4:47 PM
Subject: [EXTERNAL] FOIA Request
To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is "in the public interest because it is likely to contribute significantly to public understanding" of government operations and is not "primarily in the commercial interest of the requester."^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public's business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project's financial interest. Western Values Project's mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports,

press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency's interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

To: Magallanes, Downey[downey_magallanes@ios.doi.gov];
hubbel.relat@sol.doi.gov[hubbel.relat@sol.doi.gov]; Howarth, Robert[robert_howarth@ios.doi.gov]; NPS
WASO FOIA Requests[waso_foia_requests@nps.gov]
From: Swift, Heather
Sent: 2018-07-27T13:14:24-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For
Release 8/1)
Received: 2018-07-27T13:15:15-04:00

A number of pages in this are non-responsive as they are between Ms. Hackett and
Mrs. Shulkin and Mrs. Zinke is not included.

-
Heather Swift
Press Secretary
U.S. Department of the Interior
[@DOIPressSec](#) | [@SecretaryZinke](#) | [@Interior](#)
[Heather_Swift@ios.doi.gov](#) | [Interior_Press@ios.doi.gov](#)

On Fri, Jul 27, 2018 at 10:01 AM, Magallanes, Downey <downey_magallanes@ios.doi.gov>
wrote:

pls review

----- Forwarded message -----

From: WASO FOIA Requests, NPS <waso_foia_requests@nps.gov>
Date: Thu, Jul 26, 2018 at 5:02 PM
Subject: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails
(For Release 8/1)
To: Caroline Boulton <caroline_boulton@ios.doi.gov>, Downey Magallanes
<downey_magallanes@ios.doi.gov>
Cc: Robert Howarth <robert_howarth@ios.doi.gov>, Christine Powell
<chris_powell@nps.gov>, Kevin Schmitt <kevin_schmitt@nps.gov>, Andrea Quick
<andrea_quick@nps.gov>, John Bockmier <john_bockmier@ios.doi.gov>

Good Afternoon,

The attached materials are in response to FOIA NPS-2018-00843.

Requester:

Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita
"Lola" Hand Zinke, since and including January 1, 2017. This should include, but not
be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all
emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:

Records (Emails)
Email transmittal letter

Reviews:

Solicitor review by Jason Waanders
NPS Dir & Comms - FYI only
Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed
7/25 Dir Courtesy FYI
7/26 Department Awareness Review Submission
8/1 Projected document release
Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>
Date: Wed, Jun 13, 2018 at 8:36 AM
Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request
To: Chris Saeger <csaeger@westernvaluesproject.org>
Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with 43 CFR 2.15 the National Park Service processes requests on a first-

in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>

Date: Fri, Jun 8, 2018 at 4:47 PM

Subject: [EXTERNAL] FOIA Request

To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns

the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.”^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public’s business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project’s financial interest. Western Values Project’s mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency’s interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this *Vaughn* index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director

Western Values Project

^[1] See, e.g., *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

To: Downey Magallanes[downey_magallanes@ios.doi.gov]
Cc: Kevin Schmitt[kevin_schmitt@nps.gov]; WASO FOIA Requests, NPS[waso_foia_requests@nps.gov]; Christine Powell[chris_powell@nps.gov]; Andrea Quick[andrea_quick@nps.gov]; Caroline Boulton[caroline_boulton@ios.doi.gov]; Robert Howarth[robert_howarth@ios.doi.gov]; John Bockmier[john_bockmier@ios.doi.gov]; Swift, Heather[heather_swift@ios.doi.gov]; hubbel.relat@sol.doi.gov[hubbel.relat@sol.doi.gov]
From: chris_powell@nps.gov
Sent: 2018-07-30T16:57:51-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00843 (Seager) Hackett-Zinke Emails (For Release 8/1)
Received: 2018-07-30T16:58:02-04:00

Downey,

Jessica has asked Jason to contact Hubbel directly.
Chris

On Mon, Jul 30, 2018 at 2:39 PM, Downey Magallanes <downey_magallanes@ios.doi.gov> wrote:

NPS- please put the Solicitor you consulted on this FOIA in touch with Hubbel Relat in the Solicitors office as soon as possible. He is included on this email. Thanks.

Sent from my iPhone

On Jul 27, 2018, at 10:05 AM, Magallanes, Downey <downey_magallanes@ios.doi.gov> wrote:

Thank you for sharing. I will get back to you. Downey

On Thu, Jul 26, 2018 at 5:02 PM, WASO FOIA Requests, NPS <waso_foia_requests@nps.gov> wrote:

Good Afternoon,
The attached materials are in response to FOIA NPS-2018-00843.

Requester:
Chris Seager, Western Values Project

Request: (Full request contained in thread below)

"...copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period."

Response Documents:

Records (Emails)
Email transmittal letter

Reviews:

Solicitor review by Jason Waanders
NPS Dir & Comms - FYI only
Awareness Reviews - Downey Magallanes, Caroline Boulton w/ FYI to OES

Notes:

Redactions consist of personal email addresses and personal telephone numbers only.

Political entities are Caroline Boulton, Ryan Zinke (on page 93)

Action Dates:

7/24 SOL review completed
7/25 Dir Courtesy FYI
7/26 Department Awareness Review Submission
8/1 Projected document release
Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

----- Forwarded message -----

From: **WASO FOIA Requests, NPS** <waso_foia_requests@nps.gov>
Date: Wed, Jun 13, 2018 at 8:36 AM
Subject: Re: Hackett-Zinke correspondence: [EXTERNAL] FOIA Request
To: Chris Saeger <csaeger@westernvaluesproject.org>
Cc: Jessica McHugh <jessica_mchugh@nps.gov>

Mr. Saeger,

Your request has been received and has been assigned tracking number NPS-2018-00843. All future correspondence relating to this request should reference this tracking number.

In accordance with 43 CFR 2.15 the National Park Service processes requests on a first-in, first-out basis within several processing tracks. Your request has been placed in the "normal" track. There are currently 10 requests ahead of this request in the processing queue.

We have classified you as an "other-use" requester and your request for a fee waiver has been granted.

Please note for future requests, as an "other-user", we may charge you for some of our search and duplication costs, but we would not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we would not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

You should expect our response by July 6, 2018. If you do not receive our response by that date you may file an appeal by writing to:

Freedom of Information Act Appeals Officer
Office of the Solicitor
U.S. Department of the Interior
1849 C Street, NW
MS-6556-MIB,
Washington, D.C. 20240
foia.appeals@sol.doi.gov

Your failure-to-timely-respond appeal may be filed anytime after the estimated response date provided above and the date we issue our final response. The appeal should be marked, both on the envelope and the face of the appeal letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and copies of all correspondence between yourself and the National Park Service related to this request, along with any information you have which leads you to believe our response to be in error. Note, any appeal received after 5 p.m. EST will be considered to have been received on the next business day.

Sincerely,

Jessica C. McHugh
WASO FOIA Liaison
202 354 1449

waso_foia_requests@nps.gov

On Mon, Jun 11, 2018 at 9:33 AM, FOIA, NPS <npsfoia@nps.gov> wrote:

Hi Jessica,

I am routing this request to you for processing. Let me know if it turns out another office needs to search for responsive records.

As usual I've cc'd the requester so they know who will be handling their request.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Chris Saeger** <csaeger@westernvaluesproject.org>
Date: Fri, Jun 8, 2018 at 4:47 PM
Subject: [EXTERNAL] FOIA Request
To: "FOIA, NPS" <npsfoia@nps.gov>, charis_wilson@nps.gov

Dear Records Request Officer:

Pursuant to the Freedom of Information Act, I request access to and copies of all emails between NPS Congressional Liaison Elaine Hackett and Lolita "Lola" Hand Zinke, since and including January 1, 2017. This should include, but not be limited to, all emails sent by Ms. Hackett to lolazinke@gmail.com, as well as all emails from that gmail address to Ms. Hackett.

"All emails" should include, but not be limited to, all correspondence sent between, carbon copied ("CC") between, or blind carbon copied ("BCC") between Elaine Hackett and Lola Zinke during this time period.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A)(iii), Western Values Project requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures will likely contribute to a better understanding of relevant government procedures by the public in a significant way. Moreover, the request is primarily and fundamentally for non-commercial purposes. 5 U.S.C. § 552(a)(4)(A)(iii).^[1]

Western Values Project requests a waiver of fees because disclosure of the requested information is “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.”^[2] The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public’s business.

This request is primarily and fundamentally for non-commercial purposes. As a project of a 501(c)(3) organization, Western Values Project does not have a commercial purpose and the release of the information requested is not in Western Values Project’s financial interest. Western Values Project’s mission is to give a voice to Western values in the national conversation about resource development and public lands conservation, a space too often dominated by industry lobbyists and their government allies. Western Values Project will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. Western Values Project will also make materials it gathers available on our public website <http://www.westernvaluesproject.org/>.

Accordingly, Western Values Project qualifies for a fee waiver.

Conclusion

If possible, I would prefer to receive this information electronically via e-mail at csaeger@westernvaluesproject.org.

If you have questions or need additional information, please feel free to contact Brad Hennessy, my associate who will be handling all follow-up on this request. Brad can be reached at brad@westernvaluesproject.org or at (406) 924-9491.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. If any documents are withheld based on the Agency’s interpretation of any exemption, we request that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). Specifically, this

Vaughn index should describe withheld documents with enough specificity as to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Chris Saeger
Executive Director
Western Values Project

^[1] *See, e.g., McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

^[2] 5 U.S.C. § 552(a)(4)(A)(iii)

--

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

To: Willens, Todd[todd_willens@ios.doi.gov]
From: Magallanes, Downey
Sent: 2018-08-16T13:40:29-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00887 (Buffalo Field Campaign) YELL Bison (Anticipated Release Date 8/22)
Received: 2018-08-16T13:40:36-04:00

pls flag anything for comms

On Thu, Aug 16, 2018 at 1:16 PM, WASO FOIA Requests, NPS
<waso_foia_requests@nps.gov> wrote:

All,

The following link is to a temporary google drive folder containing materials response to FOIA NPS-2018-00887.

(b) (5)

Requester:

Mr. Darrell Geist, Buffalo Field Campaign

Request (incoming request attached):

"The policy surrounding the size of the bison population or herds in the Yellowstone ecosystem," excluding documents previously produced by Yellowstone regarding bison census or population size estimates, and records available on ibmp.info.

Prepared by:

Kerrie Evans, YELL FOIA Officer
(307) 344-2002

Response Documents Provided by YELL:

Email transmittal letter

- NPS-2018-00887 Response Letter

3 PDFs

- Release in Entrtiety Complete Set
- (b)5DD Complete Set
- (b)7e Complete Set

Note: The Yellowstone FOIA Officer has prepared separate folders for ease of the awareness reviewer. These folder contain record(s) specific to the corresponding named entity and have are contained in the complete sets listed above.

Reviews:

Solicitor review completed by Kate Williams-Shuck, SOL, Rocky Mountain Region
NPS Awareness Review - P. Danny Smith (+ COS and Comms)

Department Level Awareness Reviews - Susan Combs, Todd Willens (+ AFWP COS),
Downey Magallanes (for Ryan Zinke) w/ FYI to OES

Action Dates:

8/1 Solicitor Review Complete

8/13 NPS Awareness Review

8/16 DOI Awareness Review

8/22 Anticipated Release Date

Should you have any questions or concerns regarding this material please do not
hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

To: Magallanes, Downey[downey_magallanes@ios.doi.gov]
From: Todd Willens
Sent: 2018-08-18T08:08:24-04:00
Importance: Normal
Subject: Re: FOIA AWARENESS REVIEW: NPS-2018-00887 (Buffalo Field Campaign) YELL Bison (Anticipated Release Date 8/22)
Received: 2018-08-18T08:08:37-04:00

10-4

On Thu, Aug 16, 2018 at 11:40 AM Magallanes, Downey <downey_magallanes@ios.doi.gov> wrote:

pls flag anything for comms

On Thu, Aug 16, 2018 at 1:16 PM, WASO FOIA Requests, NPS <waso_foia_requests@nps.gov> wrote:

All,

The following link is to a temporary google drive folder containing materials response to FOIA NPS-2018-00887.

(b) (5)

Requester:

Mr. Darrell Geist, Buffalo Field Campaign

Request (incoming request attached):

"The policy surrounding the size of the bison population or herds in the Yellowstone ecosystem," excluding documents previously produced by Yellowstone regarding bison census or population size estimates, and records available on bmp.info.

Prepared by:

Kerrie Evans, YELL FOIA Officer
(307) 344-2002

Response Documents Provided by YELL:

Email transmittal letter

- NPS-2018-00887 Response Letter

3 PDFs

- Release in Entirety Complete Set
- (b)(5)DD Complete Set
- (b)(7)e Complete Set

Note: The Yellowstone FOIA Officer has prepared separate folders for ease of the awareness reviewer. These folder contain record(s) specific to the corresponding

named entity and have are contained in the complete sets listed above.

Reviews:

Solicitor review completed by Kate Williams-Shuck, SOL, Rocky Mountain Region
NPS Awareness Review - P. Danny Smith (+ COS and Comms)
Department Level Awareness Reviews - Susan Combs, Todd Willens (+ AFWP COS),
Downey Magallanes (for Ryan Zinke) w/ FYI to OES

Action Dates:

8/1 Solicitor Review Complete

8/13 NPS Awareness Review

8/16 DOI Awareness Review

8/22 Anticipated Release Date

Should you have any questions or concerns regarding this material please do not
hesitate to contact me.

Jessica McHugh
WASO FOIA Liaison
202 354 1449
waso_foia_requests@nps.gov

--

Downey Magallanes
Deputy Chief of Staff for Policy
U.S. Department of the Interior
downey_magallanes@ios.doi.gov
202 706 9199

--

Todd Willens
Assistant Deputy Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240
202-208-6291

From: Yamato, Alison
To: Wilson, Charis
Subject: Re: DOI Awareness Process
Date: Wednesday, February 13, 2019 4:14:46 PM

Never mind – I see it!

On Wed, Feb 13, 2019 at 3:57 PM Yamato, Alison <alison_yamato@nps.gov> wrote:
So,

I see Willens and Dan Smith. I marked the 202 # but don't see your referenced 406 #?

On Wed, Feb 13, 2019 at 3:38 PM Wilson, Charis <charis_wilson@nps.gov> wrote:
Hi Alison,

Here's the
list (b) (5)

If someone is on the first sheet, e.g. still currently an employee, then we need to flag for their review, for example, Dan Smith, Gary Lawchowski, or David Bernhardt. But if they are on the second sheet, like Dave Mihalic, then they are not flagged.

As far as the materials.

For the text messages do we know who (b) (6) belongs to? It appears that it could be a cell phone, so I am thinking that unless we know for sure that it is a government cell we should consider withholding it. It looks like in some places we marked it for w/h others we did not. Also, what about (b) (6)

C,

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

'What we find changes who we become.' - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial – Attributed to Adolph Murie

On Wed, Feb 13, 2019 at 3:23 PM Yamato, Alison <alison_yamato@nps.gov> wrote:
Charis,

I don't know if the people on this list who appear in these responsive docs rise to the level of awareness other than Todd Willens. Can you direct me? I am attaching the SOI, approved redacted versions of the responsive documents. Dana Jacobson reviewed these (on hard copy).

David Mihalic (no longer with DOI)
Todd Willens
Louise Milkman
Maureen Foster

From: [Yamato, Alison](#)
To: [Charis Wilson](#)
Subject: Re: DOIA Awareness Process 18-874_Green
Date: Monday, February 25, 2019 10:45:25 AM

Hi Charis,

Any response on this yet?

Thanks,
-Alison

On Wed, Feb 13, 2019 at 4:33 PM Yamato, Alison <alison_yamato@nps.gov> wrote:
Charis,

I am attaching 4 responsive documents.

Principal involvement:
Todd Willens

Brief Involvement:
Dan Smith

Dana Jacobsen reviewed (hard Copy)

Do you forward to the involved personnel or do I?

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

From: [Yamato, Alison](#)
To: [Charis Wilson](#)
Subject: Re: DOIA Awareness Process 18-899_Wright
Date: Monday, February 25, 2019 10:46:06 AM

Hi Charis,

Any response on this?

Thanks,
-Alison

On Wed, Feb 13, 2019 at 4:31 PM Yamato, Alison <alison_yamato@nps.gov> wrote:
Charis,

I am attaching 4 responsive documents.

Principal involvement:
Todd Willens

Brief Involvement:
Susan Combs
Faith Vandervoort
Dan Smith

Dana Jacobsen reviewd (hard Copy)

Do you forward to the involved personnel or do I?

Thanks,
-Alison

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

From: [Anderson, Richard](#)
To: [Charis Wilson](#)
Cc: [Peter Christian](#); [Elizabeth Gobeski](#)
Subject: FOIA Awareness Review, FOIA-18-218, Wildlife Regs 2015
Date: Thursday, February 28, 2019 8:54:22 PM
Attachments: INITIAL REQUEST 12-04-17.pdf
73 Hunting Cases Options_Redacted.pdf
20190228 DRAFT RESPONSE LETTER.docx

Charis,

I have a FOIA response that needs to go through the Awareness Process. It mentions Casey Hammond, Deputy Secretary.

One responsive file (file 73) mentioned Casey Hammond on pages 4, 9, 14, 15, 20, 25 and 26.

It has gone through Solicitor review. Attached are the required documents for you.

Thanks.

Dick

Richard L. Anderson
FOIA Officer
National Park Service, Alaska Region
240 W 5th Ave
Anchorage AK 99501
richard_anderson@nps.gov
907-644-3525

... to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. -- NPS Organic Act 1916

From: [Wilson, Charis](#)
To: [Randal Bowman](#); [Todd Willens](#)
Cc: [Yamato, Alison](#)
Subject: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
Date: Wednesday, March 6, 2019 5:01:50 PM
Attachments: Obernesser_texts.pdf
Willens_texts_PR_Redacted.pdf
Mihalic_Texts.pdf_PR_Redacted.pdf
Converted To PDF_PR_Redacted.pdf
18-874 Green Wenk correspondence INCOMING.pdf

All,

FOIA NPS-2018-00874 is anticipated to be released on Tuesday, March 12, 2019. The attached documents are being provided to you for 72 Awareness Review.

Requester:

Miranda Green - The Hill

Request: (Full request attached)

...all communications between Yellowstone National Park superintendent Dan Wenk and National Park Service Acting Director Paul "Dan" Smith, Todd Willens and Dave Mihalic with the terms "bison" "reassignment" "retirement" and/or "transfer" between January 1, 2018 and June 19, 2018.

Response Documents:

- 1. Incoming Request**
- 2. Draft Response Letter**
- 3. .pdf files containing responsive records**

Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

----- Forwarded message -----

From: **Yamato, Alison** <alison_yamato@nps.gov>

Date: Wed, Feb 13, 2019 at 4:34 PM

Subject: DOIA Awareness Process 18-874_Green

To: Charis Wilson <charis_wilson@nps.gov>

Charis,

I am attaching 4 responsive documents.

Principal involvement:

Todd Willens

Brief Involvement:

Dan Smith

Dana Jacobsen reviewed (hard Copy)

Do you forward to the involved personnel or do I?

--

“Do what you can, with what you have, where you are.”

-Theodore Roosevelt

Alison Yamato

Government Information Specialist - FOIA Officer - IMR

NPS Intermountain Region

12795 W Alameda Pkwy

Lakewood, CO 80228

303.969.2242 (O)

303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

From: [Yamato, Alison](#)
To: [Wilson, Charis](#)
Subject: Re: Checking in on 18-874 and 18-899
Date: Wednesday, March 6, 2019 5:08:32 PM

No prob! Thanks!

On Wed, Mar 6, 2019 at 5:02 PM Wilson, Charis <charis_wilson@nps.gov> wrote:
Mea culpa...found it still in my drafts. I have sent it out and cc'd you.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history."
- Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

On Wed, Mar 6, 2019 at 4:49 PM Yamato, Alison <alison_yamato@nps.gov> wrote:
Hi Charis,

Just wanted to see where we are with the awareness process?

thanks,

-a

--

"Do what you can, with what you have, where you are."
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

From: [Cafaro, Cindy](#)
To: [Wilson, Charis](#)
Cc: [FOIA, NPS; Spector, Rachel](#)
Subject: Re: Your Feedback Needed: 72 Hr. Awareness Review: FOIA-NPS-2019-00237 (Ruch) Fish Wildlife and States
Date: Friday, March 8, 2019 11:25:22 AM

Not yet. Working on plan b. Thanks for staying on top of this.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Fri, Mar 8, 2019 at 1:00 PM Wilson, Charis <charis_wilson@nps.gov> wrote:

Hi everyone,

Just trying to follow up again on this one. Any luck in getting with Maureen Foster re: her concerns and reasons for asking us to hold off on our response.

Thanks,

c.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history."
- Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

On Tue, Feb 26, 2019 at 6:40 AM FOIA, NPS <npsfoia@nps.gov> wrote:

No. Unfortunately, everyone other than Maureen has indicated that they do not have an issue with this information being released.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287

Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Feb 26, 2019 at 5:56 AM Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:
Hi, Charis. I've reached out to Maureen but haven't heard back yet. Is there someone else you think I should work with?
Thanks.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Mon, Feb 25, 2019 at 4:55 PM Wilson, Charis <charis_wilson@nps.gov> wrote:
Any updates on this?

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

On Fri, Feb 15, 2019 at 7:53 AM Spector, Rachel <rachel.spector@sol.doi.gov> wrote:

Hi Charis:

Thanks for bringing this to my attention. I've asked Cindy to step in and try to sort things out. I'll be monitoring it though.

Rachel

Rachel Spector
Division of General Law
Office of the Solicitor
U.S. Department of the Interior
(202) 208-6029

----- Forwarded message -----

From: **NPS FOIA** <npsfoia@nps.gov>
Date: Thu, Feb 14, 2019 at 7:58 PM
Subject: Your Feedback Needed: 72 Hr. Awareness Review: FOIA-NPS-2019-00237 (Ruch) Fish Wildlife and States
To: <rachel.spector@sol.doi.gov>
Cc: <waso_foia_requests@nps.gov>

Hi Rachel,

This response had been put on hold at the request of Maureen Foster after we sent this Awareness Review out, even though Randy Bowman had agreed that he did not see any harm in doing a full release. We had originally been advised that she was waiting for a response from Peg Romanik. However, we had not heard anything back for some time and we have now received another request for this same information, so I followed up with Peg and was advised that at Maureen's request this has been transferred to you for review. So I am reaching out to you in hopes of being able to resolve this issue so that we can respond to not only this overdue request from PEER as well as the new request that just came in.

Feel free to contact me with any questions.

Thanks,

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway

PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

From: jessica_mchugh@nps.gov [mailto:jessica_mchugh@nps.gov] On Behalf Of WASO
FOIA Requests, NPS
Sent: Thursday, November 29, 2018 1:51 PM
To: Aurelia Skipwith; Ryan Hambleton; Andrea Travnicek; Maureen Foster
Cc: Randal Bowman; Christine Powell
Subject: 72 Hr. Awareness Review: FOIA-NPS-2019-00237 (Ruch) Fish Wildlife and States

All,

FOIA NPS-2019-00237 is anticipated to be released on Tuesday, December 4th.

The attached documents are being provided to you for 72 Awareness Review.

Requester:

Jeff Ruch of PEER

Request: (Full request attached)

Records related the communications, response, and recommended steps by NPS in response to the September 10, 2018 Memo from the Secretary titled "State Fish and Wildlife Management Authority on Department of the Interior Lands and Waters"

Response Documents:

1. Incoming Request
2. Draft Response Letter
3. .pdf of responses

Reviews:

Solicitor review - No withholdings, therefore none required

NPS FYI - Dir, COS, Randal Bowman, & Comms

DOI Awareness Reviews - A. Skipwith, R. Hambleton, A. Travnicek, (+M. Foster)

Action Dates:

11/28 24 hr. DIR FYI

11/29 72 hr. DOI Awareness Review

12/4 Anticipated Release Date*

Should you have any questions or concerns regarding this material please do not hesitate to contact me.

Jessica McHugh

WASO FOIA Liaison

202-354-1449

waso_foia_requests@nps.gov

From: hubbel.relat@ios.doi.gov on behalf of [Relat, Hubbel](#)
To: [Wilson, Charis](#)
Cc: [Katie Mills](#)
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
Date: Monday, March 11, 2019 2:41:12 PM

Ok, thanks Charis. We're reviewing now. Could we get a bit more time? Thanks!

On Mon, Mar 11, 2019 at 4:06 PM Wilson, Charis <charis_wilson@nps.gov> wrote:

Hi Hubbel,

As mentioned the anticipated release date is tomorrow. So no, it has not gone out.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history."
- Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

On Mon, Mar 11, 2019 at 12:55 PM Relat, Hubbel <hubbel_relat@ios.doi.gov> wrote:

Charis,

I was wondering if you had already sent this out? I am just seeing that it went into awareness mid last week. Thanks!

Hubbel

All,

FOIA NPS-2018-00874 is anticipated to be released on Tuesday, March 12, 2019. The attached documents are being provided to you for 72 Awareness Review.

Requester:

Miranda Green - The Hill

Request: (Full request attached)

...all communications between Yellowstone National Park superintendent Dan Wenk and National Park Service Acting Director Paul "Dan" Smith, Todd Willens and Dave Mihalic with the terms "bison" "reassignment" "retirement" and/or "transfer" between January 1, 2018 and June 19, 2018.

Response Documents:

- 1. Incoming Request**
- 2. Draft Response Letter**
- 3. .pdf files containing responsive records**

Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial
- Attributed to Adolph Murie

----- Forwarded message -----

From: **Yamato, Alison** <alison_yamato@nps.gov>
Date: Wed, Feb 13, 2019 at 4:34 PM
Subject: DOIA Awareness Process 18-874_Green
To: Charis Wilson <charis_wilson@nps.gov>

Charis,

I am attaching 4 responsive documents.

Principal involvement:
Todd Willens

Brief Involvement:
Dan Smith

Dana Jacobsen reviewed (hard Copy)

Do you forward to the involved personnel or do I?

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
[12795 W Alameda Pkwy](#)
[Lakewood, CO 80228](#)
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

Todd Willens
Assistant Deputy Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240
202-208-6291

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

From: [Wilson, Charis](#)
To: [Mills, Katie](#)
Cc: [Relat, Hubbel](#); [Maureen Foster](#)
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
Date: Monday, March 11, 2019 3:29:44 PM
Attachments: 18-899 Wright Wenk Correspondence.pdf

Thanks, Katie,

I've asked the IMR FOIA Officer to go through the materials again to make sure that we are redacting consistently.

As far as the dates, we had two very similar requests for this information and the other request (attached) had a broader date range. So rather than having staff do two searches for potentially responsive records, we use the broader date parameters. Sorry for the confusion on that part.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

On Mon, Mar 11, 2019 at 1:42 PM Mills, Katie <katie_mills@ios.doi.gov> wrote:

Hi Charis,

Hubbel forwarded this to me to review quickly. I've got just a few questions/comments. In the "Converted to PDF_PR_Redacted.pdf" document, there seems to be redaction inconsistency when comparing pages 147, 121, and 119 to page 164. Redaction inconsistency also appears when comparing page 299 to page 360 of that same document.

I was also curious as to why some text messages are included when they are outside of the date range requested? For example, in the Mahalic texts, pages 3,5, and 6 appear to be outside of the date range. In the Obernesser texts, pages 6-12 also appear to be completely out of the date range. I'm just trying to understand why they may have been included, or if I was possibly missing something? Thanks so much!

Katie

On Mon, Mar 11, 2019 at 4:06 PM Wilson, Charis <charis_wilson@nps.gov> wrote:

Hi Hubbel,

As mentioned the anticipated release date is tomorrow. So no, it has not gone out.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

On Mon, Mar 11, 2019 at 12:55 PM Relat, Hubbel <hubbel_relat@ios.doi.gov> wrote:
Charis,
I was wondering if you had already sent this out? I am just seeing that it went into awareness mid last week. Thanks!

Hubbel

All,

FOIA NPS-2018-00874 is anticipated to be released on Tuesday, March 12, 2019. The attached documents are being provided to you for 72 Awareness Review.

Requester:

Miranda Green - The Hill

Request: (Full request attached)

...all communications between Yellowstone National Park superintendent Dan Wenk and National Park Service Acting Director Paul "Dan" Smith, Todd Willens and Dave Mihalic with the terms "bison" "reassignment" "retirement" and/or "transfer" between January 1, 2018 and June 19, 2018.

Response Documents:

- 1. Incoming Request**
- 2. Draft Response Letter**
- 3. .pdf files containing responsive records**

Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

----- Forwarded message -----

From: **Yamato, Alison** <alison_yamato@nps.gov>
Date: Wed, Feb 13, 2019 at 4:34 PM
Subject: DOIA Awareness Process 18-874_Green
To: Charis Wilson <charis_wilson@nps.gov>

Charis,

I am attaching 4 responsive documents.

Principal involvement:
Todd Willens

Brief Involvement:
Dan Smith

Dana Jacobsen reviewed (hard Copy)

Do you forward to the involved personnel or do I?

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
[12795 W Alameda Pkwy](#)
[Lakewood, CO 80228](#)
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

Todd Willens
Assistant Deputy Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240
202-208-6291

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

--

Katie E. Mills
Counselor to the Deputy Secretary
U.S. Department of the Interior
Katie_Mills@ios.doi.gov
202-208-4591-Office
202-802-2114-Cell

From: [Mills, Katie](#)
To: [Wilson, Charis](#)
Cc: [Relat, Hubbel](#); [Maureen Foster](#)
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
Date: Tuesday, March 12, 2019 8:59:53 AM

No worries! Thanks for the explanation. I've reviewed for awareness.
Katie

On Mon, Mar 11, 2019 at 5:30 PM Wilson, Charis <charis_wilson@nps.gov> wrote:

Thanks, Katie,

I've asked the IMR FOIA Officer to go through the materials again to make sure that we are redacting consistently.

As far as the dates, we had two very similar requests for this information and the other request (attached) had a broader date range. So rather than having staff do two searches for potentially responsive records, we use the broader date parameters. Sorry for the confusion on that part.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history."
- Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

On Mon, Mar 11, 2019 at 1:42 PM Mills, Katie <katie_mills@ios.doi.gov> wrote:

Hi Charis,

Hubbel forwarded this to me to review quickly. I've got just a few questions/comments. In the "Converted to PDF_PR_Redacted.pdf" document, there seems to be redaction inconsistency when comparing pages 147, 121, and 119 to page 164. Redaction inconsistency also appears when comparing page 299 to page 360 of that same document.

I was also curious as to why some text messages are included when they are outside of the date range requested? For example, in the Mahalic texts, pages 3,5, and 6 appear to be outside of the date range. In the Obernesser texts, pages 6-12 also appear to be completely

out of the date range. I'm just trying to understand why they may have been included, or if I was possibly missing something? Thanks so much!
Katie

On Mon, Mar 11, 2019 at 4:06 PM Wilson, Charis <charis_wilson@nps.gov> wrote:
Hi Hubbel,

As mentioned the anticipated release date is tomorrow. So no, it has not gone out.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial
- Attributed to Adolph Murie

On Mon, Mar 11, 2019 at 12:55 PM Relat, Hubbel <hubbel_relat@ios.doi.gov> wrote:
Charis,

I was wondering if you had already sent this out? I am just seeing that it went into awareness mid last week. Thanks!

Hubbel

All,

FOIA NPS-2018-00874 is anticipated to be released on Tuesday, March 12, 2019. The attached documents are being provided to you for 72 Awareness Review.

Requester:

Miranda Green - The Hill

Request: (Full request attached)

...all communications between Yellowstone National Park superintendent Dan Wenk and National Park Service Acting Director Paul "Dan" Smith, Todd Willens and Dave Mihalic with the terms "bison" "reassignment" "retirement" and/or "transfer" between January 1, 2018 and June 19, 2018.

Response Documents:

- 1. Incoming Request**
- 2. Draft Response Letter**
- 3. .pdf files containing responsive records**

Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

----- Forwarded message -----

From: **Yamato, Alison** <alison_yamato@nps.gov>
Date: Wed, Feb 13, 2019 at 4:34 PM
Subject: DOIA Awareness Process 18-874_Green
To: Charis Wilson <charis_wilson@nps.gov>

Charis,

I am attaching 4 responsive documents.

Principal involvement:
Todd Willens

Brief Involvement:

Dan Smith

Dana Jacobsen reviewed (hard Copy)

Do you forward to the involved personnel or do I?

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
[12795 W Alameda Pkwy](#)
[Lakewood, CO 80228](#)
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

Todd Willens
Assistant Deputy Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240
202-208-6291

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

--

Katie E. Mills
Counselor to the Deputy Secretary
U.S. Department of the Interior
Katie_Mills@ios.doi.gov
202-208-4591-Cjfic
202-802-2114-Cell

--

Katie E. Mills
Counselor to the Deputy Secretary
U.S. Department of the Interior

Katie_Mills@ios.doi.gov

202-208-4591-Office

202-802-2114-Cell

From: charis_wilson@nps.gov on behalf of [FOIA, NPS](#)
To: [Randal Bowman](#); [Jeremy Barnum](#); [Michael Litterst](#); [Stephanie Loeb](#)
Cc: [Paul \(Dan\) Smith](#); [Christine Powell](#); [Janice DeSordi](#)
Subject: Re: 48 Hour FYI - Old Post Office shutdown FOIA requests
Date: Tuesday, March 12, 2019 1:04:09 PM
Attachments: Old Post Office Materials_combined.pdf

Hi everyone,

Not sure why the file with the responsive records did not attach when I dragged it into the message screen. So I am trying again.

c.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Mar 12, 2019 at 12:47 PM FOIA, NPS <npsfoia@nps.gov> wrote:

All,

The attached set of records are responsive to **eight** FOIA requests, copies of which are attached, for records regarding the shutdown and the Old Post Office. After reviewing the responsive material, we are proposing to release in full.

However, because the responsive records include correspondence with senior DOI staff members. Accordingly, we are notifying you of a proposed release that is scheduled to be sent to DOI for the required 72 Hour Awareness Review on Friday, March 12. Please provide your response, or a reasonable request for additional time, by 5 PM Mountain Time on Thursday, March 14th or your silence will be taken as an affirmation you have concluded your review and we will proceed with our proposed release.

Also, because this same set of records will be released more than three times, we will be required by law to make the materials available on our FOIA Frequently Requested Documents website. Should you have any questions or concerns regarding this material please do not hesitate to contact me.

PACKAGE REVIEW INFORMATION

Requesters:

FOIA NUMBER	REQUESTER	ORGANIZATION	DUE DATE
--------------------	------------------	---------------------	-----------------

NPS-2019-00508 SAEGER	WESTERN VALUES PROJECT	03/11/19
NPS-2019-00467 LIPPMAN	POLITICO	03/19/19
NPS-2019-00464 EVERS	AMERICAN OVERSIGHT	03/18/19
NPS-2019-00425 BIESECKER	ASSOCIATED PRESS	03/11/19
NPS-2019-00416 KORTE	USA TODAY	03/12/19
NPS-2019-00414 ROSENBERG	MOTHER JONES	03/11/19
NPS-2019-00393 EVERS	AMERICAN OVERSIGHT	03/12/19*
NPS-2019-00386 BOGARDUS	EE NEWS	03/14/19

*This request, which was submitted on January 3, 2019, but not received until January 28, when we were back in the office after the shutdown, went into litigation on February 5, 2019, for failure "to comply with the applicable time-limit provisions of FOIA".

Request: (Full request(s) attached)

Records relating to Old Post Office operations during the shutdown

Response Documents:

1. PDF containing consolidated set of responsive emails and attachments ("Old Post Office shutdown results_combined.pdf")
2. Copies of incoming requests

Reviews:

SOL (FOIA) review - Not required since proposing full release.
 NPS FYIs - Dir, COS, R. Bowman, COMMS,
 DOI Awareness Reviews - Will be coordinated through Hubell Relat

Action Dates:

3/12 48 Hr. FYI - NPS Leadership
 3/15 72 hr. DOI Awareness Review*
 3/20 Anticipated Release Date*

Due Dates: See above

Please feel free to contact me with any questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

From: [Wilson, Charis](#)
To: [Yamato, Alison](#)
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
Date: Tuesday, March 12, 2019 3:25:50 PM

Yes, they were fine once I explained that there were two requests with slightly different parameters and we did one combined pull.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

On Tue, Mar 12, 2019 at 3:03 PM Yamato, Alison <alison_yamato@nps.gov> wrote:

Hi Charis,

I have made the changes. I think we are all squared up. I am re-attaching the document in question and draft. Yes - we pulled texts once for both requests and one of them had different dates but it was more efficient to go ahead and pull them only once. Since they didn't have questions on Wright (other than texts) is that one good to go?

Thanks,
-Alison

On Mon, Mar 11, 2019 at 3:20 PM Wilson, Charis <charis_wilson@nps.gov> wrote:

Hi Alison,

Can you please go through and double check the redactions for this material. It looks like on at least one section we left information unredacted even though elsewhere in the document we had redacted it.

As far as the date discrepancies, I am assuming that is because we are using the same set of document to respond to both this request and the one from Wright (18-899)?

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer

12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

----- Forwarded message -----

From: **Mills, Katie** <katie_mills@ios.doi.gov>
Date: Mon, Mar 11, 2019 at 1:42 PM
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
To: Wilson, Charis <charis_wilson@nps.gov>
Cc: Relat, Hubbel <hubbel_relat@ios.doi.gov>, Maureen Foster
<maureen_foster@ios.doi.gov>

Hi Charis,

Hubbel forwarded this to me to review quickly. I've got just a few questions/comments. In the "Converted to PDF_PR_Redacted.pdf" document, there seems to be redaction inconsistency when comparing pages 147, 121, and 119 to page 164. Redaction inconsistency also appears when comparing page 299 to page 360 of that same document.

I was also curious as to why some text messages are included when they are outside of the date range requested? For example, in the Mahalic texts, pages 3,5, and 6 appear to be outside of the date range. In the Obernesser texts, pages 6-12 also appear to be completely out of the date range. I'm just trying to understand why they may have been included, or if I was possibly missing something? Thanks so much!
Katie

On Mon, Mar 11, 2019 at 4:06 PM Wilson, Charis <charis_wilson@nps.gov> wrote:
Hi Hubbel,

As mentioned the anticipated release date is tomorrow. So no, it has not gone out.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway

PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial
- Attributed to Adolph Murie

On Mon, Mar 11, 2019 at 12:55 PM Relat, Hubbel <hubbel_relat@ios.doi.gov> wrote:

Charis,

I was wondering if you had already sent this out? I am just seeing that it went into awareness mid last week. Thanks!

Hubbel

All,

FOIA NPS-2018-00874 is anticipated to be released on Tuesday, March 12, 2019. The attached documents are being provided to you for 72 Awareness Review.

Requester:

Miranda Green - The Hill

Request: (Full request attached)

...all communications between Yellowstone National Park superintendent Dan Wenk and National Park Service Acting Director Paul "Dan" Smith, Todd Willens and Dave Mihalic with the terms "bison" "reassignment" "retirement" and/or "transfer" between January 1, 2018 and June 19, 2018.

Response Documents:

- 1. Incoming Request**
- 2. Draft Response Letter**
- 3. .pdf files containing responsive records**

Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

----- Forwarded message -----

From: **Yamato, Alison** <alison_yamato@nps.gov>
Date: Wed, Feb 13, 2019 at 4:34 PM
Subject: DOIA Awareness Process 18-874_Green
To: Charis Wilson <charis_wilson@nps.gov>

Charis,

I am attaching 4 responsive documents.

Principal involvement:
Todd Willens

Brief Involvement:
Dan Smith

Dana Jacobsen reviewed (hard Copy)

Do you forward to the involved personnel or do I?

--

"Do what you can, with what you have, where you are."
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
[12795 W Alameda Pkwy](#)
[Lakewood, CO 80228](#)
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

Todd Willens
Assistant Deputy Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240
202-208-6291

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

--

Katie E. Mills
Counselor to the Deputy Secretary
U.S. Department of the Interior
Katie_Mills@ios.doi.gov
202-208-4591-Cj/fice
202-802-2114-Cell

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

From: [Yamato, Alison](#)
To: [Wilson, Charis](#)
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
Date: Tuesday, March 12, 2019 3:32:49 PM

HOORAY. I'll get that one GONE and wait for the Green one to come back! :)

On Tue, Mar 12, 2019 at 3:26 PM Wilson, Charis <charis_wilson@nps.gov> wrote:

Yes, they were fine once I explained that there were two requests with slightly different parameters and we did one combined pull.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history."
- Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

On Tue, Mar 12, 2019 at 3:03 PM Yamato, Alison <alison_yamato@nps.gov> wrote:

Hi Charis,

I have made the changes. I think we are all squared up. I am re-attaching the document in question and draft. Yes - we pulled texts once for both requests and one of them had different dates but it was more efficient to go ahead and pull them only once. Since they didn't have questions on Wright (other than texts) is that one good to go?

Thanks,
-Alison

On Mon, Mar 11, 2019 at 3:20 PM Wilson, Charis <charis_wilson@nps.gov> wrote:

Hi Alison,

Can you please go through and double check the redactions for this material. It looks like on at least one section we left information unredacted even though elsewhere in the document we had redacted it.

As far as the date discrepancies, I am assuming that is because we are using the same set of document to respond to both this request and the one from Wright (18-899)?

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial
- Attributed to Adolph Murie

----- Forwarded message -----

From: **Mills, Katie** <katie_mills@ios.doi.gov>
Date: Mon, Mar 11, 2019 at 1:42 PM
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
To: Wilson, Charis <charis_wilson@nps.gov>
Cc: Relat, Hubbel <hubbel_relat@ios.doi.gov>, Maureen Foster
<maureen_foster@ios.doi.gov>

Hi Charis,

Hubbel forwarded this to me to review quickly. I've got just a few questions/comments. In the "Converted to PDF_PR_Redacted.pdf" document, there seems to be redaction inconsistency when comparing pages 147, 121, and 119 to page 164. Redaction inconsistency also appears when comparing page 299 to page 360 of that same document.

I was also curious as to why some text messages are included when they are outside of the date range requested? For example, in the Mahalic texts, pages 3,5, and 6 appear to be outside of the date range. In the Obernesser texts, pages 6-12 also appear to be completely out of the date range. I'm just trying to understand why they may have been included, or if I was possibly missing something? Thanks so much!
Katie

On Mon, Mar 11, 2019 at 4:06 PM Wilson, Charis <charis_wilson@nps.gov> wrote:
Hi Hubbel,

As mentioned the anticipated release date is tomorrow. So no, it has not gone out.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

On Mon, Mar 11, 2019 at 12:55 PM Relat, Hubbel <hubbel_relat@ios.doi.gov> wrote:

Charis,

I was wondering if you had already sent this out? I am just seeing that it went into awareness mid last week. Thanks!

Hubbel

All,

FOIA NPS-2018-00874 is anticipated to be released on Tuesday, March 12, 2019. The attached documents are being provided to you for 72 Awareness Review.

Requester:

Miranda Green - The Hill

Request: (Full request attached)

...all communications between Yellowstone National Park superintendent Dan Wenk and National Park Service Acting Director Paul "Dan" Smith, Todd Willens and Dave Mihalic with the terms "bison" "reassignment" "retirement" and/or "transfer" between January 1, 2018 and June 19, 2018.

Response Documents:

- 1. Incoming Request**
- 2. Draft Response Letter**

3. .pdf files containing responsive records

Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

----- Forwarded message -----

From: **Yamato, Alison** <alison_yamato@nps.gov>
Date: Wed, Feb 13, 2019 at 4:34 PM
Subject: DOIA Awareness Process 18-874_Green
To: Charis Wilson <charis_wilson@nps.gov>

Charis,

I am attaching 4 responsive documents.

Principal involvement:
Todd Willens

Brief Involvement:
Dan Smith

Dana Jacobsen reviewed (hard Copy)

Do you forward to the involved personnel or do I?

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
[12795 W Alameda Pkwy](#)
[Lakewood, CO 80228](#)
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

Todd Willens
Assistant Deputy Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240
202-208-6291

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

--

Katie E. Mills
Counselor to the Deputy Secretary
U.S. Department of the Interior
Katie_Mills@ios.doi.gov
202-208-4591-C, fice
202-802-2114-Cell

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

“Do what you can, with what you have, where you are.”

-Theodore Roosevelt

Alison Yamato

Government Information Specialist - FOIA Officer - IMR

NPS Intermountain Region

12795 W Alameda Pkwy

Lakewood, CO 80228

303.969.2242 (O)

303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

From: [Bowman, Randal](#)
To: [FOIA, NPS](#)
Cc: [Charis Wilson](#)
Subject: Re: 48 Hour FYI - Old Post Office shutdown FOIA requests
Date: Thursday, March 14, 2019 3:16:34 PM

I do not see anything that meets the standard for withholding or redaction.

However, there is a possible glitch in the material between pages 513 and 523. The text which appears there is as follows and is all there is on that page; don't know if this is an indication of something being omitted or what, but thought I should bring it to your attention.

Page 512 normal email text, page 513 - "OPO - 7600 B Funding - Increase to April 2019 .stub.pdf"; page 514: "Security settings or invalid file format do not permit using OPO - 7600 B Funding - Increase to April 2019 _1.pdf (3775258 Bytes)" Page 515: "OPOT. Fwd_ [EXTERNAL] Re_ Funding for IAA signe....pdf"; page 516 – normal email text

Then page 519: "ATT00001_3.pdf"; page 520: blank page; page 521: "OPO - 7600 B Funding - Increase to April 2019 _1.stub.pdf"; page 522: "Security settings" etc exactly as above; page 523: "Re_ OPOT. Fwd_ [EXTERNAL] Re_ Funding for IAA s....pdf"; page 524 – resumes flow of emails

On Tue, Mar 12, 2019 at 3:05 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Hi everyone,

Not sure why the file with the responsive records did not attach when I dragged it into the message screen. So I am trying again.

c.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Tue, Mar 12, 2019 at 12:47 PM FOIA, NPS <npsfoia@nps.gov> wrote:

All,

The attached set of records are responsive to **eight** FOIA requests, copies of which are attached, for records regarding the shutdown and the Old Post Office. After reviewing the responsive material, we are proposing to release in full.

However, because the responsive records include correspondence with senior DOI staff members. Accordingly, we are notifying you of a proposed release that is scheduled to be sent to DOI for the required 72 Hour Awareness Review on Friday, March 12. Please provide your response, or a reasonable request for additional time, by 5 PM Mountain Time on Thursday, March 14th or your silence will be taken as an affirmation you have concluded your review and we will proceed with our proposed release.

Also, because this same set of records will be released more than three times, we will be required by law to make the materials available on our FOIA Frequently Requested Documents website. Should you have any questions or concerns regarding this material please do not hesitate to contact me.

PACKAGE REVIEW INFORMATION

Requesters:

FOIA NUMBER REQUESTER	ORGANIZATION	DUE DATE
NPS-2019-00508 SAEGER	WESTERN VALUES PROJECT	03/11/19
NPS-2019-00467 LIPPMAN	POLITICO	03/19/19
NPS-2019-00464 EVERS	AMERICAN OVERSIGHT	03/18/19
NPS-2019-00425 BIESECKER	ASSOCIATED PRESS	03/11/19
NPS-2019-00416 KORTE	USA TODAY	03/12/19
NPS-2019-00414 ROSENBERG	MOTHER JONES	03/11/19
NPS-2019-00393 EVERS	AMERICAN OVERSIGHT	03/12/19*
NPS-2019-00386 BOGARDUS	EE NEWS	03/14/19

*This request, which was submitted on January 3, 2019, but not received until January 28, when we were back in the office after the shutdown, went into litigation on February 5, 2019, for failure "to comply with the applicable time-limit provisions of FOIA".

Request: (Full request(s) attached)

Records relating to Old Post Office operations during the shutdown

Response Documents:

1. PDF containing consolidated set of responsive emails and attachments ("Old Post Office shutdown results_combined.pdf")
2. Copies of incoming requests

Reviews:

SOL (FOIA) review - Not required since proposing full release.
NPS FYIs - Dir, COS, R. Bowman, COMMS,
DOI Awareness Reviews - Will be coordinated through Hubell Relat

Action Dates:

3/12 48 Hr. FYI - NPS Leadership
3/15 72 hr. DOI Awareness Review*
3/20 Anticipated Release Date*

Due Dates: See above

Please feel free to contact me with any questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

From: jessica_mchugh@nps.gov on behalf of [WASO FOIA Requests, NPS](#)
To: [FOIA, NPS](#)
Subject: Re: Awareness Review - Old Post Office shutdown FOIA requests
Date: Monday, March 18, 2019 9:04:47 AM

Thank you

Jessica McHugh
WASO FOIA Liaison
202-354-1449
waso_foia_requests@nps.gov

On Mon, Mar 18, 2019 at 10:38 AM FOIA, NPS <npsfoia@nps.gov> wrote:
FYI...new POC for our DOI Awareness Reviews.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **Relat, Hubbel** <hubbel_rel@ios.doi.gov>
Date: Sat, Mar 16, 2019 at 5:45 AM
Subject: Re: Awareness Review - Old Post Office shutdown FOIA requests
To: FOIA, NPS <npsfoia@nps.gov>, Katie Mills <katie_mills@ios.doi.gov>

Katie Mills is actually the bureau contact for awareness reviews for NPS. Looping her in.
Thanks!

On Thu, Mar 14, 2019 at 6:34 PM FOIA, NPS <npsfoia@nps.gov> wrote:
Hi Hubbel,

The attached set of records are responsive to **eight** FOIA requests, copies of which are attached, for records regarding the shutdown and the Old Post Office. After reviewing the responsive material, we are proposing to release in full.

However, some of the responsive records include correspondence with senior DOI staff members. Accordingly, we are notifying you of the pending release as required under the Awareness Review Process. Please provide your response, or a reasonable request for additional time, by 5 PM Mountain Time

on Thursday, March 19th or your silence will be taken as an affirmation you have concluded your review and we will proceed with our proposed release.

Also, because this same set of records will be released more than three times, we will be required by law to make the materials available on our FOIA Frequently Requested Documents website. Should you have any questions or concerns regarding this material please do not hesitate to contact me.

PACKAGE REVIEW INFORMATION

Requesters:

FOIA NUMBER REQUESTER	ORGANIZATION	DUE DATE
NPS-2019-00508 SAEGER	WESTERN VALUES PROJECT	03/11/19
NPS-2019-00467 LIPPMAN	POLITICO	03/19/19
NPS-2019-00464 EVERS	AMERICAN OVERSIGHT	03/18/19
NPS-2019-00425 BIESECKER	ASSOCIATED PRESS	03/11/19
NPS-2019-00416 KORTE	USA TODAY	03/12/19
NPS-2019-00414 ROSENBERG	MOTHER JONES	03/11/19
NPS-2019-00393 EVERS	AMERICAN OVERSIGHT	03/12/19*
NPS-2019-00386 BOGARDUS	EE NEWS	03/14/19

*This request, which was submitted on January 3, 2019, but not received until January 28, when we were back in the office after the shutdown, went into litigation on February 5, 2019, for failure "to comply with the applicable time-limit provisions of FOIA".

Request: (Full request(s) attached)

Records relating to Old Post Office operations during the shutdown

Response Documents:

1. PDF containing consolidated set of responsive emails and attachments ("Old Post Office shutdown results_combined.pdf")
2. Copies of incoming requests

Reviews:

SOL (FOIA) review - Not required since proposing full release.

NPS FYIs - Dir, COS, R. Bowman, COMMS,

DOI Awareness Reviews - Will be coordinated through Hubell Relat

Action Dates:

3/12 48 Hr. FYI - NPS Leadership

3/14 72 hr. DOI Awareness Review

3/20 Anticipated Release Date

Due Dates: See above

Please feel free to contact me with any questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287

Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

From: [Mills, Katie](#)
To: [FOIA, NPS; Charisa Morris](#)
Cc: [Relat, Hubbel](#)
Subject: Re: Awareness Review - Old Post Office shutdown FOIA requests
Date: Monday, March 18, 2019 11:53:18 AM

Hello, I cannot view the documents, will you please resend? Also, is the date Tuesday the 19th, or Thursday the 21st? Thank you
Katie

On Mon, Mar 18, 2019 at 9:59 AM FOIA, NPS <npsfoia@nps.gov> wrote:
Thanks, Hubbel,

That's the first we've heard of it. I will let Jessica know as well.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Sat, Mar 16, 2019 at 5:45 AM Relat, Hubbel <hubbel_relat@ios.doi.gov> wrote:
Katie Mills is actually the bureau contact for awareness reviews for NPS. Looping her in.
Thanks!

On Thu, Mar 14, 2019 at 6:34 PM FOIA, NPS <npsfoia@nps.gov> wrote:
Hi Hubbel,

The attached set of records are responsive to **eight** FOIA requests, copies of which are attached, for records regarding the shutdown and the Old Post Office. After reviewing the responsive material, we are proposing to release in full.

However, some of the responsive records include correspondence with senior DOI staff members. Accordingly, we are notifying you of the pending release as required under the Awareness Review Process. Please provide your response, or a reasonable request for additional time, by 5 PM Mountain Time on Thursday, March 19th or your silence will be taken as an affirmation you have concluded your review and we will proceed with our proposed release.

Also, because this same set of records will be released more than three times, we will be required by law to make the materials available on our FOIA Frequently Requested Documents website. Should you have any questions or concerns regarding this material please do not hesitate to contact me.

PACKAGE REVIEW INFORMATION

Requesters:

FOIA NUMBER REQUESTER	ORGANIZATION	DUE DATE
NPS-2019-00508 SAEGER	WESTERN VALUES PROJECT	03/11/19
NPS-2019-00467 LIPPMAN	POLITICO	03/19/19
NPS-2019-00464 EVERS	AMERICAN OVERSIGHT	03/18/19
NPS-2019-00425 BIESECKER	ASSOCIATED PRESS	03/11/19
NPS-2019-00416 KORTE	USA TODAY	03/12/19
NPS-2019-00414 ROSENBERG	MOTHER JONES	03/11/19
NPS-2019-00393 EVERS	AMERICAN OVERSIGHT	03/12/19*
NPS-2019-00386 BOGARDUS	EE NEWS	03/14/19

*This request, which was submitted on January 3, 2019, but not received until January 28, when we were back in the office after the shutdown, went into litigation on February 5, 2019, for failure "to comply with the applicable time-limit provisions of FOIA".

Request: (Full request(s) attached)

Records relating to Old Post Office operations during the shutdown

Response Documents:

1. PDF containing consolidated set of responsive emails and attachments ("Old Post Office shutdown results_combined.pdf")
2. Copies of incoming requests

Reviews:

SOL (FOIA) review - Not required since proposing full release.
NPS FYIs - Dir, COS, R. Bowman, COMMS,
DOI Awareness Reviews - Will be coordinated through Hubell Relat

Action Dates:

3/12 48 Hr. FYI - NPS Leadership
3/14 72 hr. DOI Awareness Review
3/20 Anticipated Release Date

Due Dates: See above

Please feel free to contact me with any questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

--

Katie E. Mills
Counselor to the Deputy Secretary
U.S. Department of the Interior
Katie_Mills@ios.doi.gov
202-208-4591-Office
202-802-2114-Cell

From: charis_wilson@nps.gov on behalf of [FOIA, NPS](#)
To: [Mills, Katie](#)
Subject: Re: Awareness Review - Old Post Office shutdown FOIA requests
Date: Monday, March 18, 2019 1:13:17 PM

Sorry for the confusion. COB tomorrow, as our intended response date is March 20.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

On Mon, Mar 18, 2019 at 12:52 PM Mills, Katie <katie_mills@ios.doi.gov> wrote:

Thank you. Can you tell me what date you need this by? The email states 5pm mountain time on Thursday March 19 which I assume is a typo. Is it Thursday March 21 or Tuesday March 19?

On Mon, Mar 18, 2019 at 2:46 PM FOIA, NPS <npsfoia@nps.gov> wrote:

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

----- Forwarded message -----

From: **FOIA, NPS** <npsfoia@nps.gov>
Date: Thu, Mar 14, 2019 at 4:33 PM
Subject: Awareness Review - Old Post Office shutdown FOIA requests
To: Hubbel Relat <hubbel_rel@ios.doi.gov>

Hi Hubbel,

The attached set of records are responsive to **eight** FOIA requests, copies of which are attached, for records regarding the shutdown and the Old Post Office. After reviewing the responsive material, we are proposing to release in full.

However, some of the responsive records include correspondence with senior DOI staff members. Accordingly, we are notifying you of the pending release as required under the Awareness Review Process. Please provide your response, or a reasonable request for additional time, by 5 PM Mountain Time on Thursday, March 19th or your silence will be taken as an affirmation you have concluded your review and we will proceed with our proposed release.

Also, because this same set of records will be released more than three times, we will be required by law to make the materials available on our FOIA Frequently Requested Documents website. Should you have any questions or concerns regarding this material please do not hesitate to contact me.

PACKAGE REVIEW INFORMATION

Requesters:

FOIA NUMBER REQUESTER	ORGANIZATION	DUE DATE
NPS-2019-00508 SAEGER	WESTERN VALUES PROJECT	03/11/19
NPS-2019-00467 LIPPMAN	POLITICO	03/19/19
NPS-2019-00464 EVERS	AMERICAN OVERSIGHT	03/18/19
NPS-2019-00425 BIESECKER	ASSOCIATED PRESS	03/11/19
NPS-2019-00416 KORTE	USA TODAY	03/12/19
NPS-2019-00414 ROSENBERG	MOTHER JONES	03/11/19
NPS-2019-00393 EVERS	AMERICAN OVERSIGHT	03/12/19*
NPS-2019-00386 BOGARDUS	EE NEWS	03/14/19

*This request, which was submitted on January 3, 2019, but not received until January 28, when we were back in the office after the shutdown, went into litigation on February 5, 2019, for failure "to comply with the applicable time-limit provisions of FOIA".

Request: (Full request(s) attached)

Records relating to Old Post Office operations during the shutdown

Response Documents:

1. PDF containing consolidated set of responsive emails and attachments ("Old Post Office shutdown results_combined.pdf")
2. Copies of incoming requests

Reviews:

SOL (FOIA) review - Not required since proposing full release.

NPS FYIs - Dir, COS, R. Bowman, COMMS,

DOI Awareness Reviews - Will be coordinated through Hubell Relat

Action Dates:

3/12 48 Hr. FYI - NPS Leadership

3/14 72 hr. DOI Awareness Review

3/20 Anticipated Release Date

Due Dates: See above

Please feel free to contact me with any questions.

C.

Ms. Charis Wilson, PhD, CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA
npsfoia@nps.gov

--

Katie E. Mills
Counselor to the Deputy Secretary
U.S. Department of the Interior
Katie_Mills@ios.doi.gov
202-208-4591-Office
202-802-2114-Cell

From: [Cafaro, Cindy](#)
To: [Justin Davis](#)
Cc: [Rachel Spector](#)
Bcc: catsamcat_contact_list@ios.doi.gov
Subject: Re: Updated Awareness Process for FOIA Productions
Date: Monday, March 25, 2019 2:03:08 PM

Hello, everyone. Reviewers have been identified for the bureaus, other than two that will be identified shortly. This does not include the OIG, as the Awareness Process, in its entirety, does not apply to the OIG's FOIA personnel or processes. Contact information for the reviewers is now listed on a [google sheet](#). The sheet will be updated, as needed.

Please remember that (as discussed further in the [Updated Awareness Process memorandum](#)) these reviewers are only brought into the process *after* you have completed your search for records, processed the records, reviewed the records, and determined that an awareness review is appropriate. Please note further you may need to contact more than one reviewer, depending on the identity of the PAS, NCSE, and/or Schedule C employees. For example, if your package includes emails to both a BLM PAS and a FWS NCSE, you will need to contact the reviewer listed for both AS-LLM and AS-FWP.

Thanks again.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, Mar 19, 2019 at 3:39 PM Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:

Hello, everyone. Some additional information and guidance are below, as your Bureau FOIA Officers may have mentioned would be coming soon. Thanks, as always for your insightful questions.

-A Bureau contact (or "reviewer") is in the process of being identified for each bureau (other than the OIG) and will be listed on a google sheet. The sheet will be updated, as needed, and distributed ASAP.

-When determining the date a former employee who was a PAS, NCSE, and or Schedule C employee left the Department, please use the "Separation Date" field on this [On-boarding/Off-Boarding chart](#).

-If a request's responsive records include calendars, emails, and/or attachments to emails that contain the name and/or email address of a former employee who was a PAS, NCSE, and or Schedule C employee and left the Department within the last 3 months, send the responsive records to your reviewer (see paragraph 1.b of the [Updated Awareness Process memorandum](#)). If the former employee left more than 3 months ago, however, do not send the responsive records to your reviewer (unless there is another reason to do so, like a different, current PAS employee's name being in a responsive email).

For example, if Ms. X was a PAS employee whose separation date was February 1, 2019:

You would send the responsive records to your reviewer if you began the awareness process on April 8, 2019 for a package that included her email address (because this is within the 3-month time period).

You would not send the responsive records to your reviewer if you began the awareness process on July 3, 2019 for a package that included her email address (because this is not within the 3-month time period), unless you had another reason to do so.

The date you received the request is not relevant to this analysis.

-If the reviewer has questions about technical issues like having difficulty opening an attachment, noticing materials that are not responsive to the request (for example, materials are included from 2015 when the request only sought materials from 2017), or inconsistent redactions (for example, a social security number was withheld on page 3 but released on page 4), he/she will reach out to the FOIA personnel who sent him/her the package. If he/she has questions about a legal matter (for example, foreseeable harm or the application of an exemption) he/she will reach out to the SOL employee who was simultaneously notified about the package.

-The Awareness Process does not modify our processing tracks or order of response. Just as you ordinarily process requests according to their order of receipt within their processing track (see [section 2.14 of our regulations](#)), reviewers ordinarily review the requests you send forward according to their order of receipt within their processing track (see paragraph 2.c.i of the [Updated Awareness Process memorandum](#)). With this in mind, please remember to always provide the date of the request's receipt and its processing track to your reviewer.

-As always, no request is to be moved from its placement in the processing or awareness queue based on the subject matter of the request, the people whose records are responsive, or the identity of the requester.

Thanks again. As always if you need any assistance, please contact your Bureau FOIA Officer or me.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Thu, Feb 28, 2019 at 10:20 AM Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:

Good morning. Please find attached a memorandum updating the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and updated instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

From: [Sasso, Annette](#)
To: [Charis Wilson](#)
Subject: Fwd: Updated Awareness Process for FOIA Productions
Date: Tuesday, March 26, 2019 8:06:22 AM

When you come back from AL, can we talk for clarification, thanks.

----- Forwarded message -----

From: **Cafaro, Cindy** <cindy_cafaro@ios.doi.gov>
Date: Mon, Mar 25, 2019 at 4:03 PM
Subject: Re: Updated Awareness Process for FOIA Productions
To: Justin Davis <justin_davis@ios.doi.gov>
Cc: Rachel Spector <rachel.spector@sol.doi.gov>

Hello, everyone. Reviewers have been identified for the bureaus, other than two that will be identified shortly. This does not include the OIG, as the Awareness Process, in its entirety, does not apply to the OIG's FOIA personnel or processes. Contact information for the reviewers is now listed on a [google sheet](#). The sheet will be updated, as needed.

Please remember that (as discussed further in the [Updated Awareness Process memorandum](#)) these reviewers are only brought into the process *after* you have completed your search for records, processed the records, reviewed the records, and determined that an awareness review is appropriate. Please note further you may need to contact more than one reviewer, depending on the identity of the PAS, NCSE, and/or Schedule C employees. For example, if your package includes emails to both a BLM PAS and a FWS NCSE, you will need to contact the reviewer listed for both AS-LLM and AS-FWP.

Thanks again.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, Mar 19, 2019 at 3:39 PM Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:

Hello, everyone. Some additional information and guidance are below, as your Bureau FOIA Officers may have mentioned would be coming soon. Thanks, as always for your insightful questions.

-A Bureau contact (or "reviewer") is in the process of being identified for each bureau (other than the OIG) and will be listed on a google sheet. The sheet will be updated, as needed, and distributed ASAP.

-When determining the date a former employee who was a PAS, NCSE, and or Schedule C employee left the Department, please use the "Separation Date" field on this [On-boarding/Off-Boarding chart](#).

-If a request's responsive records include calendars, emails, and/or attachments to emails that contain the name and/or email address of a former employee who was a PAS, NCSE, and or Schedule C employee and left the Department within the last 3 months, send the responsive records to your reviewer (see paragraph 1.b of the [Updated Awareness Process memorandum](#)). If the former employee left more than 3 months ago, however, do not send the responsive records to your reviewer (unless there is another reason to do so, like a

different, current PAS employee's name being in a responsive email).

For example, if Ms. X was a PAS employee whose separation date was February 1, 2019:

You would send the responsive records to your reviewer if you began the awareness process on April 8, 2019 for a package that included her email address (because this is within the 3-month time period).

You would not send the responsive records to your reviewer if you began the awareness process on July 3, 2019 for a package that included her email address (because this is not within the 3-month time period), unless you had another reason to do so.

The date you received the request is not relevant to this analysis.

-If the reviewer has questions about technical issues like having difficulty opening an attachment, noticing materials that are not responsive to the request (for example, materials are included from 2015 when the request only sought materials from 2017), or inconsistent redactions (for example, a social security number was withheld on page 3 but released on page 4), he/she will reach out to the FOIA personnel who sent him/her the package. If he/she has questions about a legal matter (for example, foreseeable harm or the application of an exemption) he/she will reach out to the SOL employee who was simultaneously notified about the package.

-The Awareness Process does not modify our processing tracks or order of response. Just as you ordinarily process requests according to their order of receipt within their processing track (see [section 2.14 of our regulations](#)), reviewers ordinarily review the requests you send forward according to their order of receipt within their processing track (see paragraph 2.c.i of the [Updated Awareness Process memorandum](#)). With this in mind, please remember to always provide the date of the request's receipt and its processing track to your reviewer.

-As always, no request is to be moved from its placement in the processing or awareness queue based on the subject matter of the request, the people whose records are responsive, or the identity of the requester.

Thanks again. As always if you need any assistance, please contact your Bureau FOIA Officer or me.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Thu, Feb 28, 2019 at 10:20 AM Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:

Good morning. Please find attached a memorandum updating the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and updated instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

--

Annette M. Sasso

Government Information Specialist

215-597-7384(work)

215-520-6676(cell)

215-597-0065(fax)

https://sites.google.com/a/nps.gov/nero_communications/home?pli=1

From: [Wilson, Charis](#)
To: [Yamato, Alison](#)
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
Date: Thursday, April 4, 2019 9:14:57 AM

We're good...sorry I wasn't clear that we just needed to make those changes...

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." -
Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial -
Attributed to Adolph Murie

On Thu, Apr 4, 2019 at 8:53 AM Yamato, Alison <alison_yamato@nps.gov> wrote:
Hi Charis,

I'm still waiting on this one - any update?

On Tue, Mar 12, 2019 at 3:03 PM Yamato, Alison <alison_yamato@nps.gov> wrote:
Hi Charis,

I have made the changes. I think we are all squared up. I am re-attaching the document in question and draft. Yes - we pulled texts once for both requests and one of them had different dates but it was more efficient to go ahead and pull them only once. Since they didn't have questions on Wright (other than texts) is that one good to go?

Thanks,
-Alison

On Mon, Mar 11, 2019 at 3:20 PM Wilson, Charis <charis_wilson@nps.gov> wrote:
Hi Alison,

Can you please go through and double check the redactions for this material. It looks like on at least one section we left information unredacted even though elsewhere in the document we had redacted it.

As far as the date discrepancies, I am assuming that is because we are using the same set of

document to respond to both this request and the one from Wright (18-899)?

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial
- Attributed to Adolph Murie

----- Forwarded message -----

From: **Mills, Katie** <katie_mills@ios.doi.gov>
Date: Mon, Mar 11, 2019 at 1:42 PM
Subject: Re: 72 Hour FOIA Awareness Review 18-874 Green Wenk Correspondence
To: Wilson, Charis <charis_wilson@nps.gov>
Cc: Relat, Hubbel <hubbel_relat@ios.doi.gov>, Maureen Foster
<maureen_foster@ios.doi.gov>

Hi Charis,

Hubbel forwarded this to me to review quickly. I've got just a few questions/comments. In the "Converted to PDF_PR_Redacted.pdf" document, there seems to be redaction inconsistency when comparing pages 147, 121, and 119 to page 164. Redaction inconsistency also appears when comparing page 299 to page 360 of that same document.

I was also curious as to why some text messages are included when they are outside of the date range requested? For example, in the Mahalic texts, pages 3,5, and 6 appear to be outside of the date range. In the Obernesser texts, pages 6-12 also appear to be completely out of the date range. I'm just trying to understand why they may have been included, or if I was possibly missing something? Thanks so much!
Katie

On Mon, Mar 11, 2019 at 4:06 PM Wilson, Charis <charis_wilson@nps.gov> wrote:
Hi Hubbel,

As mentioned the anticipated release date is tomorrow. So no, it has not gone out.

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
12795 W. Alameda Parkway
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

On Mon, Mar 11, 2019 at 12:55 PM Relat, Hubbel <hubbel_relat@ios.doi.gov> wrote:

Charis,

I was wondering if you had already sent this out? I am just seeing that it went into awareness mid last week. Thanks!

Hubbel

All,

FOIA NPS-2018-00874 is anticipated to be released on Tuesday, March 12, 2019. The attached documents are being provided to you for 72 Awareness Review.

Requester:

Miranda Green - The Hill

Request: (Full request attached)

...all communications between Yellowstone National Park superintendent Dan Wenk and National Park Service Acting Director Paul "Dan" Smith, Todd Willens and Dave Mihalic with the terms "bison" "reassignment" "retirement" and/or "transfer" between January 1, 2018 and June 19, 2018.

Response Documents:

1. Incoming Request
2. Draft Response Letter
3. .pdf files containing responsive records

Please feel free to contact me with any questions.

Sincerely,

C.

Ms. Charis Wilson, Ph.D., CRM
NPS FOIA Officer
[12795 W. Alameda Parkway](#)
PO Box 25287
Denver, CO 80225-0287
303-969-2959
Fax: 303-969-2557
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

----- Forwarded message -----

From: **Yamato, Alison** <alison_yamato@nps.gov>
Date: Wed, Feb 13, 2019 at 4:34 PM
Subject: DOIA Awareness Process 18-874 _Green
To: Charis Wilson <charis_wilson@nps.gov>

Charis,

I am attaching 4 responsive documents.

Principal involvement:
Todd Willens

Brief Involvement:
Dan Smith

Dana Jacobsen reviewed (hard Copy)

Do you forward to the involved personnel or do I?

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
[12795 W Alameda Pkwy](#)
[Lakewood, CO 80228](#)
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

Todd Willens
Assistant Deputy Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240
202-208-6291

--

Hubbel Relat
Counselor to the Secretary
U.S. Department of the Interior
hubbel_relat@ios.doi.gov

--

Katie E. Mills
Counselor to the Deputy Secretary
U.S. Department of the Interior
Katie_Mills@ios.doi.gov
202-208-4591-Office
202-802-2114-Cell

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)

303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

--

“Do what you can, with what you have, where you are.”
-Theodore Roosevelt

Alison Yamato
Government Information Specialist - FOIA Officer - IMR
NPS Intermountain Region
12795 W Alameda Pkwy
Lakewood, CO 80228
303.969.2242 (O)
303.243.4096 (C)

Looking for NPS public information? Try ETIC pubs.etic.nps.gov

From: [Cafaro, Cindy](#)
To: [Justin Davis](#)
Cc: [Rachel Spector](#)
Bcc: catsamcat_contact_list@ios.doi.gov
Subject: Re: Updated Awareness Process for FOIA Productions
Date: Friday, April 5, 2019 1:44:47 PM

Hello, everyone. At the Bureau FOIA Officers meeting last week, questions came up about guidance that had been sent about the previous Awareness Process and whether it was still in effect. Thanks to these questions, below please find updated guidance below. As before, questions are in regular text, answers are in *italics*. If I previously provided guidance in response to a question that is not on this list, it is no longer valid guidance.

Updated questions and answers regarding records found to be responsive to a FOIA request:

1) When we send the records up, do we send finalized redactions or just the temporary redactions so they can see what was withheld? Looks like it says finalized, but just want to be sure.

Yes, finalized redactions only.

2) What if there is a letter in DTS sent to or from a PAS, NCSE, and/or Schedule C employee, and one of our employees retrieves the letter and emails it internally or externally? E.g., Congressional correspondence that is submitted to the Secretary, then routed to a bureau in DTS, retrieved from DTS by non-PAS, NCSE, and/or Schedule C employees and only emailed to non-PAS, NCSE, and/or Schedule C employees.

It goes to her reviewer. Tell the reviewer if this is her only involvement and where it is in the package.

3) What if a search turns up an old email naming a current PAS, NCSE, and/or Schedule C employee who wasn't in a Departmental position when the email was sent (for example, it was sent when the PAS, NCSE, and/or Schedule C employee was an employee of company X or an elected official in state Y)?

It goes to his reviewer. Tell the reviewer if this is his only involvement and where it is in the package.

4) It looks like we are only concerned with calendars, emails, and attachments to emails. So if something went through DTS and we locate it in DTS, but not in a calendar or the email system, it does not need to go up through the awareness process no matter whose name appears in the document or who signed it?

Yes.

5) If the calendar or email triggering an awareness review has been released before, should an awareness review still occur?

Yes, it goes to her reviewer. Tell the reviewer if this is her only involvement, where it is in the package, and that it has already been released.

6) If the calendar or email triggering an awareness review has been released before, is already online, and a link is being sent to the requester rather than a package of materials, should an awareness review still occur?

Yes, it goes to his reviewer. Tell the reviewer if this is his only involvement and where it is on the website.

7) What about unsolicited comments sent by members of the public to a public-facing email account that bears our Director's name?

If your PAS, NCSE, and or Schedule C employee is named in an email, it goes to her reviewer.

8) Who sends up awareness reviews?

Your Bureau FOIA Officer decides whether he will send up awareness reviews after the FOIA personnel in the Action Office have processed the FOIA request or whether the Action Office will do so.

9) Do reviewers need to see the outgoing letter as well? The incoming request? Or just the records?

The records, with finalized redactions applied, the incoming request, and the outgoing letter.

10) What are we doing when we notify the SOL attorney in step 2.b? Just letting them know that it's going up? Or are they supposed to review again within 3 workdays?

The purpose is to provide the reviewer with a point of contact for legal questions (e.g., about the meaning of a particular FOIA exemption).

11) I'm still not totally clear on what the reviewers want to see. Here are some examples of things I would worry about, because I'm just not sure:

- email with 20 people cc'd and one of them is a PAS, NCSE, and/or Schedule C employee, she doesn't respond, that's the only place she appears

It goes to her reviewer. Tell the reviewer if this is her only involvement and where it is in the package.

- email from Chief of Staff directly to a PAS, NCSE, and/or Schedule C employee, he doesn't respond, that's the only place he appears

It goes to his reviewer. Tell the reviewer if this is his only involvement and where it is in the package.

- email between two bureau employees that states "we'll need to get [a PAS, NCSE, and/or Schedule C employee] to sign off on this", and she's never mentioned again

It goes to her reviewer. Tell the reviewer if this is her only involvement and where it is in the package.

- outgoing letter responding to an inquiry from a member of the public with Secretary's signature

It is not a calendar or email, so it does not go to his reviewer.

- memo sent to all employees by a PAS, NCSE, and/or Schedule C employee

If it was sent via email, it goes to her reviewer. Otherwise, it does not.

- email that is being withheld in full, but names a PAS, NCSE, and/or Schedule C employee ("We were told this is close hold, but today at the meeting John Smith speculated that we may soon start working on ideas for...) and that's the only place the name appeared

It goes to his reviewer. Tell the reviewer if this is his only involvement and where it is in the package.

- email from a PAS, NCSE, and/or Schedule C employee reviewed and found in interim release #6 of 10. Do we just send her reviewer that interim release? Or also everything that already went out? And then for the next 4 interim releases where she's not mentioned again?

The package for release #6 goes to her reviewer. Let the reviewer know it is release #6 and more releases are anticipated, but do not send the earlier (or later) packages.

- all-employee memo signed by a PAS, NCSE, and/or Schedule C employee, but the email transmitting the memo was sent by HR, would that go up?

Yes.

- email between two bureau employees stating "This is one of the Secretary's priorities" but they don't name the Secretary (but from the dates we can see it's from this administration) or mention him anywhere else. Would that go up?

No.

12) What about stuff that very clearly needs to go to either our own Director or AS?

This memo doesn't stop your "usual response process," and if those notifications are part of it, no problem.

13) How far up the chain on DOI does this affect us? If I am reading this correctly, it means White House level personnel/staffers, etc. and not so much DOI personnel, the Secretary being the exception?

There are about 90 PAS, NCSE, and/or Schedule C employees in the Department. (Listed in OCIO onboarding/offboarding chart discussed below.) These kinds of Departmental employees are the only people that trigger the awareness process. This process is entirely separate from consultations with the White House in the context of a FOIA response, which we address in Section 9.8.B of our [Handbook](#). If part of the package for release was sent to the White House for consultation, let the requester know.

14) When notifying a reviewer that they have documents to review for the awareness process of a specific request, should I tell them they have 3 workdays and let them figure out when that will expire (e.g., "please provide your response or a reasonable request for additional time within 3 workdays or your silence will be taken as an affirmation you have concluded your review") or should I give them the exact time their review period will expire (e.g., "please provide your response or a reasonable request for additional time 4:30 PM ET on Thursday or your silence will be taken as an affirmation you have concluded your review")?

Give the reviewer the exact time by adding 3 workdays to the time of the current workday. For example, if you are sending the package on a Monday at 4:30 PM ET and there are no Federal holidays scheduled for the current week, tell the reviewer to "please provide your response or a reasonable request for additional time by 4:30 PM ET on Thursday or your silence will be taken as an affirmation you have concluded your review."

Additionally, please continue to remember that the information in the OCIO onboarding/offboarding chart linked to below is shared with you because of your need to know it to perform your FOIA role. Do not disseminate the personally identifiable information in this sheet (in written or oral form).

Please always submit packages to your reviewer via email using the subject line: "Awareness Review--[Insert Full EFTS Tracking Number]".

Finally, please remember that the reviewer you contact is not based on where you are located or report in the Department--it is based on who the PAS, NCSE, and/or Schedule C employees fall under.

Thanks again for your questions. If you have any further questions or need assistance, please contact your Bureau FOIA Officer or me.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior
Direct: 202-208-5342 | Main: 202-208-3181

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Mon, Mar 25, 2019 at 4:02 PM Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:

Hello, everyone. Reviewers have been identified for the bureaus, other than two that will be identified shortly. This does not include the OIG, as the Awareness Process, in its entirety, does not apply to the OIG's FOIA personnel or processes. Contact information for the reviewers is now listed on on a [google sheet](#). The sheet will be updated, as needed.

Please remember that (as discussed further in the [Updated Awareness Process memorandum](#)) these reviewers are only brought into the process *after* you have completed your search for records, processed the records, reviewed the records, and determined that an awareness review is appropriate. Please note further you may need to contact more than one reviewer, depending on the identity of the PAS, NCSE, and/or Schedule C employees. For example, if your package includes emails to both a BLM PAS and a FWS NCSE, you will need to contact the reviewer listed for both AS-LLM and AS-FWP.

Thanks again.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Tue, Mar 19, 2019 at 3:39 PM Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:

Hello, everyone. Some additional information and guidance are below, as your Bureau FOIA Officers may have mentioned would be coming soon. Thanks, as always for your insightful questions.

-A Bureau contact (or "reviewer") is in the process of being identified for each bureau (other than the OIG) and will be listed on a google sheet. The sheet will be updated, as needed, and distributed ASAP.

-When determining the date a former employee who was a PAS, NCSE, and or Schedule C employee left the Department, please use the "Separation Date" field on this [On-boarding/Off-Boarding chart](#).

-If a request's responsive records include calendars, emails, and/or attachments to emails that contain the name and/or email address of a former employee who was a PAS, NCSE, and or Schedule C employee and left the Department within the last 3 months, send the responsive records to your reviewer (see paragraph 1.b of the [Updated Awareness Process memorandum](#)). If the former employee left more than 3 months ago, however, do not send the responsive records to your reviewer (unless there is another reason to do so, like a different, current PAS employee's name being in a responsive email).

For example, if Ms. X was a PAS employee whose separation date was February 1, 2019:

You would send the responsive records to your reviewer if you began the awareness process on April 8, 2019 for a package that included her email address (because this is

within the 3-month time period).

You would not send the responsive records to your reviewer if you began the awareness process on July 3, 2019 for a package that included her email address (because this is not within the 3-month time period), unless you had another reason to do so. The date you received the request is not relevant to this analysis.

-If the reviewer has questions about technical issues like having difficulty opening an attachment, noticing materials that are not responsive to the request (for example, materials are included from 2015 when the request only sought materials from 2017), or inconsistent redactions (for example, a social security number was withheld on page 3 but released on page 4), he/she will reach out to the FOIA personnel who sent him/her the package. If he/she has questions about a legal matter (for example, foreseeable harm or the application of an exemption) he/she will reach out to the SOL employee who was simultaneously notified about the package.

-The Awareness Process does not modify our processing tracks or order of response. Just as you ordinarily process requests according to their order of receipt within their processing track (see [section 2.14 of our regulations](#)), reviewers ordinarily review the requests you send forward according to their order of receipt within their processing track (see paragraph 2.c.i of the [Updated Awareness Process memorandum](#)). With this in mind, please remember to always provide the date of the request's receipt and its processing track to your reviewer.

-As always, no request is to be moved from its placement in the processing or awareness queue based on the subject matter of the request, the people whose records are responsive, or the identity of the requester.

Thanks again. As always if you need any assistance, please contact your Bureau FOIA Officer or me.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Thu, Feb 28, 2019 at 10:20 AM Cafaro, Cindy <cindy_cafaro@ios.doi.gov> wrote:
Good morning. Please find attached a memorandum updating the Department's awareness process for FOIA productions.

The memorandum provides background on the awareness process and updated instructions on how to conduct it.

If you have any questions or need assistance, please contact your Bureau FOIA Officer or me.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department

of the Interior

Direct: 202-208-5342 | Main: 202-208-3181