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## NPS-FOIA-2018-01252 Smith Brendan Comms - Response

1 message

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WASO FOIA Requests, NPS <waso\_foia\_requests@nps.gov>  
To: 60584-54898416@requests.muckrock.com

Thu, Sep 27, 2018 at 8:44 AM

Mr. Tobias,

This email is in response to your September 10, 2018 FOIA, in which you requested:

*"Any and all written or electronic communications, including attachments, between NPS official P. Daniel Smith (or his immediate deputies or executive staff) and former Montana state senator John Brenden. This request seeks documents produced between January 1, 2018 and the date this request is processed."*

Your request has been assigned tracking number NPS-2018-01252. All future correspondence relating to this request should reference this tracking number.

We have worked with staff in the Director's Office regarding your request and a search of our files located no records responsive to your request. Should you consider this NO RECORDS response to be a denial of your request, you have the right to appeal. 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](mailto: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](mailto: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.

We have classified you as a representative of the news media. As such, we may charge you for some of our duplication costs, but we will not charge you for our search or review costs; you also are entitled to up to 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. § 2.39. After taking into consideration your fee category entitlements, our processing costs are less than \$50.00, therefore we will not bill you because the cost of collection would be greater than the fee collected. See 43 C.F.R. § 2.37(g)

Please do not hesitate to contact me with any further questions or concerns. You are also welcome to contact the NPS FOIA Liaison, Dr. Charis Wilson. She can be by phone at 303-969-2959 or via e-mail at [charis\\_wilson@nps.gov](mailto:charis_wilson@nps.gov).

Sincerely,

Jessica McHugh  
WASO FOIA Liaison  
202-354-1449  
[waso\\_foia\\_requests@nps.gov](mailto:waso_foia_requests@nps.gov)

On Mon, Sep 10, 2018 at 4:08 PM, <[60584-54898416@requests.muckrock.com](mailto:60584-54898416@requests.muckrock.com)> wrote:

National Park Service  
FOIA Office  
P.O. Box 25287  
12795 West Alameda Parkway  
Denver, CO 80225

September 10, 2018

To Whom It May Concern:

Pursuant to the Freedom of Information Act, I hereby request the following records:

Any and all written or electronic communications, including attachments, between NPS official P. Daniel Smith (or his immediate deputies or executive staff) and former Montana state senator John Brenden. This request seeks documents produced between January 1, 2018 and the date this request is processed.

I am a reporter for the Guardian.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Jimmy Tobias

Filed via MuckRock.com  
E-mail (Preferred): [60584-54898416@requests.muckrock.com](mailto:60584-54898416@requests.muckrock.com)  
Upload documents directly: [https://www.muckrock.com/accounts/agency\\_login/national-park-service-70/smith-brendan-comms-60584/?uuid-login=3ac4cc19-cafc-4b71-83e9-70c8320ba585&email=npsfoia%40nps.gov#agency-reply](https://www.muckrock.com/accounts/agency_login/national-park-service-70/smith-brendan-comms-60584/?uuid-login=3ac4cc19-cafc-4b71-83e9-70c8320ba585&email=npsfoia%40nps.gov#agency-reply)  
Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News  
DEPT MR 60584  
411A Highland Ave  
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.