



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

IN REPLY REFER TO:  
7202.4-OS-2019-01188

August 28, 2019

Via email: [78501-73402661@requests.muckrock.com](mailto:78501-73402661@requests.muckrock.com)

Sai  
MuckRock News  
DEPT MR 78501  
411A Highland Ave.  
Somerville, MA 02144

Dear Mr. Sai,

On August 4, 2019, you filed two Freedom of Information Act (FOIA) requests seeking the following:

Request 1:

A. Chief FOIA Officers' desktops:

For the component's

- a. Chief FOIA Officer,
- b. Chief Privacy Officer, and
- c. any substantially equivalent component official ("Officer")

The entire content of:

- a) Officer's physical desktops, i.e. everything on the actual desk(s) where they work
- I). including all other office surfaces, e.g. cabinets, tables, in/out boxes, shelves, etc in the Officer's office(s) excluding:
  - i. computers (including desktop, laptop, and phone);
  - ii. USB drives;
  - iii. generic office supplies, i.e. any item that could be purchased off the shelf at a store such as Office Depot in identical form by a member of the general public;
  - iv. tear-off daily flip calendars;
  - v. purely personal capacity items;
  - vi. keys;
  - vii. anything within a fully enclosed hard sided container (e.g. exclude the contents of a desk / cabinet drawer, lockbox, or picture frame — but

- envelopes laying on a desk [and their contents], items in open-ended organizers, etc are not excluded);
- viii. books or hard-bound booklets, except for the front and back covers; and
- ix. CDs or DVDs, except for the label (i.e. what is captured when you place the disc on a flatbed scanner); and

II). formatted as 600 DPI color scans to PDF, one PDF per item (named logically based on the item), run through Adobe Acrobat Pro's "enhance scanned PDF" tool with the settings:

\* recognize text on

\* all pages

\* apply adaptive compression: grayscale JPEG2000, monochrome JBIG2 (lossless), maximum quality

\*output: searchable image, document language set to the document's actual language

\*filters: deskew on, background removal off, descreen off, text sharpening off; and

b) the Officer's computer desktop(s), i.e. the "desktop folder" of their account on every computer that they use in official capacity

- i. in the exact original file format as stored on the computer, encapsulated into a .ZIP or .TAR.GZ archive set to preserve all metadata and folder structure;

B. all records relating to the fulfillment of this request, such as FOIA logs, documentation of searches, referral emails, etc. This part of the request is to be processed only after you have completed processing all of the above parts. This part does not request that you create any new record; rather, it requests the records that you will have created in processing the above parts, and will therefore exist before you conduct the search for this part. See *McGehee v. CIA*, 697 F. 2d 1095, 1100-05 (D.C. Cir. 1983) (agency must use time-of-search cut-off date, not time-of-request).

C. all records relating to any complaint(s), FOIA request(s)/appeal(s), and/or Privacy Act request(s)/appeal(s) made by me. This includes, but is not limited to:

- 1. all records relating to the processing my previous requests, complaints, etc;
- 2. all records containing the terms my name, email address(es), and other contact or identifying information, listed below my signature; and
- 3. all records containing any of my complaint, request or appeal identifiers.

Parts (B) and (C) must be processed only after you have processed the items above that line, i.e. such that at the time of the search, the records described will have already been created at the time you conduct the search. Part (C) must be processed after part (B) is completed. Parts (B) and (C) may overlap with similar prior requests. However, the cut-off date is, at earliest, the date that you complete search on all of the above items. If you wish to administratively merge this request with a prior similar request, I consent on

condition that you extend the cut-off date for the prior request, and provide rolling updates. Otherwise, you must treat this as a new request.

For all responsive records, I also request:

D.

1. all parts of the record (i.e. no portion of a record with some responsive portion may be considered "non-responsive");
2. all versions of the record, whether or not currently in use;
3. all record metadata, such as dates on which they were drafted, passed, went into effect, withdrawn, or similar events; person(s) / office(s) responsible; authors; IDs; revision numbers; etc.;
4. a detailed index of all claims of exemption/privilege, regardless of whether the record is claimed to be exempt in whole or in part; access to inspect the record directly, in its native electronic format; and
5. if any classification applies, mandatory declassification review (MDR) under E.O. 13526, and the result of the MDR, including any declassified records.

Request 2:

A. Chief FOIA Officers' desktops:

For the component's

- a. Chief FOIA Officer,
- b. Chief Privacy Officer, and
- c. any substantially equivalent component official ("Officer")

The entire content of:

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- I). including all other office surfaces, e.g. cabinets, tables, in/out boxes, shelves, etc in the Officer's office(s) excluding:
  - i. computers (including desktop, laptop, and phone);
  - ii. USB drives;
  - iii. generic office supplies, i.e. any item that could be purchased off the shelf at a store such as Office Depot in identical form by a member of the general public;
  - iv. tear-off daily flip calendars;
  - v. purely personal capacity items;
  - vi. keys;
  - vii. anything within a fully enclosed hard sided container (e.g. exclude the contents of a desk / cabinet drawer, lockbox, or picture frame — but envelopes laying on a desk [and their contents], items in open-ended organizers, etc are not excluded);
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b) the Officer's computer desktop(s), i.e. the "desktop folder" of their account on every computer that they use in official capacity

- i. in the exact original file format as stored on the computer, encapsulated into a .ZIP or .TAR.GZ archive set to preserve all metadata and folder structure;

B. all records relating to the fulfillment of this request, such as FOIA logs, documentation of searches, referral emails, etc. This part of the request is to be processed only after you have completed processing all of the above parts. This part does not request that you create any new record; rather, it requests the records that you will have created in processing the above parts, and will therefore exist before you conduct the search for this part. See *McGehee v. CIA*, 697 F. 2d 1095, 1100-05 (D.C. Cir. 1983) (agency must use time-of-search cut-off date, not time-of-request).

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4. a detailed index of all claims of exemption/privilege, regardless of whether the record is claimed to be exempt in whole or in part; access to inspect the record directly, in its native electronic format; and
5. if any classification applies, mandatory declassification review (MDR) under E.O. 13526, and the result of the MDR, including any declassified records.

Your requests was received in the Office of the Secretary FOIA office on August 5, 2019, and assigned control number **OS-2019-01188**. We have aggregated two of your requests into one.

The records you have requested would likely be maintained by the Office of the Solicitor (SOL). As such, we recommend that you submit this request to that agency's FOIA office at the following address:

Office of the Solicitor  
Lance Purvis  
MS-6540, MIB  
1849 C Street NW  
Washington, DC 20240  
Phone: 202-208-5817  
Email: [sol.foia@sol.doi.gov](mailto:sol.foia@sol.doi.gov)

This completes the Office of the Secretary's response to your request.

If you have any questions regarding the status of your request, or any of the issues discussed in this letter, you may contact Cindy Sweeney by phone at (202) 513-0765, by fax at (202) 219-2374, by e-mail at [os\\_foia@ios.doi.gov](mailto:os_foia@ios.doi.gov) or by mail at U.S. Department of the Interior, 1849 C Street NW, MS-7328 MIB, Washington, DC 20240. You also may seek dispute resolution services from our FOIA Public Liaison, Clarice Julka.

Sincerely,

Clarice Julka  
Office of the Secretary  
FOIA Officer