

September 23, 2004

FOIA RECORDS REQUEST ADDITIONAL FOLLOW-UP - FILE CODE 6270-1 R1-RO-04-067

By mail and email

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Dear Martin Prather and Kathy Oelke,

In your August 20, 2004 reply to our Freedom of Information Act request, the US Forest Service stated a final response on records withheld for review would be forthcoming on September 10, 2004. We have received no word from the US Forest Service.

We are asking the US Forest Service to provide its final response and determination on whether the Royal Teton Ranch records are private, privileged or confidential business information, or public records. The issue of claimed private records being filed with public records held by the agency is interfering with our right to inspect and copy US Forest Service records. Ample, reasonable time has been afforded to the private parties who object to our June 24, 2004 FOIA records request to release US Forest Service files on the Royal Teton Ranch.

The US Forest Service also stated that eight pages of records originated in the DOI and that we can expect a response from the DOI regarding these referred records. We have received no response from DOI, and you did not provide a contact person who would be informed of how to contact us on our FOIA. We also question the US Forest Services' position on these eight records. Those records were faxed or mailed to the US Forest Service office as part of the project record for the Royal Teton Ranch. By your logic, any letter the US Forest Service receives from another agency that is in its files would have to seek the originating agency's approval or cooperation in releasing those records if the public requested a copy. Such a bureaucratic quagmire to access public records was never imagined by Congress in creating the Freedom of Information Act. But if that is your final position, please identify the policy and statutory basis for it.

Sincerely,

/s/  
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