



VIA EMAIL ONLY

February 6, 2017

Melissa Golden
Lead Paralegal and FOIA Specialist
Office of Legal Counsel
Department of Justice
Room 5511
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001
E-mail: usdoj-officeoflegalcounsel@usdoj.gov

Dear Ms. Golden:

Advocates for the West hereby submits this request for information under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). This request pertains to all agency records under the possession and control of the Office of Legal Counsel. Pursuant to the FOIA, Advocates for the West hereby requests copies of all agency records and other documents referring or relating to the following issues:

1. the designation, withdrawal, expansion or modification of Bears Ears National Monument, Katahdin Woods and Waters National Monument, Gold Butte National Monument, and any and all other National Monuments designated, withdrawn modified and/or expanded between January 20, 2009 – January 20, 2017;
2. the designation, withdrawal, expansion or modification of Grand Staircase-Escalante National Monument;
3. the authority of the President of the United States or any delegated authority to revoke, rescind, vacate, dissolve or otherwise modify, in any way whatsoever, a National Monument designated under the Antiquities Act of 1906, 54 U.S.C. § 320301–320303 (Pub.L. 59–209, 34 Stat. 225); and
4. the authority of the President of the United States or any delegated authority to revoke, rescind, vacate, dissolve or otherwise modify, in any way whatsoever, a withdrawal under Section 12(a) of the Outer Continental Shelf Lands Act, 43 U.S.C. § 1340.

The time period for the agency records requested under paragraphs 1, 2 and 4 is limited to January 20, 2009 through February 6, 2017. The time period for the agency records requested under paragraph 3 is limited to January 20, 2001-February 6, 2017.

If you have questions as to the scope of this request, please feel free to contact me. If you believe any portion of this request is exempt from disclosure under FOIA, please segregate that portion, and provide a brief description of each withheld document and the legal basis for withholding such document.

Under the FOIA, the Office of Legal Counsel must make a determination on this request within 20 working days. 5 U.S.C. § 552(a)(6)(A)(i). A determination consists of a statement whether the agency will comply with request, the reasons therefore, and informs the requester of the right to appeal an adverse decision.

Advocates for the West (Advocates) requests a waiver of any costs or fees related to this request under 5 U.S.C. § 552(a)(4)(A)(iii) because the information requested is in the public interest and is likely to contribute significantly to public understanding of the operations or activities of the government, and is not made in Advocates for the West's commercial or economic interest.

Advocates is a non-profit organization dedicated to protecting and conserving the public lands and natural resources of watersheds in the American West. Advocates is active in seeking to protect and improve upland and riparian areas, water quality, fisheries, wildlife, and other natural resources and ecological values of western watersheds, including public lands that have been designated as National Monuments under the Antiquities Act.

Advocates also educates the general public about the natural wonders of the West, and about land, resource and wildlife decisions made by government, private, and other entities that affect the natural environment and wildlife. Advocates is effective at increasing public awareness of environmental matters, such as protection of National Monuments and other special management areas, through public education and outreach, including through its routine dissemination of materials through its website (advocateswest.org), as well as its Facebook page; semi-annual report entitled, Case Notes; and its routine and regular email correspondence with supporters.

The disclosure of the requested documents to Advocates will significantly contribute to public understanding of government activities because these documents are not readily available to the public without such a request. These are not the type of documents the agency routinely publicizes or otherwise broadly disseminates to the public on a normal basis. Thus, a FOIA request is required to obtain the documents. In addition, Advocates will use its skills and expertise to analyze these documents, which are often complex and difficult to

understand without special training or experience, to assess the any efforts to undermine protections for National Monuments.

Please send the documents to me at the address immediately below.

Todd C. Tucci
Advocates for the West
1309 Independence Ave. SE
Washington, DC 20003

Alternatively, you may send the documents electronically to me at ttucci@advocateswest.org. If you have any questions about this request, please feel free to contact me. Thank you very much.

Sincerely,

/s/ Todd C. Tucci
Todd C. Tucci
ADVOCATES FOR THE WEST
(208) 342-7024
ttucci@advocateswest.org