

PCU / \ Free Assembly Project

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~ an Association of Volunteers

27 June 2009

Daniel J. Jiron, Forest Supervisor
Santa Fe National Forest
1474 Rodeo Road
Santa Fe, NM 87505

c/o: Sara Campney, Acting Forest Planner/FOIA

eM: scampney@fs.fed.us

Re: FOIA #338 and #516 ~

File Code: 6270-1 Date: June 25, 2009

'Freedom of Information Request Control No. 338'

• Reply on Fee Waivers – Both Requests

Dear Mr. Jiron:

I received the above-cited letter of June 25, 2009, as attached to an email from Ms. Campney on that day ("FS_correspondence.doc"). It is duly noted that you challenge our request for Waiver of FOIA fees, as presented in our Request of 6/17/09, #338. This writing answers for that Request and for our subsequent one of 6/24/09, #516 – in order to resolve these questions for both submittals, and enable your timely Responses in substance.

Both Requests affirmed the public-interest purposes of '*PCU_ / Free Assembly Project*', to establish this basis in light of our long and creditable record with the USDA Forest Service, and the agency's past acknowledgement of our eligibility for waiver of FOIA fees.

However no new determination needs to be reached regarding these FOIA Requests:

Both are narrowly crafted to obtain specific documents, amounting to no more than 20-40 pages for each – well within the 100-page limit for free copies. They are properly directed to the Forest and Regional offices where responsive items are current business, readily at-hand.

Given the exigent nature of facts related to the 'Rainbow Gathering' as an ongoing First Amendment event, we re-affirm the need for expedited Responses – not to be unreasonably impeded or delayed.

It is not expected that FOIA fees will accrue on these Requests, nor would this be warranted, but I will agree to pay incidental costs up the \$25 limit without notification – and to be notified of fees exceeding that sum as required, with line-item charges properly explained.

Therefore your preliminary Fee Waiver 'determinations' need not proceed on our two current FOIA Requests (#338 and #516)... the matter is deferred, for present purposes.

In brief answer to the questions and allegations made regarding "*Factors 2, 3, 4, 5 and 6 of the enclosed Fee Waiver Criteria*": The relevance to public interests, and the contribution to an understanding of government, should be self-evident in these Requests – and 'PCU_ / FAP' volunteers categorically deny any "commercial interest" in the information obtained.

If in the future we present a more extensive FOIA Request for which a Fee Waiver might be pertinent, we reserve the right to address and meet the agency's Criteria at that time.

I understand the difficulties of Sara Campney's intermediary position in all this, and appreciate her constructive attitude in our discussions so far. I hope to make her job a bit easier...

Let these simple disclosures go forward smoothly & quickly, as we have anticipated.
Thank you for your cooperation.

Respects,


scottie addison, Coordinator
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