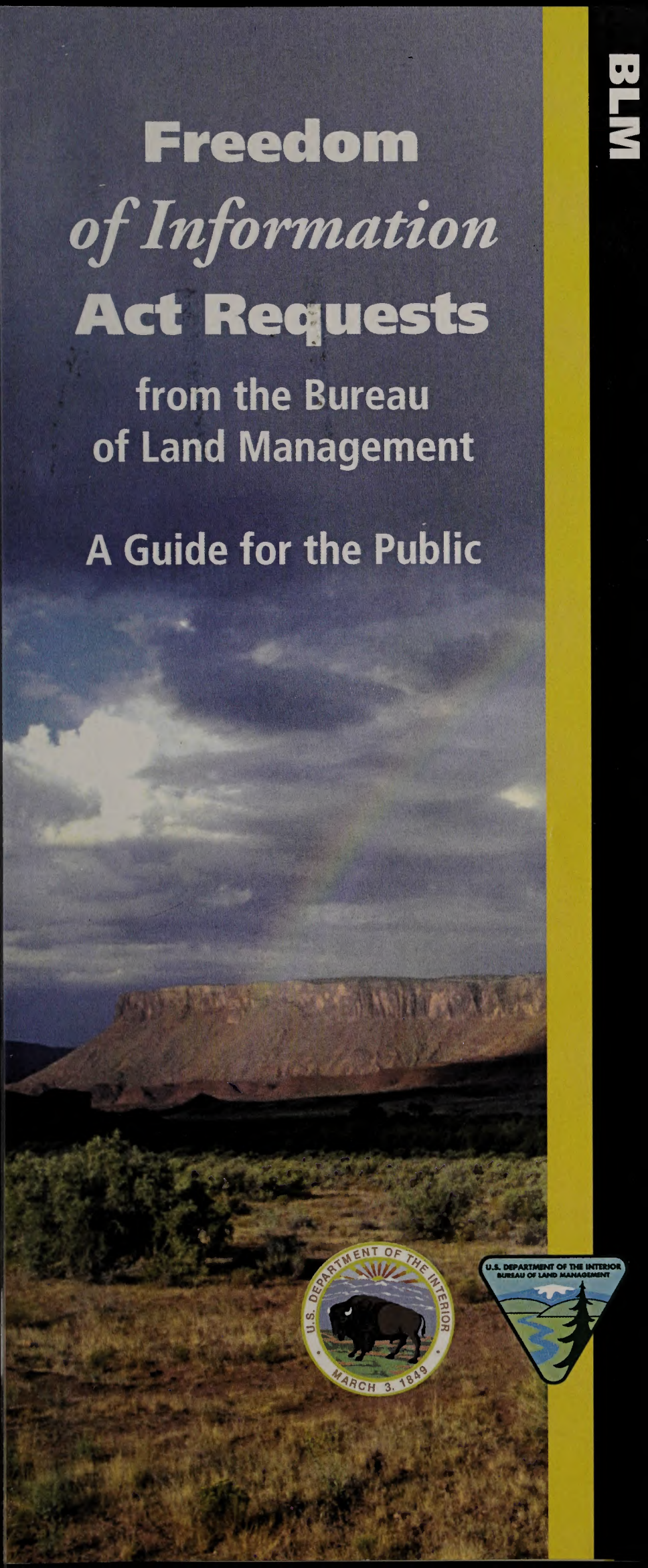


**Freedom**  
*of Information*  
**Act Requests**

from the Bureau  
of Land Management

A Guide for the Public



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## The BLM's Commitment to You

The Freedom of Information Act has provided an important means through which the public can obtain information regarding the activities of Federal agencies.

The BLM is committed to providing timely and accurate information in response to your FOIA requests.

BLM Library  
Denver Federal Center  
Bldg. 50, OC-521  
P.O. Box 25047  
Denver, CO 80225

October 2006

This guide is also available on the BLM's Electronic Reading Room at [www.blm.gov/nhp/efoia/index.htm](http://www.blm.gov/nhp/efoia/index.htm)

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# What is the Bureau of Land Management?

The Bureau of Land Management (BLM), an agency within the U.S. Department of the Interior (DOI), administers over 261 million surface acres of America's public lands, located primarily in the 12 Western States, including Alaska. The BLM's mission is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

# What is the Freedom of Information Act?

The Freedom of Information Act, or FOIA, is a Federal Law that establishes the public's right to request documents in the possession and control of any Federal Executive Branch agency. This right of access is enforceable in court. Federal agencies are required to disclose the records requested, except for those records or portions of records that are protected from disclosure. The FOIA does not apply to Congress, the courts, or records of State or local governments.

# What information is available under the FOIA?

The FOIA provides access to agency records except those protected from disclosure by one or more of the following nine exemptions:

1. Classified national defense and foreign policy information
2. Internal agency personnel rules and practices
3. Material prohibited from disclosure by another law

4. Trade secrets and other confidential business information
5. Certain inter-agency or intra-agency communications
6. Personnel, medical, and other files involving personal privacy
7. Certain records compiled for law enforcement purposes
8. Matters relating to the supervision of financial institutions
9. Geological and geophysical information on wells

The FOIA does not require Federal agencies to answer questions, render opinions, or provide subjective evaluations. Requests must pertain to existing records.

## Do I have to file a FOIA request for all BLM records?

No. Certain records are available to the public without the need for a FOIA request. Some examples include BLM policies and procedures, organizational descriptions, land use plans, and environmental impact statements.

The BLM provides a wealth of information about the public lands through its Information Access Centers (formerly known as Public Rooms) and online at *[www.blm.gov](http://www.blm.gov)*. Phone numbers for the Information Access Centers can be found at the back of this publication with the FOIA Coordinators list or at *<http://www.blm.gov/nhpl/BLMinfo/ReadingRoom/InfoAccessCtr.html>*. Since 1997, the BLM has been posting certain publicly available records on the Internet in its electronic reading room. See *[www.blm.gov/nhpl/efoia](http://www.blm.gov/nhpl/efoia)*. Specific websites are also available for the following records:

- Land Patent Data - The BLM maintains digitized or microfiche images of most of the

land patents and survey plats on the General Land Office Records website at [www.gloreCORDS.blm.gov](http://www.gloreCORDS.blm.gov).

- Active Energy Leases and Permits - Leases and permits issued by the BLM under the mineral leasing laws can be accessed at [www.blm.gov/lr2000](http://www.blm.gov/lr2000) for public inspection and are also available at BLM's Information Access Centers.
- Manuals and Handbooks - These publications outline the procedures followed by the BLM in managing the public lands and their resources and are online at [www.blm.gov/nhp/efoia/index.htm](http://www.blm.gov/nhp/efoia/index.htm).


## How and where do I file my request?

Your request must be made in writing. E-mail and faxed requests are accepted. However, since it is more difficult to secure information transmitted electronically, the BLM recommends that requests of a personal nature be sent in writing.

BLM has a decentralized FOIA program. To ensure the timeliest response, address your request to the BLM FOIA Coordinator at the office where the records are located. National level records are available through the Headquarters Office located in Washington, DC. BLM State Offices retain the records covering activities in their region. A list of the FOIA Coordinators is provided at the back of this publication.

## What information should I include in my request?

You should include your name, mailing address, and phone number. Identify the records you are



requesting as clearly and specifically as possible. State your willingness to pay applicable fees. If you seek a fee waiver, provide justification for such a waiver. If you have questions at any time while composing your request, you should contact the appropriate FOIA Coordinator. They will be glad to help you. The more complete and specific your request, the less time it will take to process. It will also help to mark both your letter and envelope “Freedom of Information Act Request.”

## **How long will it take to answer my request?**

The BLM is required to answer requests for information within 20 working days of receipt at the office responsible for the records (excluding Saturdays, Sundays, and Federal legal holidays). However, there are times when the BLM may need more than 20 working days to find the records, examine them, possibly consult with other offices or agencies, and determine whether it can disclose the records requested. If so, the BLM is required to inform you of the delay before the deadline. In certain instances, this period may be extended up to 10 more working days.

## **What is multi-track processing and how does it work?**

The BLM divides its FOIA requests into two tracks: Normal (20 workdays) and Complex (over 20 workdays). This multi-track process distinguishes between Normal and Complex requests based on the amount of time that will be needed to process the request. You will be notified if your request has been placed in the Complex track. You will be provided the opportunity to limit the scope of your request, which can result in faster processing in the Normal track. The


BLM will notify you by telephone or in writing, whichever is more efficient, to explain your options. Where several offices are involved or your request requires more time, the BLM will provide you with an estimated completion date.

## Is there a way to expedite my request?

The BLM will consider expedited processing when requested. You can get expedited processing if you demonstrate that your request involves one or more of the following:

1. Circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual.
2. There is an urgency to inform the public about an actual or alleged Federal government activity and the request is made by a person primarily engaged in disseminating information (e.g., a member of the news media).
3. The delay would involve the loss of substantial due process rights.

Your request for expedited processing must include details on why you are requesting expedited processing and you must certify in your letter that your need for expedited processing is true and correct to the best of your knowledge and belief. Within 10 days of your request, the BLM will notify you whether it will grant expedited processing. If so, priority will be given to that request and it will be processed as quickly as practicable. If the request for expedited processing is denied, the BLM will advise you of your right to appeal that decision and your appeal will be handled ahead of other appeals. You also have a right to appeal if the BLM has not contacted you within the 10 days.



## **Is there a charge for records under the FOIA?**

Generally, yes. Though some information may be available at no cost, agencies are allowed to set fees to cover the costs of researching, copying, and reviewing the records retrieved. See the chart for information on the allowable fees established by the DOI and the BLM.

## **Will I be notified in advance if there are costs associated with my FOIA request?**

Yes. In your initial request letter, you should state the dollar amount that you would be willing to pay for the processing of your request. The BLM will contact you to let you know if the estimated costs associated with your request will exceed this amount prior to filling the request. You may be asked for payment in advance and given the opportunity to decline your request or refine the scope of your request to control costs. If the cost is \$30 or less, the BLM will not charge you. In addition, the FOIA allows for fee waivers if the disclosure of the information is considered “in the public interest.”

## **How do I qualify for a fee waiver?**

Fee waivers are provided when disclosure is in the public interest and disclosing the information is likely to contribute significantly to the public understanding of the operations or activities of the government, and is not primarily in the commercial interest of the requestor. When statutory fee waivers are approved, copies of documents are provided without charge or at a reduced charge. If you are requesting a fee waiver, please do so in your initial request letter.



# Fees for FOIA Requests

Requestor Fee Category	Search	Review	Duplication
Commercial	Actual direct costs	Actual direct costs	Actual direct costs
Non-commercial (Educational or Scientific Institution; or News Media)	No charge	No charge	Actual direct costs <sup>1</sup>
All others	Actual direct costs <sup>2</sup>	No charge	Actual direct costs <sup>1</sup>

<sup>1</sup> First 100 pages of paper copies or reasonable equivalent, such as a microfiche containing the equivalent of 100 pages, are copied free.

<sup>2</sup> First 2 hours of search time are free.

## FOIA Search and Review Fees

FOIA search and review fees are charged by the quarter hour. There are three different rate structures for clerical, professional, and managerial staff. These fees are updated each year. See <http://www.blm.gov/nhp/BLMinfo/ReadingRoom/Qanda.html> for the most current fee listing. If you need additional information, please contact the FOIA Coordinator.



## If my request is denied or delayed, do I have appeal rights?

Yes. You may file an appeal with the DOI FOIA Appeals Officer if:

- A record is withheld
- A response is delayed (normally, responses are due within 20 working days, or 30 working days when an extension is justified)
- A fee waiver is denied
- A request has been denied for failure to describe the requested records or for another procedural deficiency, or because the requested records cannot be located.

The address of where to submit your appeal will be provided in the response you receive from the BLM.



# BLM FOIA Coordinators

## Headquarters

Amy Gbenou  
Room 725 LS, WO-560  
1849 C St. N.W.  
Washington, DC 20240  
202-452-5086  
FAX 202-452-5002  
WO\_FOIA@blm.gov  
*Information Access Center: 202-452-7789*

## Alaska State Office

John Montgomery  
222 West 7th Avenue, #13  
Anchorage, AK 99513  
907-271-5054  
FAX 907-271-3684  
AK\_FOIA@blm.gov  
*Information Access Center: 907-271-5960*

## Arizona State Office

Toni Klimek  
One North Central Avenue  
Phoenix, Arizona 85004  
602-417-9364  
FAX 602-417-9556  
AZ\_FOIA@blm.gov  
*Information Access Center: 602-417-9200*

## California State Office

Lawrence Weitzel  
Federal Building  
2800 Cottage Way/W-1834  
Sacramento, CA 95825  
916-978-4409  
FAX 916-978-4416  
CA\_FOIA@blm.gov  
*Information Access Center: 916-978-4400*



## **Colorado State Office**

Kathy Terenzi  
2850 Youngfield Street  
Lakewood, CO 80215  
303-239-3688  
FAX 303-239-3933  
CO\_FOIA@blm.gov

*Information Access Center: 303-239-3600*

## **Denver National Centers**

Robert Martinez  
Denver Federal Center, Building 50, HR-200  
P.O. Box 25047  
Denver, Colorado 80225  
303-236-4668  
FAX 303-236-0475  
NC\_FOIA@blm.gov

*Information Access Center:  
Contact Individual Above*

## **Eastern States**

Pam Mozina  
7450 Boston Blvd.  
Springfield, VA 22153  
703-440-1561  
FAX 703-440-1599  
ES\_FOIA@blm.gov

*Information Access Center: 703-440-1600*

## **Idaho State Office**

Linda Perkins  
1387 S. Vinnell Way  
Boise, ID 83709  
208-373-3947  
FAX 208-373-3904  
ID\_FOIA@blm.gov

*Information Access Center: 208-373-3889*



## **Montana State Office**

Debbie DeBock  
5001 Southgate Drive  
Billings, MT 59101  
406-896-5157  
FAX 406-896-5298  
MT\_FOIA@blm.gov

*Information Access Center: 406-896-5000*

## **National Interagency Fire Center**

Julie Whaley  
3833 S. Development Avenue  
Boise, Idaho 83705  
208-387-5546  
FAX 208-387-5376  
FA\_FOIA@blm.gov

*Information Access Center: 208-387-5512*

## **National Training Center**

Maylyne Weisenburger  
9828 N. 31st Avenue  
Phoenix, AZ 85051  
602-906-5572  
FAX 602-906-5619  
TC\_FOIA@blm.gov

*Information Access Center:*

*Contact Individual Above*

## **Nevada State Office**

Richard H. Brown  
1340 Financial Boulevard  
P.O. Box 12000  
Reno, NV 89520  
775-861-6480  
FAX 775-861-6602  
NV\_FOIA@blm.gov

*Information Access Center: 775-861-6400*



## **New Mexico State Office**

Eileen Vigil

1474 Rodeo Road

P.O. Box 27115

Santa Fe, NM 87502

505-438-7636

FAX 505-438-7432

NM\_FOIA@blm.gov

*Information Access Center: 505-438-7400*

## **Oregon State Office**

Michael Paschall

333 Southwest 1<sup>st</sup> Avenue

P.O. Box 2965

Portland, OR 97208

503-808-6276

FAX 503-808-6308

OR\_FOIA@blm.gov

*Information Access Center: 503-808-6001*

## **Utah State Office**

Susan Bauman

440 West 200 South Street

P.O. Box 45155

Salt Lake City, UT 84145

801-539-4206

FAX 801-539-4183

UT\_FOIA@blm.gov

*Information Access Center: 801-539-4001*

## **Wyoming State Office**

Mark P. Archer

5353 Yellowstone Rd

Cheyenne, WY 82009

307-775-6180

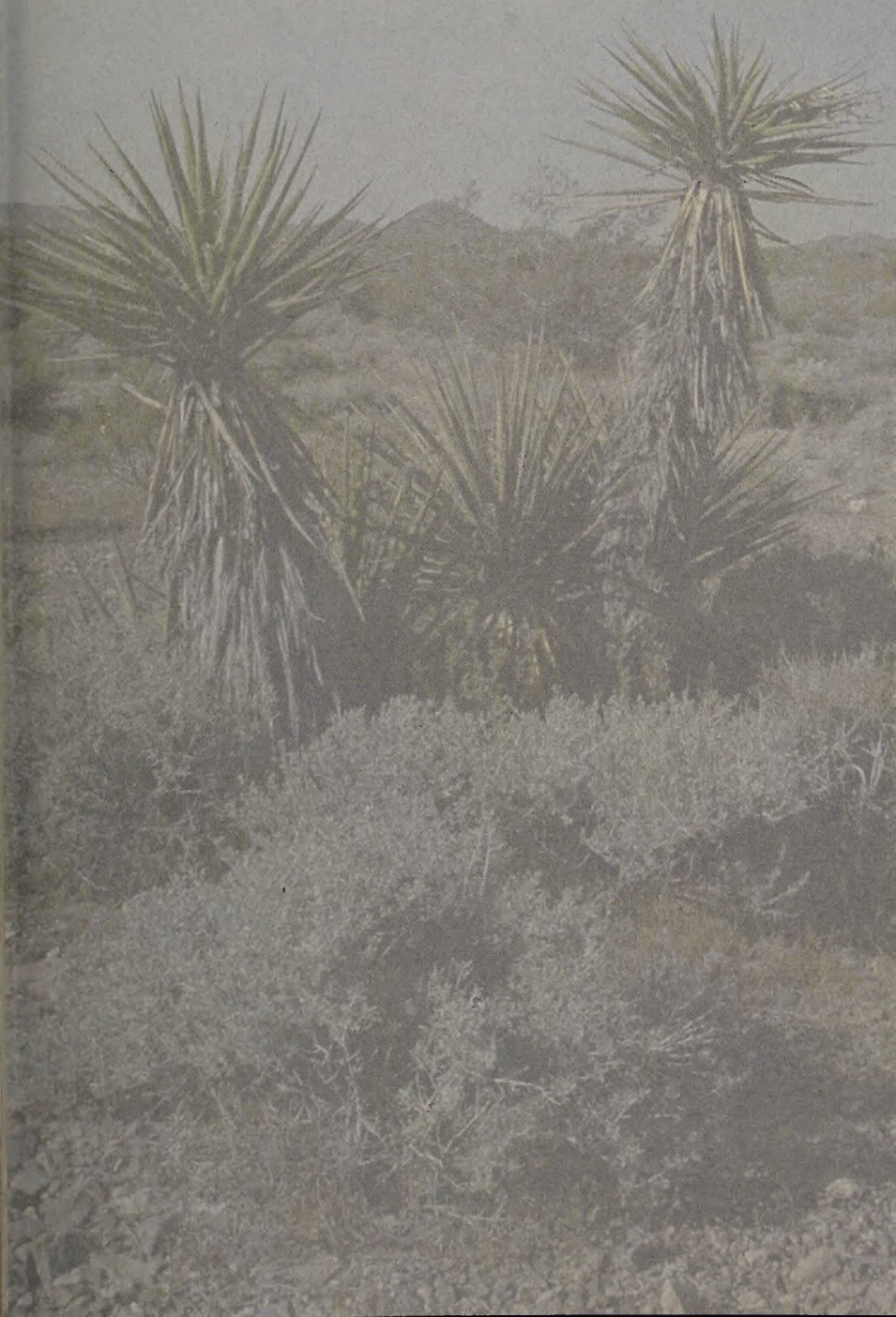
FAX 307-775-6058

WY\_FOIA@blm.gov

*Information Access Center: 307-775-6256*



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**Assistant Director**  
**Information Resources Management Directorate**  
**(AD 500)**