



Public Employees for Environmental Responsibility

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September 22, 1999

Diane Cooke
MS-3317, MIB
Washington, DC 20240



SFP 23 1999
1999-C-291
FW
10/22/99

VIA US Certified Mail and Fax: 202/501-1340

RE: FOIA REQUEST

Dear Ms. Cooke:

Pursuant to the Freedom of Information Act (5 U.S.C. 552), as amended, Public Employees for Environmental Responsibility (PEER) requests all information in your office, the Washington Office of the NPS, the Intermountain Regional Office of the NPS in Denver and the NPS System Support Offices in Denver and Santa Fe, the headquarters office of Wupatki National Monument concerning the request of the Hopi Tribe to take eagles and hawks at Wupatki, including but not limited to the decision to grant or deny the tribe permission to "take" these species.

Our request includes but is not limited to: letters, memoranda, e-mails, written notes of meetings and telephone conversations between DOI officials and Hopi Tribal officials and DOI or NPS staff analyses. Also, specifically included in this request is the September 14th letter from Donald Barry to the Hopi Tribe "withdrawing" NPS Director Stanton's letter of July 26, 1999 to the tribe on this matter.

PEER is seeking this information in the interest of the general public, in order to increase awareness and understanding of federal policies related to the protection of wildlife in the National Park System.

It is PEER's understanding that the requested information is compiled and available to the public. However, for any documents or portions of documents that you block release due to specific exemption(s) from the requirements of the Freedom of Information Act, please provide an index itemizing and describing the documents or portions of documents withheld. The index should, pursuant to the holding of Vaughn v. Rosen (484 F.2d 820 [D.C. Cir. 1973] cert. denied, 415 U.S. 977 [1974]), provide a detailed justification for claiming a particular exemption which explains why each such exemption applies to the document or portion of a document withheld.

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PEER requests that all fees be waived because "disclosure of the information is in the public interest . . . and is not primarily in the commercial interest of the requestor" (5 U.S.C. 552 (a) (4)(A)). Disclosure of the above requested information is in the public interest because disclosure would contribute to the public's understanding of the environmental issues involved with threatened species, as well as facilitate public knowledge of and participation in the DOI and NPS decision-making process. Disclosure is in no way connected with any commercial interest of the requestors in that PEER is a nonprofit, nonpartisan public interest organization concerned with upholding the public trust through responsible management of our nation's resources and with supporting professional integrity within public land management and pollution control agencies. To that end, PEER is designated as a tax exempt organization under section 501 (c) (3) of the Internal Revenue code.

PEER expects to disseminate the results of the research enabled by the requested information by means of the United States mail and by the print and broadcast media. PEER, as a professional advocacy and public education organization specializes in effective public distribution of materials: in the past year, PEER has placed information and been attributed as a source in more than 300 published newspaper articles. The information will also be published in PEER's quarterly newsletter, which enjoys a readership exceeding 12,000 individuals.

If you have any questions about this FOIA request, please contact me at (202) 265-PEER. I look forward to receiving the agency's final response within 20 working days.

Cordially,



Jeffrey Rich
Executive Director

cc: Donald Barry
Assistant Secretary for Fish and Wildlife and Parks
U.S. Department of Interior

Robert Stanton
Director, National Park Service

Sam Henderson
Superintendent, Wupatki NM