



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

September 18, 2002

Mr. Joe Trow

ex. 6

Dear Mr. Trow:

On July 19, 2002, you, along with Gary A. Baden, filed Freedom of Information Act (FOIA) request 2002-C-317, asking for "certified copies of correspondence from the Secretary(s) of [the] Interior to the Office of (1) the President of the U.S. Senate, (2) the Office of the Speaker of the House of Representatives and (3) the Office of the Director of the Federal Register regarding the referenced statute ["PL 90-542, Oct. 2, 1968 – Sec. 1, 2, 3a 3b; specifically Title II – Missouri Montana"]. The correspondence occurred during the year from 12 October 1976 through 11 October 1977. The letters concern the transmittal of information (for the referenced statutes) including:

- a. Legal (*description of*) boundaries boundaries
- b. Classification of the river, and
- c. Completed management plan."

On August 28, 2002, we acknowledged your request.

We are writing today to respond to your request.

On September 11, 2002, we completed our search of the Secretarial Subject files maintained by the National Business Center within the Office of the Secretary. Unfortunately, no records responsive to your request were found.

Under law, we are required to advise you of your appeal rights when informing you that we believe that we have no records responsive to your FOIA request. Therefore, if you have additional information (not provided in your request letter) that would lead you to believe that there are records in files maintained by the Office of the Secretary that were not located in our search for records responsive to your request, you may file an FOIA appeal by writing to the FOIA Appeals Officer, Office of the Assistant Secretary - Policy, Management and Budget, U.S. Department of the Interior, 1849 C Street, NW, Mail Stop 5312, MIB, Washington, D.C. 20240. Your appeal letter must be received no later than 20 calendar days (excluding Saturdays, Sundays and legal holidays) after the date of our response (this letter.) Your appeal letter must be marked, both on its envelope and at the top of its first page, with the legend "FREEDOM OF INFORMATION APPEAL." Your appeal letter must be accompanied by a copy of your original FOIA request (a copy of which is enclosed with our response, for your convenience,) and a written statement

supplying the information that supports your belief that there are, indeed, records responsive to your request in files maintained by the Office of the Secretary, and the location of these files if it is known to you.

The FOIA fee for the processing of your request within the Office of the Secretary is \$13.95, calculated as follows:

3/4 hour of professional search time @ \$4.65 per 1/4 hour = \$13.95

Insofar as your fee is less than \$15.00, however, it has been waived because the cost of collection to the Office of the Secretary would have been greater than the fee collected. (This is discussed in Departmental FOIA regulations at 43 CFR § 2.20(a)(2).) This does not mean that we have determined that, in making this request, you would have met the legal criteria for a fee waiver if a more extensive fee had been involved.

This completes our response to your request.

If you have any questions regarding any of the issues discussed in this letter, you may contact me by phone at 202-208-6045, by fax at 202-219-0813, by e-mail at [osfoia@nbc.gov](mailto:osfoia@nbc.gov), or by mail at U.S. Department of the Interior, MS 1413 MIB, Washington, D.C. 20240. Within the Office of the Secretary, we are committed to providing you, our customer, with the highest quality of service possible.

Sincerely,  
  
Sue Ellen Sloca  
Office of the Secretary  
FOIA Officer

Enclosure

***PRIVACY ACT notice:*** Before you choose to contact us, electronically, there are a few things you should know. The information you submit, including your electronic address, may be seen by various people. We will scan a copy of your request into our electronic OS FOIA administrative/image file. We will key the information that you provide to us into our electronic OS FOIA tracking file. We may share it with other individuals, both within and without the Department, involved in Freedom of Information Act enforcement. You may be contacted by any of these individuals. In other limited circumstances, including requests from Congress or private individuals, we may be required by law to disclose some of the information you submit. Also, e-mail is not necessarily secure against interception. If your communication is very sensitive, or includes personal information like your bank account, charge card, or social security number, you might want to send it by postal mail, instead.

# COPY

19 July 2002

To: Sue Ellen Sloca, Office of the Secretary FOIA Officer  
U.S. Department of Interior – MS 1413 MIB, Washington D.C. 20240

From: Gary A. Baden - Joe Trow

Re: FOIA request: PL 9542; Oct. 2, 1968 – Sec. 1,2, 3a &3b; specifically  
Title II – Missouri Montana.

We hereby request, under the Freedom Of Information Act, 5 U.S.C. 552:

Certified copies of correspondence from the Secretary(s) of Interior to the Office of (1.) the President of the U. S. Senate, (2.) the Office of the Speaker of the House of Representatives and (3.) the Office of the Director of the Federal Register regarding the referenced statute. The correspondence occurred during the year from 12 October 1976 through 11 October 1977.

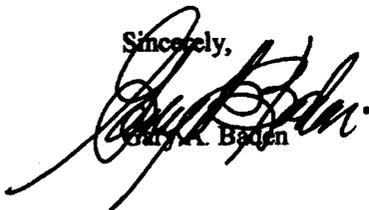
The letters concern the transmittal of information (*for the referenced statutes*) including:

- a. Legal (*description of*) boundaries
- b. Classification of the river, and
- c. Completed management plan.

Fees for these documents will be defrayed by return mail upon receipt of your invoice for costs – up to an amount of \$1000 (one-thousand-dollars) - mailed to ex. 6

Thank you for your concern and your patience in this matter.

Sincerely,

  
Gary A. Baden

  
Joe Trow

