

United States Senate

WASHINGTON, DC 20510

October 25, 2019

The Honorable David Bernhardt
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

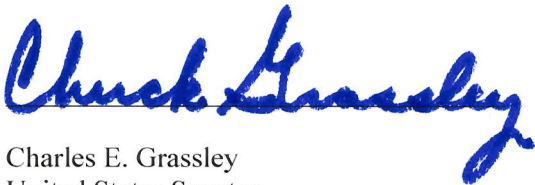
Dear Secretary Bernhardt,

In March of this year, we sent your Department a bipartisan, bicameral letter to express significant concerns with the Department of Interior's proposed update to its Freedom of Information Act (FOIA) Act regulations.¹ We write today to express appreciation for the changes reflected in the Department's finalized rule,² as well as for the constructive dialogue that occurred between the Department and our offices since our initial letter.

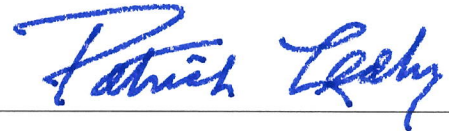
The final rule appears to more faithfully align with FOIA's twin goals of transparency and openness. While our offices will remain vigilant in our oversight—of all agencies' FOIA policies under any administration—we sincerely appreciate the efforts your Department took to keep Congress informed of the final rule's development. Moreover, we were pleased that the Department heard our concerns with the proposed rule and issued a final rule that seeks to directly address those concerns.

Lastly, we note that our March letter, and the inter-branch dialogue that followed, was initiated by the late Chairman of the House Committee on Oversight and Reform, Representative Elijah Cummings, whose legacy in improving government transparency is widely respected. It's in his spirit and dedication to accountability that we hope other agencies, going forward, will provide the same level of dialogue and responsiveness as your Department has in this process. The American people, after all, are best served when Congress and the Executive Branch work together and across party lines to protect their interests.

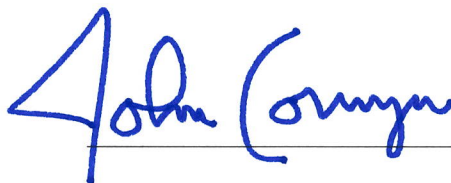
Respectfully,



Charles E. Grassley
United States Senator



Patrick Leahy
United States Senator



John Cornyn
United States Senator

¹ Department of the Interior, *Freedom of Information Act Regulations*, 83 Fed. Reg. 67175 (Dec. 28, 2018) (proposed rule) available at <https://www.govinfo.gov/content/pkg/FR-2018-12-28/pdf/2018-27561.pdf>.

² Department of the Interior, *Freedom of Information Act Regulations*, Docket No. DOI-2018-0017 (Oct. 25, 2019) (final rule) available at <https://www.doi.gov/sites/doi.gov/files/uploads/signed-foia-finalrule102419.pdf>.