



Recent Analysis of National Park Service Documents Show FOIA Requests From Major Media and Watchdog Organizations Were Subjected to the Interior Department's Political "Awareness Review" Process

Last Month, The Western Values Project Filed A Series of FOIA Requests With the Interior Department to Determine Whether Previous FOIAs Had Been Subjected To The Newly Implemented Political "Awareness Review" Process

Documents Obtained by Roll Call in May 2019 Show That Heather Swift Intervened In A Western Values Project FOIA in July 2018

Lola Zinke, Wife Of Ryan Zinke, Was Subject Of A Records Request in June 2018. "In June, the Western Values Project, an environmental group critical of the Trump administration, sent a public records request to the National Park Service for emails between an official at the agency and Lolita Zinke, the former Interior secretary's wife." [[Roll Call](#), 5/22/19]

Officials Originally Identified 96 Pages Of 'Potentially Responsive Materials.' "A month later, Jessica McHugh, a career official handling the request, told the group that after completing a search of their records. Officials had identified 96 pages of 'potentially responsive materials that is currently in the review process,' and the department hoped to complete the request within the next few weeks." [[Roll Call](#), 5/22/19]

Then-Communications Director Heather Swift Interceded In The Process. "Days later, political officials were alerted that the request was projected for release the following week. Ryan Zinke's politically appointed communications director, Heather Swift, interceded with the records official. 'A number of pages in this are non-responsive,' Swift wrote, asserting that because a portion of the emails didn't include Zinke's wife specifically, they could be left out of whatever was released to the group." [[Roll Call](#), 5/22/19]

- **Swift Wrote "Please Be Sure" To Include Other Political Appointees In Ongoing Email Conversation About The Requested Documents.** "McHugh disagreed. She said the conversations Swift sought to leave out were included because they were incorporated into the conversations with Lolita Zinke in an email chain. The department was "not able to remove that part of the thread as 'non-responsive,'" she said in emails provided to CQ Roll Call and shared with Interior Department officials. Swift replied that they would discuss the

issue further and said to 'please be sure' two other political appointees were included in the email conversation. [[Roll Call](#), 5/22/19]

Western Values Project Only Received 16 Pages Of Responsive Materials. "When the Western Values Project finally got the records, the documents considered "responsive" were reduced to 16 pages." [[Roll Call](#), 5/22/19]

In Response, Western Values Project Filed A Series of FOIAs To Determine Whether Previous FOIAs Had Been Subjected To The Newly Implemented Political "Awareness Review" Process

On May 28, Western Values Project Filed FOIA Requests With The Office Of The Secretary, National Parks Service, Fish And Wildlife Service, And The Bureau Of Land Management. "Pursuant to the Freedom of Information Act, I request access to and copies of all correspondence sent since May 1, 2018, by any political appointee of the Department of the Interior's Office of the Secretary to anyone in the FOIA office of ____, related to any FOIA submitted by Western Values Project or its Executive Director Chris Saeger. This should include all correspondence where a political appointee discussed, commented on, or conducted a political awareness review of, any FOIA sent in by WVP." [Letter from Western Values Project to Interior FOIA Officers At The [Office of the Secretary](#), the [National Parks Service](#), [Fish and Wildlife Service](#), and the [Bureau of Land Management](#), 05/28/19]

NPS Documents Show FOIA Requests From Major Media and Watchdog Organizations Were Subjected to the Interior Department's Political "Awareness Review" Process

FOIA Requests From Major Media Organizations Were Subjected to the Interior Department's Political "Awareness Review" Process

A FOIA Filed By *The Washington Post* Was Subjected To The Political "Awareness Review." FOIA NPS-2019-00354, filed by Washington Post reporter Rachel Chason, went through political review to determine whether they could release a requested memorandum of understanding. [Documents responsive to NPS-2019-01004, [pages 19-22](#)]

- Chason's FOIA was sent to Randal Bowman (Special Assistant to the National Park Service's Deputy Director), Jeremy Barnum (Chief of Public Affairs & Chief Spokesperson, NPS), Christine Powell (NPS), and Hubbel Relat (Senior Counselor to the Secretary of the Interior) for review. [Documents responsive to NPS-2019-01004, page 20; *Washington Post*, [3/26/2018](#); LinkedIn profile for Jeremy Barnum, accessed [6/13/19](#); LinkedIn profile for Hubbel Relat, accessed [6/13/19](#)]

- Bowman agrees he does not see "a basis" for withholding the requested MOU [Documents responsive to NPS-2019-01004, [page 23](#)]
- Hubbel Relat also "has no problem with release of the memo," and suggested they give Maryland Governor Larry Hogan a heads up they're releasing the docs. [Ibid, [page 39](#)]

The Awareness Review Delayed A Response To *The Washington Post* By At Least Four Days.

The exchange re: Chason's FOIA (NPS-2019-00354) begins Tuesday December 18 and ends after they decided to release the memo Friday December 21, delaying a response at least four days. [Documents responsive to NPS-2019-01004, [pages 53-60](#)]

Similar FOIAs On The Trump Hotel Filed By *The Associated Press*, *USA Today*, *Politico*, *E & E News*, And Likely *Mother Jones* Were Subjected To The Political "Awareness Review."

These Documents Appear To Have Been Delayed At Least Eight Days. The responsive documents for FOIAs from a number of media outlets related to the Trump Hotel/Old Post Office went through Political Review, including: NPS-2019-00467 (Daniel Lippman at *Politico*), NPS-2019-00425 (Michael Biesecker at *Associated Press*), NPS-2019-00416 (Gregory Korte at *USA Today*), NPS-2019-00414 (believe this is Jacob Rosenberg at *Mother Jones*), and NPS-2019-00386 (Kevin Bogardus at *E & E News*). This was sent to P. Dan Smith, Randal Bowman, Christine Powell, NPS's comms office, and Hubbel Relat to review, and NPS's FOIA office requested the Political Review be completed by March 12, 2019. The documents were finally posted online on March 20, 2019. [Documents responsive to NPS-2019-01004, [Pages 175-176](#) and [197](#) and National Park Service FOIA Reading Room, accessed [06/13/19](#)]

A FOIA Filed By *Politico* Was Subjected To The Political "Awareness Review." Ben Lefebvre at *Politico's* FOIA on Zinke's Lincoln Monument Tours (NPS-18-00888) went through Political Awareness Review, and was sent to Downey Magallanes and Leila Getto for review.

[Documents responsive to NPS-2019-01004, [page 85](#)]

A FOIA Filed By *The Hill* Was Subjected To The Political "Awareness Review" Process.

Solicitor Attorneys May Have Affected This Release, With Hubbel Relat Requesting The Political Review Be Granted More Time, While Katie Mills Questioned Why Ten Pages Of Texts Were Included. On February 13, 2019, the NPS FOIA office set up Political Awareness Review of NPS-2018-00874, a FOIA by Miranda Green at *The Hill*. This FOIA was to be reviewed by Todd Willens and P. Dan Smith, and later by Randal Bowman and Todd Willens. NPS's FOIA office had scheduled the documents to go out on March 12, 2019, but on March 11, Hubbel Relat emailed the NPS FOIA office and asked for "a bit more time" to review. Relat also forwarded the documents to Solicitor attorney Katie Mills, who emailed the FOIA office that she had some "questions/comments," and questioned why 10 pages of texts were included in the release. [Documents responsive to NPS-2019-01004, [page 149](#), [154](#), [163](#), [166](#)]

- **NPS Documents Show Its FOIA Office Discussed The Political "Awareness Review" Of An Unknown FOIA (Possibly NPS-2018-00874, By *The Hill's* Miranda Green).** On February 13, 2019, NPS FOIA officers Charis Wilson and Alison Yamato discussed a Political

Awareness Review on an unknown FOIA (might be NPS-2018-00874, by *The Hill's* Miranda Green), and specify potential review by at least David Mihalic, Todd Willens, Louise Milkman, and Maureen Foster. [Documents responsive to NPS-2019-01004, [page 148](#)]

A FOIA Filed By The *Bozeman Daily Chronicle* May Have Been Subjected To The Political "Awareness Review." In February 2019, the NPS FOIA office set up a Political Awareness Review of NPS-2018-00899, which based on other requestors with that last name, *appears* to be a FOIA put in by Michael Wright at the *Bozeman Daily Chronicle*. This FOIA was being set up to be reviewed by Todd Willens, Susan Combs, Faith Vander Voort, and P. Dan Smith. [Documents responsive to NPS-2019-01004, [page 151](#)]

FOIAs Filed By *Mashable* May Also Have Been Subjected To The "Political "Awareness Review. Two FOIAs filed by Mark Kaufman of *Mashable* regarding "Cane" (perhaps River Creole National Historic Park?) and "Camp Nelson" are discussed in the documents. NPS officials do not say explicitly that these FOIAs were subjected to political review, but given that they were included in this batch of responsive documents, it stands to reason that they might have been. [Documents responsive to NPS-2019-01004, [page 1](#); [pages 6-9](#)]

FOIA Requests From Government Watchdog Organizations And Public Interest Groups Were Also Subjected to the Interior Department's Political "Awareness Review" Process

A FOIA Filed By Public Employees for Environmental Responsibility (PEER) Was Subjected To The Political "Awareness Review;" Randal Bowman Attempted to Remove Responsive Documents During the Review, But Was Not Successful. Special Assistant to the National Park Service's Deputy Director Randal Bowman asked for a Sept 2018 DOI memo to be taken out of documents responsive to NPS-2019-00237, filed by Public Employees for Environmental Responsibility (PEER). "The Assistant Secretary's office is concerned that the material proposed for release may be deliberative." NPS FOIA officer McHugh seems to push back with the Solicitor's office, and Bowman seems to back down. [Documents responsive to NPS-2019-01004, [pages 12-13](#); *Washington Post*, [3/26/2018](#)]

- **This Request Was "Overdue" And Delayed At Least A Number Of Weeks After Fish And Wildlife And Parks Chief Of Staff Maureen Foster Put It "On Hold" After Bowman Had Already Agreed To Clear It. The Request Sat With Solicitor Attorney Peg Romanik, Who Stopped Responding To NPS FOIA Officers.** Maureen Foster, Chief of Staff for Fish and Wildlife and Parks, put PEER's FOIA "on hold" after Bowman agreed to clear it, asking asked Solicitor attorney Peg Romanik to take a look. NPS's FOIA office reached out to DOI FOIA Officer Rachel Spector on February 14, 2019, because the request was "overdue." As of March 8, 2019, Maureen Foster was still not responding to them, and FOIA documents remained overdue and unsent. [Documents responsive to NPS-2019-01004, [pages 155-162](#)]

A FOIA Filed By The Sierra Club Was Subjected To The Political "Awareness Review."

Documents indicate that every DOI bureau collated their communications related to a Sierra Club FOIA (OS-2018-00959) about FOIA policy changes since the Trump Admin began that Sierra Club had sued on. [Documents responsive to NPS-2019-01004, [page 61](#)]

A FOIA Filed By American Oversight Was Subjected To The Political "Awareness Review."

NPS officials put American Oversight FOIA NPS-2019-00143 through the political awareness review process. [Documents responsive to NPS-2019-01004, [pages 14-15](#)]

A FOIA Filed By Democracy Forward Was Subjected To The Political "Awareness Review."

NPS-2018-00764, filed by Democracy Forward's Senior Counsel Travis Annatoyn, was subjected to the political review process. It was sent to approximately 70 political officials across DOI and all the bureaus. [Documents responsive to NPS-2019-01004, [page 63](#)]

A FOIA Filed By The Buffalo Field Campaign Was Subjected To The Political "Awareness Review."

Darrell Geist of the Buffalo Field Campaign's FOIA on Yellowstone bison policy and records went through Political Awareness Review, and was sent to Susan Combs, Todd Willens, and Downey Magallanes for review on August 16, 2018. [Documents responsive to NPS-2019-01004, [page 91](#)]

- On August 16, 2018, then-Interior Deputy Chief of Staff Downey Magallanes asked Assistant Deputy Secretary Todd Willens to "flag anything for comms." [Documents responsive to NPS-2019-01004, page 144; [Department of Influence](#)]

A FOIA Filed By American Bridge Was Subjected To The Political "Awareness Review."

Responsive documents for American Bridge's FOIA NPS-18-00756 were sent to P. Dan Smith, Charles Laudner, Laura Rigas, Faith Vander Voort, Susan Combs, Aurelia Skipwith, and Ryan Hambleton (among others) to review before release on June 6, 2018. [Documents responsive to NPS-2019-01004, [page 69](#)]

Similar FOIAs Filed By Western Values Project And American Oversight On The Trump Hotel Were Subjected To The Political "Awareness Review." These Documents Appears To Have Been Delayed At Least Eight Days. The responsive documents for FOIAs from a number of media outlets and watchdog organizations related to the Trump Hotel/Old Post Office went through Political Review, including NPS-2019-00508 (WVP) and NPS-2019-00464 and NPS-2019-00393 (American Oversight). The documents were sent to P. Dan Smith, Randal Bowman, Christine Powell, NPS's comms office, and Hubbel Relat to review. NPS's FOIA office asked for the Political Review to be completed by March 12, 2019. The documents were finally posted online on March 20, 2019, which was the new intended release time. [Documents responsive to NPS-2019-01004, [Pages 175-176](#) and [197](#) and National Park Service FOIA Reading Room, accessed [06/13/19](#)]

At Least One Additional FOIA Filed By The Western Values Project Was Also Subjected To The Political "Awareness Review." Responsive documents for about "a half dozen" FOIAs (including WVP's NPS-2017-01080) related to Zuckerberg's visit to Glacier National Park were sent to DOI, and at least to then-DOI Comms Director Laura Rigas to review on June 27, 2018. Rigas then sent them to Heather Swift and Russell Newell. [Documents responsive to NPS-2019-01004, pages 65-67]

Documents Also Show That Hubbel Relat Was Involved in the Political Review of the WVP FOIA That Was Apparently Tampered With (Per the CQ Roll Call Story). Regarding responsive records for WVP's FOIA on Heather Swift-Elaine Hackett Comms (NPS-2018-00843), Hubbel Relat wrote that he had a "pending question we are trying to work through" with Downey Magallanes and NPS FOIA Officer Jessica McHugh. These documents were also sent to Caroline Boulton and Downey Magallanes on July 26, 2018. [Documents responsive to NPS-2019-01004, [pages 71-77](#); [86-90](#); [93-143](#)]

The Political "Awareness Review" Delayed A Response To Western Values Project By Eleven Days. These documents show that the Political Awareness Review began July 26, 2018, and WVP did not receive these documents until August 6, 2018, meaning this appeared to delay their response by 11 days. Elaine Hackett forwarded on the political review to Downey Magallanes, who forwarded it onto Heather Swift for review. [Documents responsive to NPS-2019-01004, [page 93](#); [page 100](#)]

A FOIA Filed By The DNC Was Likely Subjected To The Political "Awareness Review." In February 2019, the NPS FOIA office set up Political Awareness Review of NPS-2018-00218, which *appears* to be a FOIA put in by Lauren Dillon at the DNC. This FOIA was being set up to be reviewed by Casey Hammond. [Documents responsive to NPS-2019-01004, [page 93](#)]

NPS Documents Show FOIA Officers Complained About Processing Delays and Other Difficulties Caused by the "Awareness Review" Process

The NPS FOIA Office Sent A Memo Noting Delays In Nine Of The Ten FOIAs Currently In The Political Awareness Review Program. The NPS FOIA Office sent a memo outlining the issues they saw with the Political Awareness Review to the NPS Records Management Officer Andrea Quick. In this memo, they note that DOI staff instructed they delay responses in nine of the ten FOIAs currently in the Political Awareness Review program, seven of which were now considered part of the FOIA backlog. In two of the nine requested holds, those responsive documents contained records that had already been released in past FOIAs. [Documents responsive to NPS-2019-01004, [pages 17-18](#)]

An Alaska FOIA Officer Complained That The Political Awareness List Of Appointees Isn't User-Friendly. [Documents responsive to NPS-2019-01004, [page 10](#)]

Interior Extended Its Political FOIA Review To Already-Public Communications And Political Appointees' Communications Before They Worked At Interior

In April 2019, Interior Mandated Current Political's Communications Sent To Interior Before They Began At DOI Must Be Run Through The Political Awareness Review. In April 2019, DOI mandated that communications sent by current political officials before they entered Interior must go through the Political Awareness Review. Documents responsive to NPS-2019-01004, [page 212](#)]

In April 2019, Interior Mandated Already Online Public Documents, When Requested By A New FOIA, Must Also Go Through The Political Awareness Review. In April 2019, DOI mandated that documents already released by FOIA and posted online must also go through the Political Awareness Review. [Documents responsive to NPS-2019-01004, [page 212](#)]