



# United States Department of the Interior

NATIONAL PARK SERVICE

**The Office of Public Trust**

1849 C Street, NW  
Washington, DC 20240

VIA EMAIL – NO HARD COPY TO FOLLOW

IN REPLY REFER TO:  
DOI-NPS-2024-001377

November 5, 2024

Reed Rubinstein  
[foia@aflegal.org](mailto:foia@aflegal.org)

Dear Reed Rubinstein:

The National Park Service's Office of Public Trust (OPT) received your Freedom of Information Act (FOIA) request, dated August 1, 2024, on the same date and assigned it request number DOI-NPS-2024-001377. Please cite this number in any future communications with our office regarding your request. You requested:

AFL requests the following records:

A. All records and communications mentioning "Palestinian," "Palestine," "Jewish Voice for Peace," "JVP," "ANSWER Coalition," "Palestinian Youth Movement," "PYM," "People's Forum," "Party for Socialism and Liberation," "PSL," "International Jewish Anti-Zionist Network," "IJAN," "Neturei Karta," "Let Gaza Live," "Union Station," or "Columbus Circle."

B. All records or communications relating to preparation, staffing, and resourcing in anticipation of the protests mentioned in Chairman Kenneth Spencer's statement.

C. All records or communications with the Department of Interior or the National Park Service requesting additional preparation, staffing, and resourcing in anticipation of the protests mentioned in Chairman Kenneth Spencer's

The time period for this request is from July 22, 2024, to July 24, 2024.

## **Representative of the News Media—43 C.F.R. §§ 2.38, .39**

We have classified you as a "Representative of the News Media" requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See [43 C.F.R. § 2.39](#). If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. See [43 C.F.R. § 2.37\(g\)](#).

Your request falls into the “Simple” processing track. There are 71 requests pending ahead of yours in this processing track. Presuming that our current FOIA capacity and burden remain constant, we expect that we will dispatch a determination to you by November 19, 2024.

### **Expedited Processing Denial—43 C.F.R. § 2.20**

You have asked for expedited processing of your FOIA request. The Department’s FOIA regulations state that a bureau will provide expedited processing when a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester’s knowledge and belief. The two criteria are as follows:

- (1) Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
- (2) There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information that has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story that concerns a matter of public exigency. Information of historical interest only or information sought for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.)

### **43 C.F.R § 2.20**

Your request does not contain enough evidence to support either of these criteria because you have not explained how failure to expedite the request would pose an imminent threat to the life or physical safety of an individual. Nor have you demonstrated that you are a person primarily engaged in disseminating information, explained how the value of the requested information would be lost if it is not disseminated quickly, or established that your request refers to a breaking news story that concerns a matter of public exigency. Your request for expedited processing therefore has been denied.

Daynea Whitley, Office of Public Trust, Government Information Specialist is responsible for this decision.

### **Appeal Rights (Expedited Processing Denial)—43 C.F.R. §§ 2.57, .58, .59 AND Notification that Determination will be made Outside the Time Limits**

You may appeal our decision to deny your request for expedited processing to the Department’s FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal **as soon as possible** from the date of this communication. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

**Your appeal must be made in writing.** You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: “FREEDOM

OF INFORMATION APPEAL.” You must include an explanation of why you believe OPT’s response is in error. You must also include with your appeal copies of all correspondence between you and OPT concerning your FOIA request, including your original FOIA request and OPT’s response. Failure to include with your appeal all correspondence between you and OPT will result in the Department’s rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer’s sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

*DOI FOIA/Privacy Act Appeals Office Contact Information*

Department of the Interior  
Office of the Solicitor  
1849 C Street, N.W.  
MS-6556 MIB  
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339  
Fax: (202) 208-6677  
Email: [FOIA.Appeals@sol.doi.gov](mailto:FOIA.Appeals@sol.doi.gov)

Please do not hesitate to contact me, as the person responsible for processing your request, with any questions or concerns you may have regarding this matter. I can be reached at [opt\\_foia@nps.gov](mailto:opt_foia@nps.gov).

Sincerely,

Kimberly Small  
Chief, Office of Public Trust (acting)  
National Park Service Visitor and Resource Protection