



## United States Department of the Interior

NATIONAL PARK SERVICE  
INTERMOUNTAIN REGION  
12795 W. Alameda Parkway  
P.O. Box 25287  
Denver, Colorado 80225-0287

IMR/09-145B

**AUG 28 2009**

Mr. Bruce E. Schundler  
47 Four Oaks Road  
Bedminster, New Jersey 07921

Dear Mr. Schundler:

This letter is in on-going response to your July 31, 2009, Freedom of Information Act (FOIA) request, made to the Intermountain Region (IMR) of the National Park Service, for certain "...budget documents..." etc., related to Mesa Verde National Park (MEVE) in Colorado. Your request has been assigned request number #09-145.

It is the policy of the NPS to: (1) make records of the NPS available to the public to the greatest extent possible in keeping within the spirit of the FOIA; (2) make documents requested under the FOIA available at the earliest possible date while, at the same time, protecting the rights of the individuals involved and the administrative processes surrounding such rights; and (3) withhold documents falling within one of the FOIA exemptions only if disclosure is prohibited by either statute, regulation an/or Executive Order (EO).

Again, your request is being processed under the provisions of the Freedom of Information Act (5 United States Code 552); United States Department of the Interior ("Department") implementing regulations found at 43 Code of Federal Regulations, Part 2, Subparts A through E, beginning at 2.1; and the Privacy Act of 1974 (5 United States Code 552a). Please be advised that additional FOIA and/or Privacy Act guidance /regulations may also be found at either the Department's web site, [www.doi.gov/foia](http://www.doi.gov/foia) or at the United States Department of Justice web site, [www.usdoj.gov](http://www.usdoj.gov).

Please be advised that the Department's FOIA regulations (at 43 C.F.R Part 2, Appendix C (1)) allow the NPS to charge for and recover certain fees incurred with the processing of a FOIA request. Specifically, staff file search and document review time is allowed at the hourly rate of \$59.00.

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The NPS estimate to fulfill your request is that of 29 hours of staff time. (Attachment) By statute, each requester is granted two free hours of staff time document search and review time.

Therefore, the NPS fee to fulfill your request is \$1539.00 (29 hours of staff time minus 2 grant hours equals 27 staff hours @ \$59.00 totaling \$1593.00). Photo-copying charges are included in this estimate. If this estimate proves to be excessive, upon completion of the final processing of this request, a partial refund will be returned to you.

If you find this estimate to be unsatisfactory or otherwise unacceptable, you now have the opportunity to modify, cancel or otherwise restate your request as to render it either more cost effective and/or time efficient for both yourself and the NPS.

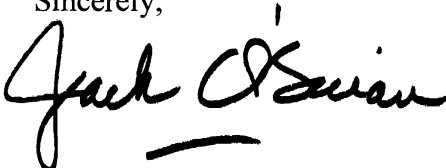
Department regulations allow that when a FOIA fee estimate exceeds \$250.00 full advance payment is required prior to the initiation of the final processing of the request. Consequently, you should forward your check or money order, made payable to the "NATIONAL PARK SERVICE", to my attention at this letterhead address.

Also, please be advised and understand that pursuant to 43 C.F.R. 2.7(c), "The Act does not require a bureau (of the Department of the Interior) to answer questions that may be asked in a FOIA request." To be clear, the FOIA is a statutory mechanism to obtain copies of final and official Federal documents.

Finally, as an aside, I note that a number of your concerns/questions seem to revolve around assorted travel related issues. The Department of the Interior and its many bureaus are, both individually and collectively, highly decentralized organizations. Travel is a necessary and significant yearly budget expenditure across both the Department (and the Service) and, simply stated, travel at MEVE is proportionally neither no more nor less than any other unit within the IMR.

Thank you for your interest in Mesa Verde National Park and the National Park Service.

Sincerely,

A handwritten signature in black ink that reads "Jack O'Brian". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Jack O'Brian  
Freedom of Information/Privacy Act Office  
Intermountain Region/NPS

Attachment



**William Nelligan/MEVE/NPS**

08/19/2009 08:37 AM

To Jack O'Brian/DENVER/NPS@NPS

cc Larry Wiese/MEVE/NPS@NPS, Betty  
Lieurance/MEVE/NPS@NPS

bcc

Subject FOIA time estimate

Jack,

FOIA response time is estimated at 29 hours.

Thanks,

Bill

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Bill Nelligan  
Deputy Superintendent  
Mesa Verde National Park  
PO Box 8  
Mesa Verde, CO 81330  
970-529-4609 phone; 970-529-4637 fax

**COPY FOR YOUR  
INFORMATION**