



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

May 12, 2026

Via Electronic Mail: gloria.smith@sierraclub.org; mbower@conmetkane.com;
wcooper@conmetkane.com;

Gloria Smith
Sierra Club Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612

Madison Bower
Will Cooper
Conrad, Metlitzky, Kane LLP
217 Leidesdorff Street
San Francisco, CA 94111

Re: Sierra Club v. U.S. Dep't of the Interior, 3:25-cv-05375

Dear Gloria Smith, Madison Bower, and Will Cooper:

This communication concerns FOIA lawsuit captioned as *Sierra Club v. U.S. Dep't of the Interior*, 3:25-cv-05375.

In the request at issue in the lawsuit, DOI-2025-004517, you sought the following records:

“Sierra Club requests the following records in the possession, custody, or control of the U.S. Department of the Interior (“DOI”), from the time period starting January 20, 2025 up through and including the date that you conduct your search, and the following individuals (hereinafter “DOI Personnel”)

1. Doug Burgum (Secretary of the Interior);
 2. All persons serving in the role(s) of the Secretary’s Scheduler, Advance, Aide, or Administrative Assistant;
 3. Walter Cruikshank (Director of the Bureau of Ocean Energy Management)
 4. Scott Cameron (Acting Assistant Secretary – Water and Science);
 5. Bryan Mercier (Acting Assistant Secretary - Indian Affairs);
 6. Charlie Dankert (Acting Assistant Secretary – Policy, Management, and Budget);
 7. Cara Lee Macdonald (Acting Assistant Secretary – Land and Minerals Management);
 8. Tyler Hassen (DOGE Liaison).
- A. All emails communications between the below list of DOI personnel and any email account ending in the domain names listed in Attachment A;l

- B. All text messages or messages on messaging platforms (such as Signal, Slack, GChat or Google Hangouts, Lync, Skype, X (formerly Twitter) direct messages, Facebook messages, WhatsApp, Telegram, or Parler) between the below list of DOI Personnel and any representatives of the entities listed in Attachment A;
- C. All calendars, whether electronic or in paper format, of the DOI Personnel for the above listed time period; and
- D. All emails, texts or other forms of communication that have been deleted which fit the above specifications and which remain recoverable in any way.

If fulfilling this specification requires additional time, we would ask that production of documents meeting specifications A&B be given priority and processed separately from any potential responsive records to this specification.

This response addresses the reprocessing of some of the responsive calendar entries previously provided to you in response to this portion of your request letter:

- **Item C:** All calendars, whether electronic or in paper format, of the DOI Personnel for the above listed time period.

At this time, enclosed please find a partial release consisting of 2357 pages. This release is being made from 2651 pages that were reviewed during this period. A total of 267 pages require consultation with an outside entity and 27 pages require consultation internally.

In reviewing this release, you will find that the government has made certain redactions pursuant to the FOIA Exemptions found at 5 U.S.C. § 552, (b)(5), and (b)(6):

Exemption 5

Exemption 5 allows an agency to withhold “inter-agency or intra-agency memorandums or letters which would not be available by law to a party ... in litigation with the agency.” [5 U.S.C. § 552\(b\)\(5\)](#). Exemption 5 therefore incorporates the privileges that protect materials from discovery in litigation, including the deliberative process, attorney work-product, attorney-client, and commercial information privileges. We are withholding pages in part or full under Exemption 5 because they qualify to be withheld both because they meet the Exemption 5 threshold of being inter-agency or intra-agency and under the following privilege:

Commercial Information Privilege

When the government enters the marketplace as an ordinary commercial buyer or seller, the government’s information is protected under the commercial information privilege if it is sensitive information not otherwise available, and disclosure would significantly harm the government’s monetary functions or commercial interests. The theory behind the privilege is that the government may be placed at a competitive disadvantage if confidential information generated by the government is disclosed. The information being withheld consists of conference call in numbers and passcodes.

Exemption 6

Exemption 6 allows an agency to withhold “personnel and medical files and similar files the disclosure of

which would constitute a clearly unwarranted invasion of personal privacy.” [5 U.S.C. § 552\(b\)\(6\)](#). We are withholding pages in part or full under Exemption 6.

The phrase “similar files” covers any agency records containing information about a particular individual that can be identified as applying to that individual. To determine whether releasing records containing information about a particular individual would constitute a clearly unwarranted invasion of personal privacy, we are required to balance the privacy interest that would be affected by disclosure against any public interest in the information.

Under the FOIA, the only relevant public interest to consider under the exemption is the extent to which the information sought would shed light on an agency’s performance of its statutory duties or otherwise let citizens know what their government is up to. The burden is on the requester to establish that disclosure would serve the public interest. When the privacy interest at stake and the public interest in disclosure have been determined, the two competing interests must be weighed against one another to determine which is the greater result of disclosure: the harm to personal privacy or the benefit to the public. The purposes for which the request for information is made do not impact this balancing test, as a release of information requested under the FOIA constitutes a release to the general public.

The information that has been withheld under Exemption 6 consists of personal email addresses, phone numbers and we have determined that the individuals to whom this information pertains have a substantial privacy interest in withholding it. Additionally, you have not provided information that explains a relevant public interest under the FOIA in the disclosure of this personal information and we have determined that the disclosure of this information would shed little or no light on the performance of the agency’s statutory duties. Because the harm to personal privacy is greater than whatever public interest may be served by disclosure, release of the information would constitute a clearly unwarranted invasion of the privacy of these individuals and we are withholding it under Exemption 6.

Paula Presley, OS Government Information Specialist, is responsible for this denial.

Cindy Cafaro, Attorney-Advisor in the Office of the Solicitor, was consulted on these withholdings.

Please be assured that the Office of the Secretary is working to release all responsive records at issue in this lawsuit consistent with the contours of the Freedom of Information Act, 5 U.S.C. § 552. Should you have concerns about our production, we will timely communicate through our attorney of record, Pamela Johann of the U.S. Attorney’s Office.

Sincerely,

**PAULA
PRESLEY** Digitally signed by
PAULA PRESLEY
Date: 2026.05.12
10:45:03 -04'00'

Paula Presley
Government Information Specialist
Office of the Secretary
FOIA Office

Electronic Enclosure