



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAY 31 2016

Ms. Cheryl Schmit
Stand Up for California
P.O. Box 355
Penryn, California 95663

RE: FOIA Request BIA-2016-01256

Dear Ms. Schmit:

This letter is in response to your Freedom of Information Act (FOIA), 5 U.S.C. § 552, request dated **May 11, 2016**, in which you requested:

Please provide Letters, documents and exhibits received in your office on January 29, 2016 from the Scotts Valley Band of Pomo Indians requesting a restored lands determination in Solano County, CA. The location is approximately 80 miles from the Tribes former Rancheria and Indian lands.

Please provide the additional information, letters, documents and exhibits received April 5, 2016 from the Frederick Peebles & Morgan LLP.

If additional documents have been submitted since the April 5, 2016 letter we request a copy of that as well.

On May 11, 2016, your request was received in the Office of Indian Gaming and assigned Request No. **BIA-2016-01256**. Please reference this number in any future communications regarding this request.

We have classified your request as an "other-use" request. As an other-use requester, you are entitled to receive 2 hours of search time and 100 pages of duplication of responsive records without charge before being asked to pay for document search and reproduction. However, the Department of the Interior (Department) does not bill for FOIA fees when they do not exceed \$50.00. (43 C.F.R. §2.49).

In addition, we will be taking a 10 workday extension under 43 CFR § 2.13(a)(1) to process your request due to the need to consult with the submitter of the records. Department regulations require that a copy of the FOIA request accompany the letter to the submitter. The submitter will have 10 working days to submit its position on material exempt from release under exemption 4 of FOIA on commercial and financial information. If the Department determines to release the records without incorporating the submitter's redactions, the Department must inform the submitter in writing of its reasons for not incorporating the redactions, and provide the submitter 10 days to judicially intervene to prevent the release of the records.

You may file an appeal of this response to the FOIA Appeals Officer. The FOIA Appeals Officer must receive your FOIA appeal no later than 30 workdays from the date of this letter.

Appeals arriving or delivered after 5PM EST, Monday through Friday, will be deemed received the next workday. Your appeal must be in writing and addressed to:

Freedom of Information Act Appeals Officer
Department of the Interior
Office of the Solicitor
1849 C Street, NW, MS 6556
Washington, DC 20240

You must include with your appeal copies of all correspondence between you and the bureau concerning your FOIA request, including a copy of your original FOIA request and this denial letter. Failure to include this documentation with your appeal will result in the Department's rejection of your appeal. The appeal should be marked, both on the envelope and the face of the letter, with the legend "FREEDOM OF INFORMATION APPEAL." Your letter should include in as much detail as possible any reason(s) why you believe the bureau's response is in error.

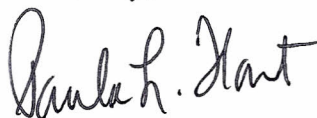
Additionally, as part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001
Email: ogis@nara.gov
Telephone: (301) 837-1996
Facsimile: (301) 837-0348
Toll-Free: (877) 684-6448

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 52 (c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records, do, or do not exist.

If you have any questions regarding this response, please feel free to contact Debra DeLeon at (202) 219-4066, by fax at (202) 273-3153, by email at debra.deleon@bia.gov, or via US Mail at: US Department of Interior, 1849 C Street, NW, MS – 3657, Washington, DC 20240. The Office of the Secretary – Indian Affairs is committed to providing you with the highest quality of service as possible.

Sincerely,



Paula L. Hart
Director, Office of Indian Gaming