



Interior Amends FOIA Regulations

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The Department of the Interior ("DOI") recently published amendments to its Freedom of Information Act ("FOIA") Regulations. *See* 74 Federal Register 17090 (April 14, 2009). The amendments to the FOIA regulations include revision of the definition of "*representative of the news media*," 43 C.F.R. § 2.3(r); refinement of DOI's "multitrack" processing of FOIA requests, 43 C.F.R. § 2.26; and clarification of the time limits for filing a FOIA appeal, 43 C.F.R. § 2.29.

Significantly, 43 C.F.R. § 2.30(b) now requires that when filing a FOIA appeal:

You must include with your appeal copies of all correspondence between you and the bureau concerning your FOIA request, including your request and the bureau's response (if there is one). **Failure to include with your appeal all correspondence between you and the bureau will result in the Department's rejection of your appeal, unless the FOIA Appeals Officer determines, in the FOIA Officer's sole discretion, that good cause exists to accept the defective appeal.** The time limit for responding to your appeal will not begin to run until the documents are received.

A pdf copy of 74 Federal Register 17090, is available online at: <http://www.bwenergylaw.com/News/documents/74FederalRegsiter17090.pdf>

The DOI has also launched a FOIA home page at: <http://www.doi.gov/foia/policy.html>