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Cc: "governor.kotek@oregon.gov" <governor.kotek@oregon.gov>, "marissa@tinafororegon.com" <marissa@tinafororegon.com>
Date: Monday, July 06, 2026 7:03 PM UTC-07:00
Subject: Request R000879-070126 — Reopening and Proper Disposition

Dear Ms. Duke,

Thank you for your response to Public Records Request R000879-070126. I'm writing to address the disposition and to ask that the request be reopened, as the closure does not resolve what I actually asked for.

The request was closed on the basis that the Oregon Department of Administrative Services "is not the custodian" of the responsive records, with a referral to the Oregon Parks and Recreation Department.

I did not request OPRD's records. I requested the Department's own records, and the referral does not respond to that request.

My request expressly sought the Department's own communications: correspondence between DAS and OPRD, and between DAS and the Office of the Governor, that reference me. DAS is necessarily the custodian of its own communications. OPRD cannot

produce records that DAS created, sent, received, or maintains, and a referral to OPRD therefore cannot serve as a lawful response to my request. For these records, DAS is the only possible custodian.

I recognize that a "not the custodian" determination and a "no responsive records" determination are distinct under Oregon law, and I'm not conflating them. If the Department's position is that it holds no responsive records of its own,

I would ask that it say so expressly, as that is a different representation, with different consequences, than a referral to another agency.

Accordingly, I respectfully ask that R000879-070126 be reopened and that the Department provide, for the period January 1, 2024 through the present, one of the following as to DAS's own records:

Production of the responsive records; Production with any claimed exemptions identified on a record-by-record basis, with the specific statutory authority for each; or A written statement that the Department holds no responsive records within these categories.

For the avoidance of any doubt as to scope, the request includes any DAS record that references me in connection with a notice of claim under 42 U.S.C. 1983 served on an OPRD official, and any DAS communication with the Office of the

Governor that references me. Given that notice, I think we can both anticipate that responsive records within the Department's custody exist, and I would prefer to proceed on that shared understanding rather than through avoidable procedural steps.

I would also ask, as a matter of convenience, that we conduct this correspondence by email. I found the online

portal cumbersome, and direct email will allow both of us to keep a clear and complete record of our exchange.

Please feel free

to reply to me at this address.

I appreciate your time and the work your office does in administering these requests. I'm confident we can resolve this at your level without the need to escalate to the Attorney General under ORS 192.415, and I would much rather do that.

I'll look forward to your response.

Warm regards,

Robert Samuel White

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Current U.S. Forest Service Caretaker

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