

From: Robert Samuel White <rsw@rswfire.com>
To: "bryanna.duke@das.oregon.gov" <bryanna.duke@das.oregon.gov>
Cc: "DAS.MediaRelations@DAS.oregon.gov" <das.mediarelations@das.oregon.gov>, Governor Kotek
* GOV <governor.kotek@oregon.gov>
Date: Friday, July 17, 2026 3:26 PM UTC-07:00
Subject: RE: R000879-070126 and R000885-070726 — portal date-field constraint; end dates entered are placeholders to be read as through the date of search

Dear Ms. Duke,

I am writing to correct the record on the temporal scope of R000879-070126 and R000885-070726, and to document a defect in the Department's public records portal.

The portal's date fields.

The GovQA portal does not permit submission of a public records request without selecting both a beginning date and an end date. There is no option to specify "to the present," "ongoing," or "through the date of the Department's search." A requester who wishes to request records through the present is compelled by the interface to enter a fixed date that does not express what is being requested.

I state plainly what that produces. A requester seeking records through the present must enter a placeholder end date. The Department is then in a position to read that placeholder as a limit the requester chose, and to treat records created after it as outside the scope of a request that was never intended to exclude them. The interface converts a system constraint into an apparent election by the requester.

The Oregon Public Records Law contains no provision authorizing a public body to require that a request be bounded by a fixed end date. ORS 192.311(5) defines a public record without reference to any such limitation, and nothing in ORS 192.324 conditions a request on the requester's use of a date field in an agency's software. A request is defined by what it asks for. It is not defined by the fields a vendor's form makes available.

I am not, in this letter, asking the Department to explain the design of its portal. I am recording that the constraint exists, that I encountered it, and that I was required to work within it.

The correction.

The body of R000879-070126 states the time period as January 1, 2024 to the present. The body of R000885-070726 states the period as January 1, 2022 to the present. Those are the requests. Any end date appearing in the portal's date field for either request is a placeholder entered solely because the interface would not permit submission without one.

For both requests, the end date recorded in the portal is to be read as **the date on which the Department

completes its search**. Records created, sent, received, or maintained after the placeholder date and before the completion of the Department's search are within scope and are responsive.

I ask the Department to confirm in writing that it has construed both requests accordingly. If the Department has construed either request as terminating on the placeholder date, I ask it to state that expressly and to identify the date it applied.

I also ask the Department to state the end date its system currently records for each request.

Why this is not academic.

On July 17, 2026, Chris Liedle, Communications Director, wrote to me regarding these requests. That correspondence names me and concerns the handling of a matter with legal, risk, and accountability dimensions. I have entered it into the portal myself, on the requests to which it pertains.

It is a record. It is in the Department's possession. It postdates any placeholder end date. And it is responsive to the very category the Department closed on July 10 on the representation that it holds no record in which I am named or identifiably described in connection with personnel, human resources, legal, risk, or accountability matters.

The Department's own correspondence with me about these requests is responsive to these requests. So is the record of the routing decision that sent public records correspondence to the Department's press office. So is the July 6, 2026 closure of R000879, which was issued in the same message that acknowledged the request, five days after receipt, and which referred me to the Oregon Parks and Recreation Department as the custodian of "responsive agency personnel records" one of the five categories I requested, and not the one that asks for the Department's own communications with the Office of the Governor, which the Oregon Parks and Recreation Department is not a party to and cannot produce.

All of it sits in the Department's request tracking system, with timestamps, authorship, and disposition fields attached. R000885-070726 asks for an export of that system.

Restated.

The preservation notice served July 7, 2026 extends to all of the foregoing, including all portal records, request logs, disposition data, routing records, and correspondence relating to R000879-070126 and R000885-070726 themselves.

The four items outstanding since July 8 and July 10 remain outstanding: identification of the public body for which the Department claims to have acted as agent under ORS 192.311(2)(b), or withdrawal of the custodial determination; documentation of the search underlying the no-records finding; estimated completion dates under ORS 192.324(2)(b) for both requests; and confirmation that the July 7 preservation notice was received and distributed.

I renew my request for a fee waiver on public interest grounds under ORS 192.324(5) as to both requests.

Sincerely,

Robert Samuel White

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Owner, eNetwizard Inc.

Former Oregon State Parks Volunteer

Current U.S. Forest Service Caretaker

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