



Jessica Sanet
Assistant General Counsel
Smithsonian Institution
Office of General Counsel
MRC 012
P.O. Box 37012
Washington, DC 20013-7012

March 24, 2021

Dear Assistant General Counsel Sanet:

Pursuant to the Freedom of Information (FOIA) 5 U.S.C. § 552 and Smithsonian Directive 807 (August 3, 2016) this request, on behalf of the non-profit Ancient Coin Collectors Guild, for the following records that deal with U.S. Department of State's Cultural Antiquities Task Force's March 2021 virtual training workshop for federal law enforcement about ancient and historic coins.

This request follows the Bureau of Educational and Cultural Affairs (BECA) Notice dated March 11, 2021, that announced the Smithsonian's organization, partnership and participation in a workshop entitled "Virtual Workshop Trains U.S. Law Enforcement to Combat Trafficking in Ancient Coins." The BECA Notice¹ detailed: "In March 2021, the U.S. Department of State's Cultural Antiquities Task Force (CATF) held a virtual training workshop for federal law enforcement to enhance their knowledge about ancient and historic coins. The training brought together nearly 100 *participants* from ... *the Smithsonian Institution*, international partners, and representatives from U.S. universities, museums, and coin associations. This training was the first in a series of virtual anti-trafficking workshops supported by the CATF and *organized by the Smithsonian Institution's Museum Conservation Institute* This workshop supplemented the CATF's annual training program that, *in partnership with HSI and Smithsonian*, has now trained over 360 law enforcement personnel since 2009." (emphasis added to detail the Smithsonian's roles).

FOIA Request: Specifically, we request the following records²:

1. Any Smithsonian records, including power points and videos, used in the preparation, training or presentation for the March 2021 "virtual training workshop," including but not limited to how ancient and historic coins are identified and how they can be determined to be "illegal" and subject to seizure;

¹ The BECA Notice is found at <https://eca.state.gov/highlight/virtual-workshop-trains-us-law-enforcement-combat-trafficking-ancient-coins> (visited March 17, 2021).

² Pursuant to 5 U.S.C. § 552(f)(2)(A) the term "records" includes "any information that would be an agency record . . . when maintained by an agency in any format, including an electronic format."

2. Any other records, including power points and videos, used in the preparation, training or presentation for the March 2021 "virtual training workshop," including but not limited to how ancient and historic coins are identified and how they can be determined to be "illegal" and subject to seizure;
3. The names of the organizations, including any "coin associations," that were consulted or participated in the preparation, training or presentation for the March 2021 "virtual training workshop."

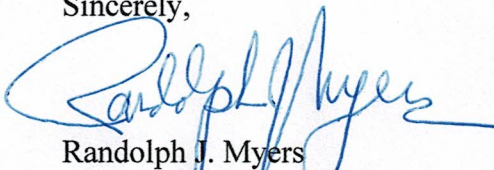
Please note that 5 U.S.C. § 552(b) requires that "[a]ny reasonably segregable portion of a record shall be provided to any person requesting such a record after deletion of the portions which are exempt." An agency cannot "justify withholding an entire document simply by showing that it contains some exempt material." *Mead Data Cent., Inc. v. Dep't of the Air Force*, 566 F.2d 242, 260 (D.C. Cir. 1977). Finally, requested records cannot be withheld under FOIA Exemption 7, since the Smithsonian's Museum Conservation Institute has no legal law enforcement functions and because the virtual training workshop itself "brought together nearly 100 participants [many of whom are non-law enforcement entities such as] ... the Smithsonian Institution, international partners, and representatives from U.S. universities, museums, and coin associations."

FOIA Response Format Request: Pursuant to FOIA 5 U.S.C. § 552(3)(b)(B), we request that the released record be in an electronic format, if the record is readily reproducible in that format. If possible, we also request that the released records be Bates-stamped numbered.

FOIA Fee Waiver Request: We request a fee waiver under 5 U.S.C. § 552(a)(4)(A)(ii)(II)(III) insofar as the Ancient Coin Collectors Guild is a nonprofit organization with a "mission of promoting and nurturing the free and independent collecting of coins from antiquity through education, political action and consumer protection." We also qualify as a news organization, insofar as we are "an entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn that raw material into a distinct work, and distributes that work to an audience." To that end, we plan to analyze and report on the Smithsonian's response to our FOIA request, which will be available to both Guild members and the public at our website at accguild.org.

Your assistance is greatly appreciated. If you have any questions, please do not hesitate to contact me.

Sincerely,



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