

UTAH STATE LEGISLATURE RECORD REQUEST¹

Date: 09/24/2021

<u>Requester Information</u>		
<u>American Oversight</u> Name of individual or entity submitting the record request		
<u>Emma Lewis</u> Name of entity's contact individual, if the request is submitted by an entity		
<u>1030 15th Street NW, Suite B255</u> Mailing address of individual or entity submitting record request		
<u>Washington</u> City	<u>DC</u> State	<u>20005</u> Zip code
<u>records@americanoversight.org</u> Email address of individual submitting record request or, if the request is submitted by an entity, email address of the entity's contact individual <i>By providing an email address, the requester is indicating that the requester is willing to receive communications by email regarding this record request.</i>		
<u>(202) 919-6303</u> Daytime telephone number of the individual submitting the record request or, if the request is submitted by an entity, daytime telephone number of the contact individual for the entity		

Specify the legislative office believed to be the office that retains the record(s) being requested:

Utah House of Representatives
 Utah Senate
 Office of the Legislative Auditor General
 Office of the Legislative Fiscal Analyst
 Office of Legislative Research and General Counsel
 Legislative Services (Human Resources, IT, Printing)

Certifications required for an in-state request

1) I certify that:

(if this request is submitted by an individual) I live in Utah or am a legal resident of Utah

- or -

(if this request is submitted by an entity) the entity has its principal place of business or principal operations in Utah

2) I also certify that:

I am submitting this record request on my own behalf or for the requester entity and not on behalf of an individual who does not live in Utah or is not a legal resident of Utah, or on behalf of an entity that does not have its principal place of business or principal operations in Utah

(A request without these certifications will be considered to be an out-of-state request)

Description of the record(s) being requested (must identify the record(s) with reasonable specificity): _____
Please see attached (UT-SEN-21-1312).

I am requesting only records² sent, received, or created from _____ to _____
(Date) (Date)

If you are requesting email or other electronic records, please specify the search terms³ you would like us to use to identify the records you are requesting: _____

I request an expedited response based on the following (you must demonstrate that an expedited response benefits the public rather than yourself -- an expedited response request is not automatically granted): _____

1. This record request and the legislative office's response to it are governed by Utah Code Title 63G, Chapter 2, Government Records Access and Management Act, and Legislative Management Committee Policy L. Legislative Records.

2. Declining to limit your request to a specific time period may increase the volume of records and the amount of staff time required to identify, segregate, and classify the records, resulting in a higher fee.

3. Declining to identify search terms may increase the volume of records and the amount of staff time required to identify, segregate, and classify records, resulting in a higher fee.



September 24, 2021

VIA EMAIL

Senator Stuart Adams, President
3271 E 1875 N
Layton, UT 84040
jsadams@le.utah.gov

Jennifer Storie, Secretary of the Senate
350 North State Street, Suite #320
P.O. Box 145115
Salt Lake City, UT 84114
jstorie@le.utah.gov

Re: Government Records and Access Management Act Request

Dear Senate President Adams and Secretary Storie:

Pursuant to the Utah Government Records Access and Management Act (GRAMA), Utah Code §§ 63G-2-101 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that the office of Senate President Adams produce the following records within ten business days:

1. All records reflecting the full content of any post published to ALEC Connect¹ by Senate President Adams (including the original post and the complete comment thread).
2. All records reflecting the full content of any ALEC Connect posts (including the original post and the complete comment thread) on which Senate President Adams commented.
3. All records reflecting the full content of any ALEC Connect posts or comments (including the original post and the complete comment thread)

¹ ALEC Connect is the online portal of the American Legislative Exchange Council. As a member of ALEC, Senate President Adams has access to ALEC Connect and its content. See *Convening Ideas Across the States*, State Policy Network, Dec. 5, 2019, <https://spn.org/blog/convening-ideas-across-the-states/>; Nick Surgey, *Weapons, Tobacco Makers, Koch Group Are Among Newest ALEC Members*, Documented, Dec. 2, 2020, <https://documented.net/2020/11/weapons-tobacco-makers-koch-group-are-among-newest-alec-members/>.



mentioning or tagging Senate President Adams by name, username, or email address.

4. All files uploaded to ALEC Connect by Senate President Adams.
5. All files downloaded from ALEC Connect by Senate President Adams, whether to a government or personal device.
6. All records reflecting the full content of any written exchanges on ALEC Connect, including chats, concerning legislation or policy issues in which Senate President Adams participated. Please note that American Oversight does not seek, and that this request specifically excludes, chats with ALEC support staff concerning information technology troubleshooting or related issues.
7. All records reflecting the content of Senate President Adams's ALEC Connect member profile page.
8. All records reflecting any expense report submitted through ALEC Connect by Senate President Adams, any communications (including messages sent through ALEC Connect or by email) concerning any such expense report, and any records reflecting reimbursement, approval, rejection, or other action in response to any such expense report.

Please provide all responsive records from August 1, 2019, through the date the search is conducted.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks “communications,” please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and

transcripts, notes, or minutes of any meetings, telephone conversations or discussions.

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on

social media platforms, such as Facebook and Twitter.² American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Emma Lewis at records@americanoversight.org or (202) 919-6303. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Emma Lewis

Emma Lewis
on behalf of
American Oversight

² American Oversight currently has approximately 15,630 page likes on Facebook and 108,100 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited Sept. 8, 2021); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited Sept. 8, 2021).