



# United States Department of the Interior

FISH AND WILDLIFE SERVICE



Post Office Box 1306  
Albuquerque, New Mexico 87103

In Reply Refer To:  
FWS/R2/ES/FOIA  
FWS-2020-00471

Mr. Austin Evers  
Executive Director  
American Oversight  
1030 15<sup>th</sup> Street NW  
Suite B255  
Washington, D.C. 20005

Dear Mr. Evers:

The U.S. Fish and Wildlife Service (Service) received your Freedom of Information Act (FOIA) request dated February 20, 2020, in which you seek the following:

“All email communications (including emails, email attachments, calendar invitations, and attachments thereto between (a) any of the USFWS Southwest Region officials listed ... and (b) any of the external parties listed...”

Your FOIA request was forwarded to the Albuquerque Regional Office for processing. Your request was assigned tracking number FWS-2020-00471 and placed in the “normal” processing track. Please cite this number in any future communications with our office regarding your request. We carefully searched our databases and found no records responsive to your request.

You may appeal the adequacy of our search to the FOIA Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal no later than 90 workdays from the date of this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday. Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe the U.S. Fish and Wildlife Service's response is in error. You must also include with your appeal copies of all correspondence between you and the Service concerning your FOIA request, including your

original FOIA request and the Service's response. Failure to include with your appeal all correspondence between you and the Service will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal. Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office  
Department of the Interior, Office of the Solicitor  
1849 C Street, N.W.  
MS-6556 MIB  
Washington, D.C. 20240  
Telephone: 202-208-5339 / Fax: 202-208-6677  
Email: FOIA.Appeals@sol.doi.gov

Also, please note the 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation and does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov), Web: <https://ogis.archives.gov>  
Telephone: 202-741-5770 / Fax: 202-741-5769 / Toll-free: 1-877-684-6448

You also may seek dispute resolution services from our FOIA Acting Public Liaison, Cindy Cafaro, at 888-603-7119 or via email at [cindy.cafaro@sol.doi.gov](mailto:cindy.cafaro@sol.doi.gov).

For fee tracking purposes, your request has been placed in the "all other" category. Our FOIA regulations also provides four specific criteria that are used to evaluate a fee waiver request (43 C.F.R § 2.48(a)). Your fee waiver request adequately addresses these criteria or contains enough evidence to support your request. Therefore, your fee waiver request is granted and there will be no billable fees for processing this request.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

This completes the Service's response. The fees incurred in responding to your request have been waived in accordance with 43 C.F.R. §2.37. If you have any questions or concerns regarding this request, please contact Government Information Specialist, David Tischer, at 505-248-6658 or by email at [fw2foia@fws.gov](mailto:fw2foia@fws.gov).

Sincerely,

**MELANI** Digitally signed  
by MELANIE RUIZ  
**E RUIZ** Date: 2020.04.01  
16:15:13 -06'00'

Region 2 FOIA Coordinator