

The following list contains the entire submission submitted March 27, 2024 12:35:02pm ET, and is formatted for ease of viewing and printing.

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## Contact information

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## Request

<b>Request ID</b>	1137376
<b>Confirmation ID</b>	1136791
<b>Request description</b>	Records, including but not limited to, meeting notes and/or correspondence, photographs, maps, or other documentary materials, related to the grizzly bear euthanized by Wildlife Services on March 25, 2024, after cattle depredation on Montana's Rocky Mountain front. Records requested include those generated by and related to the consultation process between APHIS and the US Fish and Wildlife Service that led to FWS's decision to approve euthanization of the bear, as well as records related to the relocation of the bear by USFWS which occurred in early March, 2024 after it was found near Simms, Montana.

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## Supporting documentation

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## Fees

<b>Request category ID</b>	other
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Fee waiver

yes

WildEarth Guardians, a non-commercial and public-interest requester, hereby requests a waiver of all fees associated with this request because disclosure “is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii). FOIA was designed to grant a broad right of access to government information, with a focus on the public’s “right to be informed about what their government is up to,” thereby “open[ing] agency action to the light of public scrutiny.” *U.S. Dep’t of Justice v. Reporters Comm. for Freedom of Press*, 489 U.S. 749, 773-74 (1989) (internal quotation and citations omitted). A key component of providing public access to those records is FOIA’s fee waiver provision, 5 U.S.C. § 552(a)(4)(A)(iii), which provides that “[d]ocuments shall be furnished without any charge or at a [reduced] charge . . . if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” FOIA’s fee waiver requirement is to be “liberally construed.” *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1310 (D.C. Cir. 2003); *Forest Guardians v. U.S. Dep’t of the Interior*, 416 F.3d 1173, 1178 (10th Cir. 2005). The fee waiver amendments of 1986 were designed specifically to provide organizations such as Guardians access to government documents without the payment of fees. As one Senator stated, “[a]gencies should not be allowed to use fees as an offensive weapon against requesters seeking access to Government information . . .” 132 Cong. Rec. S. 14298 (statement of Senator Leahy). Indeed, FOIA’s waiver provision was intended “to prevent government agencies from using high fees to discourage certain types of requesters and requests, in clear reference to requests from journalists, scholars, and . . . non-profit public interest groups.” *Better Gov’t Ass’n v. Dep’t of State*, 780 F.2d 86, 93-94 (D.C. Cir. 1986) (quoting *Ettlinger v. FBI*, 596 F. Supp. 867, 876 (D. Mass. 1984)). (1) The subject of the request, i.e., whether the subject of the requested records concerns “the operations or activities of the government.” The Department of Justice Freedom of Information Act Guide expressly concedes that “in most cases records possessed by federal agency will meet this threshold” of identifiable operations or activities of the government. See Department of Justice Guide to the FOIA (2009), p. 25. This requirement is clearly met in this case. (2) The informative value of the information to be disclosed, i.e., whether the disclosure is “likely to contribute” to an understanding of government

Willing to pay	25.00
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**Expedited processing**

Expedited Processing	no
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**Additional information**

z_particular_park	Montana's Rocky Mountain front.
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