



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE Mountain-Prairie Region

IN REPLY REFER TO:  
FWS/FOIA

MAILING ADDRESS:  
Post Office Box 25486  
Denver Federal Center  
Denver, Colorado 80225-0486

STREET LOCATION:  
134 Union Boulevard  
Lakewood, Colorado 80228-1807

April 22, 2019

Via email: [reilly@missoulian.com](mailto:reilly@missoulian.com)

Patrick Reilly  
Flathead Valley Reporter, Missoulian  
500 S. Higgins Ave.  
Missoula, MT 59801

REF: FWS-2019-00465

Dear Mr. Reilly:

This letter is in regard to your Freedom of Information Act (FOIA) request dated June 26, 2018 for:

- *“Any and all budget forms prepared by Regina Martinez, budget analyst in the U.S. Fish and Wildlife Service’s Denver Office, concerning the National Bison Range’s budget allocation from 2010 to the present.*
- *Any and all budget summaries prepared by National Bison Range budget analyst Karen Shoemaker from 2010 to the present, with information for the Bison Range itself and for the other units in the National Bison Range Complex separated if possible.*
- *Any and all documentation concerning the “AFA Placeholder Account” in which funds from the National Bison Range’s Fiscal Year 2015 base allocation were placed, and where those funds were spent.*
- *Any and all notes, slides, informational handouts, etc. from a meeting that took place in either August, September or October of 2015 between leadership of the U.S. Fish and Wildlife Service Region 6, the Confederated Salish and Kootenai Tribes, and the National Bison Range Complex concerning an Annual Funding Agreement for the National Bison Range.*
- *Any “last and best offer” for an Annual Funding Agreement made by the tribes and/or the Fish and Wildlife Service after that meeting, as permitted by 25 CFR § 1000.179*
- *The written explanation that the Fish and Wildlife Service was required to give to the Tribes in the event it rejected that offer under 25 CFR § 1000.179 (b).*
- *Any and all requests by former National Bison Range Project Leader Jeff King to fill vacant positions at the Bison Range in 2016, and regional leadership’s response(s).*

- *Any and all proposals submitted to the House and Senate Appropriations Committees for a reprogramming of funds away from the National Bison Range, as required by FWS 253 3.5 C, from 2011 to 2016."*

We are enclosing one (1) Adobe PDF Binder consisting of 258 pages, which are being released to you in their entirety. We are still reviewing documents responsive to your request. Once that review is complete, we will send you our final response.

You may appeal this partial response to the Department's FOIA/Privacy Act 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 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 Contact Information*

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

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. 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

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. *See* [5 U.S.C. 552\(c\)](#). This response is limited to those records that are subject to the requirements of 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.

You also may seek dispute resolution services from our FOIA Public Liaison, Cathy Willis; Acting FWS FOIA Officer; 720-425-5173.

If you have any questions, you may contact me by phone at 303-236-4473, by email at [fw6\\_foia@fws.gov](mailto:fw6_foia@fws.gov), or by mail at 134 Union Blvd, Lakewood, Colorado 80228.

Sincerely,

Stacey Cummins  
Region 6 FOIA Coordinator

Enclosure