



United States Department of the Interior



FISH AND WILDLIFE SERVICE

1 Wildlife Drive
Sanibel, Florida 33957

IN REPLY REFER TO:
DOI-FWS-2021-001247

February 26, 2021

Email: 105729-04818979@requests.muckrock.com

Jimmy Tobias
The Guardian
411A Highland Ave
Sommerville, Massachusetts 02144-2516

Dear Mr. Tobias:

The Fish and Wildlife Service Atlanta Regional FOIA office received your Freedom of Information Act (FOIA) request, dated December 13, 2020 and assigned it control number DOI-FWS-2021-001247. Please cite this number in any future communications with our office regarding your request.

In your request, you asked for the following records between January 1, 2013 and December 30, 2016:

- *Any and all written or electronic communications, including email attachments, sent or received by Leo Miranda that contain one or more of the following key words or phrases: "red wolf", "red wolves", "Alligator River", "Gordon Myers", "North Carolina Wildlife Resources Commission", "N.C. Wildlife Resources Commission", and/or "Jett Ferebee". This request seeks records produced since between January 1, 2013 and December 30, 2016.*

Response

We are writing today to partially respond to your request on behalf of the Fish and Wildlife Service.

On December 15, 2020 we discussed this request with you. As per our discussion, you agreed to aggregate the two requests specific to Leo Miranda (DOI-FWS-2021-000988 and DOI-FWS-2021-001247). We closed FOIA request number DOI-FWS-2021-000988 and proceeded with responding under DOI-FWS-2021-001247 as the timeframe is more broad. Your request was changed to the following:

Any and all written or electronic communications, including email attachments, sent or received by Leo Miranda that contain one or more of the following key words or phrases: "red wolf", "red wolves", "Alligator River", "Gordon Myers", "North Carolina Wildlife Resources Commission", "N.C. Wildlife Resources Commission", and/or "Jett Ferebee". This request seeks records produced since between January 1, 2013 and January 20, 2017.

As you may recall, we discussed the gap of the timeframe between the Leo requests (DOI-FWS-2021-000988 and DOI-FWS-2021-001247) and you agreed to do the timeframe of January 1, 2013 – January 20, 2017. You later extended the timeframe on January 15, 2021 to January 1, 2013 – January 15, 2021.

The search terms you agreed too should be stand-alone and/or combined as follows:

- red wolf
- red wolves
- red wolf and Alligator River
- red wolves and Alligator River
- Gordan Myers and red wolf
- Gordan Myers and red wolves
- North Carolina Wildlife Resources Commission and red wolf
- North Carolina Wildlife Resources Commission and red wolves
- North Carolina Wildlife Resources Commission and Alligator River
- N.C. Wildlife Resources Commission and red wolf
- N.C. Wildlife Resources Commission and red wolves
- N.C. Wildlife Resources Commission and Alligator River
- Jett Ferebee and red wolf
- Jett Ferebee and red wolves

You also agreed that the initial response will be the information from a previous red wolf litigation. Previous releasable information from a red wolf litigation has been placed in our FOIA reading room and can be located at the following link: <https://www.fws.gov/irm/bpim/foiaesredwolf.html>.

We have searched our records and have located thirty-seven (37) files that are responsive to your request. We have enclosed thirty-four files as a combined file consisting of one hundred seventy-six (176) pages, which are being released to you in their entirety. The remaining three (3) files are being sent to the Solicitor's Office for review. We will provide the remaining three (3) records to you on or before March 5, 2021.

Because this is our 2nd interim response to your request, we will provide notice of your appeal rights in our final response letter.

Mediation Services

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
Web: <https://www.archives.gov/ogis>
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.

You may also seek dispute resolution services from our FOIA Public Liaison, Cindy Cafaro, at (888) 603-7119.

Conclusion

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.

Sincerely,

2/26/2021

X Tiffany McClurkin

Tiffany McClurkin
Atlanta Regional FOIA Coordinator
Signed by: TIFFANY MCCLURKIN

Enclosures