



United States Department of the Interior

FISH AND WILDLIFE SERVICE

5275 Leesburg Pike, MS: IRTM
Falls Church, VA 22041



IN REPLY REFER TO:
DOI-FWS-2021-005331

August 10, 2022

Via email: wildrockies@gmail.com

Michael Garrity
Alliance for the Wild Rockies
P.O. Box 505
Helena, MT 59624

Dear Mr. Garrity:

The U.S. Fish and Wildlife Service Headquarters Freedom of Information Act (FOIA) Office received your FOIA request dated October 25, 2021, and assigned it control number DOI-FWS-2022-000375. Please cite this number in any future communications with our office regarding your request. You requested all documents that describe the nature and source of all grizzly conflicts in Teton County, WY within the last 5 years and all documents that mention grizzly 962 within the last 5 years. all documents that describe the nature and source of all grizzly conflicts in Teton County, WY within the last 5 years and all documents that mention grizzly 962 within the last 5 years.

Response

This is the first interim response to your request. Enclosed is 142 pages which we are releasing in part. We are withholding some parts under Exemption 6, which allows an agency to withhold “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(6).

The phrase “similar files” covers any agency records containing information about a particular individual that can be identified as applying to that individual. To determine whether releasing records containing information about a particular individual would constitute a clearly unwarranted invasion of personal privacy, we are required to balance the privacy interest that would be affected by disclosure against any public interest in the information.

Under the FOIA, the only relevant public interest to consider under the exemption is the extent to which the information sought would shed light on an agency’s performance of its statutory duties or otherwise let citizens ‘know what their government is up to. The burden is on the requester to establish that disclosure would serve the public interest. When the privacy interest at stake and the public interest in disclosure have been determined, the two competing interests must be weighed against one another to determine which is the greater result of disclosure: the harm to

personal privacy or the benefit to the public. The purposes for which the request for information is made do not impact this balancing test, as a release of information requested under the FOIA constitutes a release to the general public.

The information that has been withheld under Exemption 6 consists of personal phone numbers, and we have determined that the individual to whom this information pertains have a substantial privacy interest in withholding it. Additionally, you have not provided information that explains a relevant public interest under the FOIA in the disclosure of this personal information and we have determined that the disclosure of this information would shed little or no light on the performance of the agency's statutory duties. Because the harm to personal privacy is greater than whatever public interest may be served by disclosure, release of the information would constitute a clearly unwarranted invasion of the privacy of this individual and we are withholding it under Exemption 6.

Kendall Elifrits, U.S. Fish and Wildlife Service, is responsible for this decision. The following categories of preapproved withholdings were the subject of consultation with the Office of the Solicitor's Division of General Law and the Departmental FOIA Office: an individual's personal cell phone number under exemption 6.

We are continuing to review additional records that are responsive to your request. Because this is an interim response to your request, we will provide notice of your appeal rights in our final response letter.

If you have any questions regarding this request, please contact Kendall Elifrits, FWS Information Disclosure Specialist, via email at FWHQ_FOIA@fws.gov or by mail at U.S. Fish and Wildlife Service; ATTN: FOIA Office; 5275 Leesburg Pike; MS: IRTM; Falls Church, VA 22041.

Sincerely,

Kendall Elifrits
U.S. Fish and Wildlife Service
FWS Headquarters FOIA Program