



United States Department of the Interior



FISH AND WILDLIFE SERVICE Mountain-Prairie Region

IN REPLY REFER TO:
FWS/R6/BA/FOIA

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

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

July 14, 2017

Via email: rhaland@comcast.net

Robert H. Aland
140 Old Green Bay Road
Winnetka, IL 60093-1512

REF: FWS-2017-00776

Dear Mr. Aland:

This letter is in regard to your Freedom of Information Act (FOIA) request dated May 9, 2017 for “*all records, of every kind and character, irrespective of form or format (including paper and electronic records), that relate, directly or indirectly, to the peer review described above — including under (a) the Office of Management and Budget Final Information Quality Bulletin for Peer Review (Dec. 2004) and/or (b) the U.S. Fish & Wildlife Service Information Quality Guidelines and Peer Review (Rev. June 2012) and/or (c) any other peer review instructions or requirements — for the FWS’s proposed removal of ESA protection of GYE grizzly bears (“Requested Records”).*”

The Requested Records include, but are not limited to, all documents related to:

- *The identification, solicitation, selection, engagement, rejection and compensation of, and correspondence with, all peer reviewers who were considered by the FWS;*
- *The FWS’s criteria for identifying, soliciting, selecting, engaging, rejecting and compensating peer reviewers, including criteria for experience and expertise of peer reviewers with regard to grizzly bears in the GYE;*
- *The FWS’s reasons for selecting an outside firm or organization to perform, supervise, carry out and/or otherwise participate in, including by contract, the peer review process; and*
- *The FWS’s conclusions with regard to whether internal records created by such outside firm or organization are, or are not, available to the public under the FOIA.*

We are enclosing four (4) documents (16 pages) responsive to your request, which are being released to you in their entirety.

We do not bill requesters for FOIA processing fees when their fees are less than \$50.00, because the cost of collection would be greater than the fee collected. See [43 C.F.R. § 2.37\(g\)](#). Therefore, there is no billable fee for the processing of this request.

You may appeal this 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

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://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, Carrie Hyde-Michaels; Chief, Branch of FOIA, Records, Privacy; 703-358-2291.

This is our final response and closes your request, FWS-2017-00776. If you have any questions, you may contact me by phone at 303-236-4473, by email at Stacey_Cummins@fws.gov, or by mail at 134 Union Blvd, Lakewood, Colorado 80228.

Sincerely,

Stacey Cummins
Region 6 FOIA Coordinator

Enclosures