

From: FOIA R4, FW4 foiar4@fws.gov
Subject: FOIA FWS-2018-00613 Acknowledgement/Expedited Processing Denial
Date: April 6, 2018 at 8:45 AM
To: conniebarlow52@gmail.com



Dear Ms. Barlow,

This is in response to your Freedom of Information Act (FOIA) request, dated March 27, 2018, for documentation of seed production year by year beginning in 2007, which has been assigned tracking number FWS-2018-00613. Our office received your request on March 29, 2018.

We have classified you as an "other-use" requester and considered your fee waiver request. Your fee waiver has been granted.

We use Multi-track Processing to process FOIA requests. The Simple track is for requests that can be processed in one to five workdays. The Normal track is for requests that can be processed in six to twenty workdays. The Complex track is for requests that can be processed in twenty-one to sixty workdays. The Exceptional/Voluminous track is for requests requiring more than sixty workdays for processing. The Expedited track is for requests that have been granted expedited processing. Within each track, requests are usually processed on a first-in, first-out basis.

Your request falls in the "complex" processing track. Requests in this track will take between twenty-one workdays and sixty workdays to process. Please note the use of multi-track processing does not alter the statutory deadline for Fish and Wildlife Service to comply with your FOIA request.

You may narrow the scope of your request to obtain quicker processing in your currently-assigned track or move the request into a faster track. If you have any questions about this, please contact us.

You have asked for expedited processing of your FOIA request. The Department's FOIA regulations state that a bureau will provide expedited processing if a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester's knowledge and belief. The two criteria are as follows:

- (1) Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
- (2) There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information which has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story of general public interest. Information of historical interest only or information sought for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.)

[43 C.F.R. § 2.20.](#)

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 as soon as possible after 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 U.S. Fish and Wildlife Service's response is in error. You must also include with your appeal copies of all correspondence between you and the U.S. Fish and Wildlife Service concerning your FOIA request, including your original FOIA request and the U.S. Fish and Wildlife Service's response. Failure to include with your appeal all correspondence between you and the U.S. Fish and Wildlife 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

Please accept this as receipt of your request. Thanks and please feel free to contact my office if you have any questions or concerns.

V/R

Tiffany McClurkin

Government Information Specialist

Freedom of Information Act (FOIA) Coordinator

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