

Exhibit A



David Garcia <dgarcia@pradaurizar.com>

Thank you for submitting a FOIA request.

6 messages

U.S. Department of the Interior <doi-webforms@ios.doi.gov>

Mon, Oct 15, 2018 at 12:54 PM

Reply-To: do-not-reply@ios.doi.gov

To: dgarcia@pradaurizar.com

Submitted on Monday, October 15, 2018 - 12:54pm

Submitted form:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description:

1) The OPA is requesting all information related to FWS's obligations to issue regulations under the Wild Bird Conservation Act. Particularly, we are requesting information relating to the agencies failure to include additional species on the approved list for captive-bred species.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification:

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$100

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization: This information is being solicited by the Organization of Professional Aviculturist (OPA). The OPA is a non-profit organization that supports and advocates for the conservation of avian species by encouraging cooperation between in situ conservationists and ex situ production of specimens. It is our goal to ensure that actions of professional aviculturist have a positive impact on the future of avian species.

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.
- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.: The OPA is requesting information regarding the Wild Bird Conservation Act and relevant agency actions so as to determine if the agency is complying with its obligations under the statute and to further determine if legal action is needed to ensure that agency appropriately complies with its obligations. This information is not for a commercial purpose but is research undertaken by the OPA to determine what actions the agency has so far taken to comply with its obligations under WBCA and what actions the OPA will take in light of those actions. This information is necessary to provide the public with a greater understanding of the government's actions and will be publicized by the OPA, without a commercial gain on our part.

U.S. Department of the Interior <doi-webforms@ios.doi.gov>
Reply-To: do-not-reply@ios.doi.gov
To: dgarcia@pradaurizar.com

Mon, Oct 15, 2018 at 12:56 PM

Submitted on Monday, October 15, 2018 - 12:56pm

Submitted form:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description:

1) The OPA is also requesting all information, relating to the approval of permits for consortium/cooperative breeding agreements.

1a) This includes but is not limited to all information, relating to the approval of permits of consortium/cooperative breeding agreements of CITES appendix 1 listed species.

[Quoted text hidden]

U.S. Department of the Interior <doi-webforms@ios.doi.gov>
Reply-To: do-not-reply@ios.doi.gov
To: dgarcia@pradaurizar.com

Mon, Oct 15, 2018 at 12:58 PM

Submitted on Monday, October 15, 2018 - 12:58pm

Submitted form:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: The OPA is requesting all information, relating to the approval of permits for personal pets.

[Quoted text hidden]

U.S. Department of the Interior <doi-webforms@ios.doi.gov>

Mon, Oct 15, 2018 at 1:00 PM

Reply-To: do-not-reply@ios.doi.gov

To: dgarcia@pradaurizar.com

Submitted on Monday, October 15, 2018 - 1:00pm

Submitted form:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: The OPA requests from FWS all internal documents, memoranda, policy manuals, guidance, training manuals, etc. relating to the approval of permits for import or export of exotic avian species into or out of the United States.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification: I certify that the above statement(s) concerning expedited processing are true and correct to the best of my knowledge and belief.

[Quoted text hidden]

U.S. Department of the Interior <doi-webforms@ios.doi.gov>

Mon, Oct 15, 2018 at 1:01 PM

Reply-To: do-not-reply@ios.doi.gov

To: dgarcia@pradaurizar.com

Submitted on Monday, October 15, 2018 - 1:01pm

Submitted form:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

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If so, who are you filing the request on behalf of?

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Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: The OPA requests from FWS all documents relating to its interpretation of its obligations under CITES and how those obligations relate to the agencies ' obligations under the WBCA.

[Quoted text hidden]

U.S. Department of the Interior <doi-webforms@ios.doi.gov>

Mon, Oct 15, 2018 at 1:03 PM

Reply-To: do-not-reply@ios.doi.gov

To: dgarcia@pradaurizar.com

Submitted on Monday, October 15, 2018 - 1:03pm

Submitted form:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: The OPA requests from FWS all documents relating to its interpretation of its obligations under WBCA.

[Quoted text hidden]

Exhibit B



David Garcia <dgarcia@pradaurizar.com>

New Request (1); Fwd: FOIA from: David A. Garcia

2 messages

FOIA, FWHQ <fwhq_foia@fws.gov>

Wed, Oct 17, 2018 at 9:47 AM

To: dgarcia@pradaurizar.com

Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 15, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>

Date: Mon, Oct 15, 2018 at 12:54 PM

Subject: FOIA from: David A. Garcia

To: <fwhq_foia@fws.gov>

Submitted on Monday, October 15, 2018 - 12:54pm

Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: David A. Garcia

Mailing Address: [3191 Coral Way Ste. 607](#)

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description:

1) The OPA is requesting all information related to FWS's obligations to issue regulations under the Wild Bird Conservation Act. Particularly, we are requesting information relating to the agencies failure to include additional species on the approved list for captive-bred species.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification:

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$100

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization: This information is being solicited by the Organization of Professional Aviculturist (OPA). The OPA is a non-profit organization that supports and advocates for the conservation of avian species by encouraging cooperation between in situ conservationists and ex situ production of specimens. It is our goal to ensure that actions of professional aviculturist have a positive impact on the future of avian species.

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.
- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.: The OPA is requesting information regarding the Wild Bird Conservation Act and relevant agency actions so as to determine if the agency is complying with its obligations under the statute and to further determine if legal action is needed to ensure that agency appropriately complies with its obligations. This information is not for a commercial purpose but is research undertaken by the OPA to determine what actions the agency has so far taken to comply with its obligations under WBCA and what actions the OPA will take in light of those actions. This information is necessary to provide the public with a greater understanding of the government's actions and will be publicized by the OPA, without a commercial gain on our part.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/477980>

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United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

David Garcia <dgarcia@pradaurizar.com>

Wed, Nov 14, 2018 at 12:34 PM

To: "FOIA, FWHQ" <fwhq_foia@fws.gov>

Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

This is one of several FOIA requests I submitted over 20 working days ago. I have never received a tracking number or further confirmation for any of my requests.

Sent from my iPhone

[Quoted text hidden]

Exhibit C



David Garcia <dgarcia@pradaurizar.com>

New Request (2); Fwd: FOIA from: David A. Garcia

1 message

FOIA, FWHQ <fwhq_foia@fws.gov>

Wed, Oct 17, 2018 at 9:49 AM

To: dgarcia@pradaurizar.com

Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 15, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
5275 Leesburg Pike
Falls Church, VA 22041

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>

Date: Mon, Oct 15, 2018 at 12:56 PM

Subject: FOIA from: David A. Garcia

To: <fwhq_foia@fws.gov>

Submitted on Monday, October 15, 2018 - 12:56pm

Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organizational of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description:

1) The OPA is also requesting all information, relating to the approval of permits for consortium/cooperative breeding agreements.

1a) This includes but is not limited to all information, relating to the approval of permits of consortium/cooperative breeding agreements of CITES appendix 1 listed species.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification:

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$100

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization: This information is being solicited by the Organization of Professional Aviculturist (OPA). The OPA is a non-profit organization that supports and advocates for the conservation of avian species by encouraging cooperation between in situ conservationists and ex situ production of specimens. It is our goal to ensure that actions of professional aviculturist have a positive impact on the future of avian species.

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.
- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.: The OPA is requesting information regarding the Wild Bird Conservation Act and relevant agency actions so as to determine if the agency is complying with its obligations under the statute and to further determine if legal action is needed to ensure that agency appropriately complies with its obligations. This information is not for a commercial purpose but is research undertaken by the OPA to determine what actions the agency has so far taken to comply with its obligations under WBCA and what actions the OPA will take in light of those actions. This information is necessary to provide the public with a greater understanding of the government's actions and will be publicized by the OPA, without a commercial gain on our part.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/477981>

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United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

Exhibit D



David Garcia <dgarcia@pradaurizar.com>

New Request (3); Fwd: FOIA from: David A. Garcia

1 message

FOIA, FWHQ <fwhq_foia@fws.gov>

Wed, Oct 17, 2018 at 9:51 AM

To: dgarcia@pradaurizar.com

Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 15, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>

Date: Mon, Oct 15, 2018 at 12:57 PM

Subject: FOIA from: David A. Garcia

To: <fwhq_foia@fws.gov>

Submitted on Monday, October 15, 2018 - 12:58pm

Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: David A. Garcia

Mailing Address: [3191 Coral Way Ste. 607](#)

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organizational of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: The OPA is requesting all information, relating to the approval of permits for personal pets.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification:

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$100

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization:

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The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/477982>

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United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](https://www.fws.gov)
[Falls Church, VA 22041](https://www.fws.gov)

Exhibit E



David Garcia <dgarcia@pradaurizar.com>

New Request (4); Fwd: FOIA from: David A. Garcia

1 message

FOIA, FWHQ <fwhq_foia@fws.gov>

Wed, Oct 17, 2018 at 9:53 AM

To: dgarcia@pradaurizar.com

Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 15, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
5275 Leesburg Pike
Falls Church, VA 22041

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>

Date: Mon, Oct 15, 2018 at 12:59 PM

Subject: FOIA from: David A. Garcia

To: <fwhq_foia@fws.gov>

Submitted on Monday, October 15, 2018 - 1:00pm

Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organizational of Professional Aviculturist (OPA)

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Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: The OPA requests from FWS all internal documents, memoranda, policy manuals, guidance, training manuals, etc. relating to the approval of permits for import or export of exotic avian species into or out of the United States.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification: I certify that the above statement(s) concerning expedited processing are true and

correct to the best of my knowledge and belief.

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$100

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The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/477983>

--

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](https://www.fws.gov)
[Falls Church, VA 22041](https://www.fws.gov)

Exhibit F



David Garcia <dgarcia@pradaurizar.com>

New Request (5); Fwd: FOIA from: David A. Garcia

1 message

FOIA, FWHQ <fwhq_foia@fws.gov>

Wed, Oct 17, 2018 at 9:54 AM

To: dgarcia@pradaurizar.com

Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 15, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>

Date: Mon, Oct 15, 2018 at 1:00 PM

Subject: FOIA from: David A. Garcia

To: <fwhq_foia@fws.gov>

Submitted on Monday, October 15, 2018 - 1:01pm

Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: David A. Garcia

Mailing Address: [3191 Coral Way Ste. 607](#)

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organizational of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: The OPA requests from FWS all documents relating to its interpretation of its obligations under CITES and how those obligations relate to the agencies ' obligations under the WBCA.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification: I certify that the above statement(s) concerning expedited processing are true and correct to the best of my knowledge and belief.

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$100

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization: This information is being solicited by the Organization of Professional Aviculturist (OPA). The OPA is a non-profit organization that supports and advocates for the conservation of avian species by encouraging cooperation between in situ conservationists and ex situ production of specimens. It is our goal to ensure that actions of professional aviculturist have a positive impact on the future of avian species.

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.

- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.: The OPA is requesting information regarding the Wild Bird Conservation Act and relevant agency actions so as to determine if the agency is complying with its obligations under the statute and to further determine if legal action is needed to ensure that agency appropriately complies with its obligations. This information is not for a commercial purpose but is research undertaken by the OPA to determine what actions the agency has so far taken to comply with its obligations under WBCA and what actions the OPA will take in light of those actions. This information is necessary to provide the public with a greater understanding of the government's actions and will be publicized by the OPA, without a commercial gain on our part.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/477984>

--

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office

MS: IRTM

5275 Leesburg Pike
Falls Church, VA 22041

Exhibit G



David Garcia <dgarcia@pradaurizar.com>

New Request (6); Fwd: FOIA from: David A. Garcia

1 message

FOIA, FWHQ <fwhq_foia@fws.gov>

Wed, Oct 17, 2018 at 9:55 AM

To: dgarcia@pradaurizar.com

Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 15, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>

Date: Mon, Oct 15, 2018 at 1:03 PM

Subject: FOIA from: David A. Garcia

To: <fwhq_foia@fws.gov>

Submitted on Monday, October 15, 2018 - 1:03pm

Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: David A. Garcia

Mailing Address: [3191 Coral Way Ste. 607](#)

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? No

If so, who are you filing the request on behalf of?

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: The OPA requests from FWS all documents relating to its interpretation of its obligations under WBCA.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification: I certify that the above statement(s) concerning expedited processing are true and correct to the best of my knowledge and belief.

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$100

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization: This information is being solicited by the Organization of Professional Aviculturist (OPA). The OPA is a non-profit organization that supports and advocates for the conservation of avian species by encouraging cooperation between in situ conservationists and ex situ production of specimens. It is our goal to ensure that actions of professional aviculturist have a positive impact on the future of avian species.

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.

- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.: The OPA is requesting information regarding the Wild Bird Conservation Act and relevant agency actions so as to determine if the agency is complying with its obligations under the statute and to further determine if legal action is needed to ensure that agency appropriately complies with its obligations. This information is not for a commercial purpose but is research undertaken by the OPA to determine what actions the agency has so far taken to comply with its obligations under WBCA and what actions the OPA will take in light of those actions. This information is necessary to provide the public with a greater understanding of the government's actions and will be publicized by the OPA, without a commercial gain on our part.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/477985>

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United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office

MS: IRTM

5275 Leesburg Pike
Falls Church, VA 22041

Exhibit H



David Garcia <dgarcia@pradaurizar.com>

New Request (1, 12/18); Fwd: FOIA from: David A. Garcia

1 message

FOIA, FWHQ <fwhq_foia@fws.gov> Thu, Oct 18, 2018 at 3:35 PM
To: dgarcia@pradaurizar.com
Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 18, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>
Date: Thu, Oct 18, 2018 at 11:35 AM
Subject: FOIA from: David A. Garcia
To: <fwhq_foia@fws.gov>

Submitted on Thursday, October 18, 2018 - 11:35am
Submitted by anonymous user: [10.156.8.158]
Submitted values are:
Your Name: David A. Garcia
Mailing Address: [3191 Coral Way Ste. 607](#)
City: Miami
State or Country: FL
Zip or Postal Code: 33145
Address Type: Business
Daytime Phone Number: 3055109312
Fax Number:
E-mail Address: dgarcia@pradaurizar.com
Confirm E-mail Address : dgarcia@pradaurizar.com
Your Organization: Organization of Professional Aviculturist (OPA)
Are you filing the request on behalf of another party? Yes
If so, who are you filing the request on behalf of? Organization of Professional Aviculturists
Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.
Bureau/Office: Fish & Wildlife Service (FWS)
Relevant park, refuge, site or other location:
Request Description: The OPA request all information relating to the attempt by the Argentinian CITES authority to petition the USFWS to allow for sustainable import of blue front amazon
Requester's Communication Preferences: Electronic communication via email
Document Disclosure Preferences: Electronic copies via email
Select the applicable reason why you are requesting expedited processing:
Justification for Expedited Processing:
Expedited Processing Certification:

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$10

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization: This information is being solicited by the Organization of Professional Aviculturist (OPA). The OPA is a non-profit organization that supports and advocates for the conservation of avian species by encouraging cooperation between in situ conservationists and ex situ production of specimens. It is our goal to ensure that actions of professional aviculturist have a positive impact on the future of avian species.

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.

- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.: e OPA is requesting information regarding the Wild Bird Conservation Act and relevant agency actions so as to determine if the agency is complying with its obligations under the statute and to further determine if legal action is needed to ensure that agency appropriately complies with its obligations. This information is not for a commercial purpose but is research undertaken by the OPA to determine what actions the agency has so far taken to comply with its obligations under WBCA and what actions the OPA will take in light of those actions. This information is necessary to provide the public with a greater understanding of the government's actions and will be publicized by the OPA, without a commercial gain on our part.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/478677>

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United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office

MS: IRTM

[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

Exhibit I



David Garcia <dgarcia@pradaurizar.com>

New Request (2) 12/18; Fwd: FOIA from: David A. Garcia

1 message

FOIA, FWHQ <fwhq_foia@fws.gov>
To: dgarcia@pradaurizar.com
Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Thu, Oct 18, 2018 at 3:36 PM

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 18, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
5275 Leesburg Pike
Falls Church, VA 22041

----- Forwarded message -----

From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>
Date: Thu, Oct 18, 2018 at 11:38 AM
Subject: FOIA from: David A. Garcia
To: <fwhq_foia@fws.gov>

Submitted on Thursday, October 18, 2018 - 11:38am
Submitted by anonymous user: [10.156.8.158]

Submitted values are:

Your Name: David A. Garcia

Mailing Address: 3191 Coral Way Ste. 607

City: Miami

State or Country: FL

Zip or Postal Code: 33145

Address Type: Business

Daytime Phone Number: 3055109312

Fax Number:

E-mail Address: dgarcia@pradaurizar.com

Confirm E-mail Address : dgarcia@pradaurizar.com

Your Organization: Organization of Professional Aviculturist (OPA)

Are you filing the request on behalf of another party? Yes

If so, who are you filing the request on behalf of? Organization of Professional Aviculturists

Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.

Bureau/Office: Fish & Wildlife Service (FWS)

Relevant park, refuge, site or other location:

Request Description: All information relating to FWS procedures for considering a petition under section 4909 of the Wild Bird Conservation Act.

Requester's Communication Preferences: Electronic communication via email

Document Disclosure Preferences: Electronic copies via email

Select the applicable reason why you are requesting expedited processing:

Justification for Expedited Processing:

Expedited Processing Certification:

Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$10

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization: Organization of Professional Aviculturist (OPA)

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.
- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.: e OPA is requesting information regarding the Wild Bird Conservation Act and relevant agency actions so as to determine if the agency is complying with its obligations under the statute and to further determine if legal action is needed to ensure that agency appropriately complies with its obligations. This information is not for a commercial purpose but is research undertaken by the OPA to determine what actions the agency has so far taken to comply with its obligations under WBCA and what actions the OPA will take in light of those actions. This information is necessary to provide the public with a greater understanding of the government's actions and will be publicized by the OPA, without a commercial gain on our part.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/478678>

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United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](https://www.fws.gov)
[Falls Church, VA 22041](https://www.fws.gov)

Exhibit J



David Garcia <dgarcia@pradaurizar.com>

New Request (3) 12/18; Fwd: FOIA from: David A. Garcia

1 message

FOIA, FWHQ <fwhq_foia@fws.gov> Thu, Oct 18, 2018 at 3:38 PM
To: dgarcia@pradaurizar.com
Cc: Brenda Tapia <brenda_tapia@fws.gov>, Mary Cogliano <mary_cogliano@fws.gov>

Dear David A. Garcia,

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated October 18, 2018. We have forwarded your request to our Division of Management Authority (DMA) for processing. You will receive a formal acknowledgement shortly; which will include DMA contact information in case you have any questions or concerns regarding this FOIA request.

Respectfully,

United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
5275 Leesburg Pike
Falls Church, VA 22041

----- Forwarded message -----
From: **U.S. Department of the Interior** <doi-webforms@ios.doi.gov>
Date: Thu, Oct 18, 2018 at 12:26 PM
Subject: FOIA from: David A. Garcia
To: <fwhq_foia@fws.gov>

Submitted on Thursday, October 18, 2018 - 12:26pm
Submitted by anonymous user: [10.156.8.158]
Submitted values are:
Your Name: David A. Garcia
Mailing Address: 3191 Coral Way Ste. 607
City: Miami
State or Country: FL
Zip or Postal Code: 33145
Address Type: Business
Daytime Phone Number: 3055109312
Fax Number:
E-mail Address: dgarcia@pradaurizar.com
Confirm E-mail Address : dgarcia@pradaurizar.com
Your Organization: Organization of Professional Aviculturist (OPA)
Are you filing the request on behalf of another party? Yes
If so, who are you filing the request on behalf of? Organization of Professional Aviculturists
Contact Information Certification: I certify that the above statement(s) concerning who I am filing the request on behalf of are true and correct to the best of my knowledge and belief. If I want to receive greater access to records about a person I represent, I will submit proof that the person consents to the release of the records to me, as discussed in 43 C.F.R. § 2.9.
Bureau/Office: Fish & Wildlife Service (FWS)
Relevant park, refuge, site or other location:
Request Description: The OPA is requesting all information and internal guidance relating to USFWS interpretation of sections 4905 and 4906 of the Wild Bird Conservation Act
Requester's Communication Preferences: Electronic communication via email
Document Disclosure Preferences: Electronic copies via email
Select the applicable reason why you are requesting expedited processing:
Justification for Expedited Processing:
Expedited Processing Certification:
Please select the appropriate statement: I am requesting a waiver or reduction of fees.

I agree to pay fees up to this particular amount: \$10

To assist in determining my requester category to assess fees, you should know that I am: affiliated with an educational or noncommercial scientific institution and this request is made for a scholarly or scientific purpose and not for commercial use

Affiliated Organization: Organization of Professional Aviculturist (OPA)

Check the boxes to the right to confirm that you meet the Department's fee waiver criteria:

- Disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government.
- Disclosure of the information is not primarily in my commercial interest.

Please explain why your request for a waiver of fees or a reduction in fees is justified.:

The OPA is requesting information regarding the Wild Bird Conservation Act and relevant agency actions so as to determine if the agency is complying with its obligations under the statute and to further determine if legal action is needed to ensure that agency appropriately complies with its obligations. This information is not for a commercial purpose but is research undertaken by the OPA to determine what actions the agency has so far taken to comply with its obligations under WBCA and what actions the OPA will take in light of those actions. This information is necessary to provide the public with a greater understanding of the government's actions and will be publicized by the OPA, without a commercial gain on our part.

The results of this submission may be viewed at:

<https://www.doi.gov/node/11498/submission/478696>

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United States Fish and Wildlife Service
Headquarters Freedom of Information Act Office
MS: IRTM
[5275 Leesburg Pike](#)
[Falls Church, VA 22041](#)

Exhibit K



David Garcia <dgarcia@pradaurizar.com>

Out of Office Re: [EXTERNAL] Re: New Request (1); Fwd: FOIA from: David A. Garcia

1 message

Cogliano, Mary <mary_cogliano@fws.gov>
To: dgarcia@pradaurizar.com

Wed, Nov 14, 2018 at 12:34 PM

I will be out of the office through November 23rd. If you have permit-related questions, please contact us at managementauthority@fws.gov or call 1-800-358-2104. If you have an urgent matter and wish to speak to a manager, please contact Acting Branch Chief, Clifton Horton at (703) 358-1908 or clifton_horton@fws.gov.

--
Mary Cogliano, Ph.D.
Chief, Branch of Permits
Division of Management Authority
U.S. Fish and Wildlife Service
5275 Leesburg Pike, MS: IA
Falls Church, VA 22041-3803
Phone: (703) 358-1991

Exhibit L



David Garcia <dgarcia@pradaurizar.com>

FOIA requests

3 messages

Tapia, Brenda <brenda_tapia@fws.gov>

Fri, Nov 16, 2018 at 2:27 PM

To: dgarcia@pradaurizar.com

Cc: "Hyde-Michaels, Carrie" <carrie_hyde-michaels@fws.gov>

Dear Mr. Garcia,

Please see the FOIA request numbers for reference. We are in the process of creating the acknowledgement letters and determine which program within International Affairs will be processing your requests.

FWS-2019-00156:

"The OPA request all information relating to the attempt by the Argentinian CITES authority to petition the USFWS to allow for sustainable import of blue front amazon."

FWS-2019-00157:

"The OPA is requesting all information and internal guidance relating to USFWS interpretation of sections 4905 and 4906 of the Wild Bird Conservation Act."

FWS-2019-00158:

"All information relating to FWS procedures for considering a petition under section 4909 of the Wild Bird Conservation Act."

FWS-2019-00159:

"1) The OPA is also requesting all information, relating to the approval of permits for consortium/cooperative breeding agreements.

1a) This includes but is not limited to all information, relating to the approval of permits of consortium/cooperative breeding agreements of CITES appendix 1 listed species."

FWS-2019-00160:

"The OPA requests from FWS all documents relating to its interpretation of its obligations under WBCA."

FWS-2019-00161:

"1) The OPA is requesting all information related to FWS's obligations to issue regulations under the Wild Bird Conservation Act. Particularly, we are requesting information relating to the agencies failure to include additional species on the approved list for captive-bred species."

FWS-2019-00162:

"The OPA is requesting all information, relating to the approval of permits for personal pets."

FWS-2019-00163:

"The OPA requests from FWS all internal documents, memoranda, policy manuals, guidance, training manuals, etc. relating to the approval of permits for import or export of exotic avian species into or out of the United States."

If you have any questions, please do not hesitate to contact me.

--

Thank you,
Brenda Tapia

Program Analyst/Data Management
U.S. Fish and Wildlife Service
Division of Management Authority (DMA)
Branch of Permits, MS: IA
5275 Leesburg Pike
Falls Church, VA 22041
Ph: 800-358-2104 x.1989 or 703-358-2104 x.1989
Fax: 703-358-2280

[Sign up for our e-newsletter to learn how we're working around the globe to protect species and their habitats!](#)

David Garcia <dgarcia@pradaurizar.com>
To: Brenda Tapia <brenda_tapia@fws.gov>
Cc: Mark Prada <mprada@pradaurizar.com>

Fri, Nov 16, 2018 at 2:49 PM

Hello Ms. Tapia,

Thank you for the information. However, all of the Organization of Professional Aviculturist's FOIA requests are outside the 20 business day statutory period for a response from the agency. Nor has the agency invoked the 10-day extension, which as I'm sure you know, means the agency is not in compliance with its statutory obligations.

Therefore, we are expecting a response as soon as possible. I spoke with FOIA Liason Carrie Hyde-Michaels yesterday. She informed me that the agency did not intend to comply with the statutory obligation, this is very concerning. I do not have my conversation notes in front of me, but I believe Ms. Hyde-Michaels informed me that it could be months until the agency would provide a response to these requests. Frankly, this is unacceptable.

When do you expect the agency to provide a response?

--
Thank you,
David A. Garcia
Law Clerk

PRADAURIZAR

IMMIGRATION & NATIONALITY ATTORNEYS

3191 Coral Way, Suite 607 | Miami, Florida 33145
T: (786) 703-2061 | F: (786) 708-9508 | D: (786) 238-2222
www.pradaurizar.com

This e-mail, as well as any attachments to same, is covered by the Electronic Communications Privacy Act, 18 U.S. C. §§ 2510-2521 and is legally privileged under federal and state laws, including but not limited to laws applicable to the attorney-client privilege and other private matters. The information contained in this e-mail is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, please destroy the email after advising by reply that you erroneously received this. The receipt by anyone other than the designated recipient does not waive the attorney-client privilege, nor will it constitute a waiver of the work-product doctrine.

[Quoted text hidden]

--
Thank you,
David A. Garcia
Law Clerk

PRADAURIZAR

IMMIGRATION & NATIONALITY ATTORNEYS

3191 Coral Way, Suite 607 | Miami, Florida 33145
T: (786) 703-2061 | F: (786) 708-9508 | D: (786) 238-2222

www.pradaurizar.com

This e-mail, as well as any attachments to same, is covered by the Electronic Communications Privacy Act, 18 U.S. C. §§ 2510-2521 and is legally privileged under federal and state laws, including but not limited to laws applicable to the attorney-client privilege and other private matters. The information contained in this e-mail is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, please destroy the email after advising by reply that you erroneously received this. The receipt by anyone other than the designated recipient does not waive the attorney-client privilege, nor will it constitute a waiver of the work-product doctrine.

Tapia, Brenda <brenda_tapia@fws.gov>
To: dgarcia@pradaurizar.com

Mon, Nov 19, 2018 at 7:10 AM

Dear Mr. Garcia,

The FOIA requests that you have submitted are very broad in nature and will take additional time to process as written. If you would like to narrow the scope of any of the requests, such as limiting the timeframe to just the last two years, it would be significantly faster to process these requests. Please see the estimated timeframe to process each request below. They would all be processed within the same office by the same individual, so if you are able to identify which requests you would like to receive first, that would help us prioritize which one to begin with.

FWS-2019-00156:

"The OPA request all information relating to the attempt by the Argentinian CITES authority to petition the USFWS to allow for sustainable import of blue front amazon."

This request is very broad and the search results will be voluminous. It could take an estimated 8 months to complete since we may need to go to the off site storage facility to retrieve numerous boxes, which would then have to be reviewed by hand. We would suggest that you narrow the scope to a more specific timeframe, such as the past two years. The cost of processing this request will be more than the \$100 you have indicated you are willing to pay.

FWS-2019-00157:

"The OPA is requesting all information and internal guidance relating to USFWS interpretation of sections 4905 and 4906 of the Wild Bird Conservation Act."

For this request, the estimated completion date would be less than a month from the start of processing the request.

FWS-2019-00158:

"All information relating to FWS procedures for considering a petition under section 4909 of the Wild Bird Conservation Act."

For this request, the estimated time frame of completion would be less than a month from the start of processing the request.

FWS-2019-00159:

"1) The OPA is also requesting all information, relating to the approval of permits for consortium/cooperative breeding agreements.

1a) This includes but is not limited to all information, relating to the approval of permits of consortium/cooperative breeding agreements of CITES appendix 1 listed species."

This is a very broad request. We estimate that it would take 4 months or longer to process. Suggestions to narrow: Are you looking for the looking for cooperate breeding agreements that are current and not expired? Would a spreadsheet be acceptable? Would the agreement letter be acceptable? What species are you looking for? What timeframe are you looking for? If you can narrow the scope and clarify, this request may be completed in a shorter time frame of estimated 2 months. The cost of this request as written will also be more than \$100 per what you are willing to pay.

FWS-2019-00160:

"The OPA requests from FWS all documents relating to its interpretation of its obligations under WBCA."

For this request, the estimated time frame of completion would be less than a month from the start of processing the request.

FWS-2019-00161:

"1) The OPA is requesting all information related to FWS's obligations to issue regulations under the Wild Bird Conservation Act. Particularly, we are requesting information relating to the agencies failure to include additional species on the approved list for captive-bred species."

For this request, the estimated time frame of completion would be less than a month from the start of processing the request.

FWS-2019-00162:

"The OPA is requesting all information, relating to the approval of permits for personal pets."

This request is extremely broad and could take years to complete. Suggestions to narrow: Are you looking for copies of permits, or copies of applications, or just a spreadsheet of what has been approved? What timeframe are you looking into? What species are you looking for? Even if you narrow the scope to the past two years, there are an estimated 847 files associated with personal pets (applications and issued permits), so the estimated time to complete would be 6 months. If you were to narrow the scope to one year (applications with permits) or to accept a spreadsheet, this request may be completed in a shorter time frame, likely an estimated 3 months (except for the spreadsheet, which could be processed within a couple of weeks). The cost to process this request as written will be more than \$100 per what you are willing to pay.

FWS-2019-00163:

"The OPA requests from FWS all internal documents, memoranda, policy manuals, guidance, training manuals, etc. relating to the approval of permits for import or export of exotic avian species into or out of the United States."

The estimated time to complete this request is 6 months, due to the need to search in different locations to gather this information. The cost to process this request may be more than \$100 per what you are willing to pay.

Thank you,
Brenda Tapia
[Quoted text hidden]

Exhibit M



David Garcia <dgarcia@pradaurizar.com>

Response to FOIA notification

1 message

David Garcia <dgarcia@pradaurizar.com>
To: Brenda Tapia <brenda_tapia@fws.gov>

Mon, Nov 19, 2018 at 3:54 PM

Hello Ms. Tapia,

This email is in response to the FOIA requests with the tracking numbers FWS-2019-00157, FWS-2019-00158, FWS-2019-00160, FWS-2019-00161.

You informed me that these requests will take less than a month to respond to, **I will restate, this acknowledgment of the OPA's requests and the proposed timeline is beyond the 20-day statutory deadline to all FOIA requests involved.** Assuming that the Service takes another 20 business days to respond to the OPA's requests, this would place those well outside the statutory deadline. Furthermore, as the holidays are fast approaching, it seems unlikely that the Services proposed month extension would actually be met.

Therefore, OPA is requesting an immediate response unless USFWS can demonstrate that there are exceptional circumstances for failing to comply with the statutory deadline, of these simple requests. **Immediate means by the close of business Wednesday, 11/21/2018.**

The Service is reminded that " 'exceptional circumstances' does not include a delay that results from a predictable agency workload of requests under [the FOIA]." 5 U.S.C. § 552 (a)(6)(C)(i).

The OPA has an urgent need for this information. **The Service's so far unjustified delay is prejudicing the OPA's interest.**

Lastly, the OPA has sought a waiver of fees for all requests. Such requests were submitted with all initial FOIA requests. The OPA is enquiring into whether the Service as adjudicated its fee waiver requests or if it will require any further information relating to the request.

--
Thank you,
David A. Garcia
Law Clerk



3191 Coral Way, Suite 607 | Miami, Florida 33145
T: (786) 703-2061 | F: (786) 708-9508 | D: (786) 238-2222
www.pradaurizar.com

This e-mail, as well as any attachments to same, is covered by the Electronic Communications Privacy Act, 18 U.S. C. §§ 2510-2521 and is legally privileged under federal and state laws, including but not limited to laws applicable to the attorney-client privilege and other private matters. The information contained in this e-mail is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, please destroy the email after advising by reply that you erroneously received this. The receipt by anyone other than the designated recipient does not waive the attorney-client privilege, nor will it constitute a waiver of the work-product doctrine.

Exhibit N



David Garcia <dgarcia@pradaurizar.com>

(no subject)

1 message

David Garcia <dgarcia@pradaurizar.com>
To: Mark Prada <mprada@pradaurizar.com>

Mon, Nov 19, 2018 at 3:47 PM

Ms. Tapia,

You have informed the OPA that the requests listed below are voluminous, therefore OPA will narrow the requests. **However, OPA will restate, this acknowledgment of the OPA's requests and request to narrow the requests is beyond the 20-day statutory deadline to all FOIA requests involved.** OPA believes the amended requests to be sufficiently narrow to warrant an immediate response. Although a request to narrow tolls the deadline, the Service is already outside its statutory response deadline.

Therefore, OPA is requesting an immediate response unless USFWS can demonstrate that there are exceptional circumstances for failing to comply with the statutory deadline, of these simple requests. **Immediate means by the close of business Wednesday, 11/21/2018.**

The Service is reminded that " 'exceptional circumstances' does not include a delay that results from a predictable agency workload of requests under [the FOIA]." 5 U.S.C. § 552 (a)(6)(C)(i).

The OPA has an urgent need for this information. **The Service's so far unjustified delay is prejudicing the OPA's interest.**

Lastly, the OPA has requested a fee waiver relating to these requests, has that request been adjudicated? Does the service request additional information? Is the service denying the OPA's fee waiver requests? The OPA requests that the fee waiver requests be adjudicated prior to any search being undertaken by the Service.

FWS-2019-00156:

"The OPA request all information relating to the attempt by the Argentinian CITES authority to petition the USFWS to allow for sustainable import of blue front amazon."

The OPA is specifically requesting information as to why the final proposed rule relating to the listing of wild harvested Blue Fronted Amazons published in the Federal Register at 68 FR 46559 on August 6, 2003 was never finalized or issued. And why it was ultimately withdrawn on December 21, 2015, 80 FR 79300.

The OPA's request is limited to all non-publicly available information relating to this issue. This includes internal communications between the relevant USFWS employees that resulted in a decision to not issue the final rule. As a well as communications and negotiations between USFWS and the Argentinian Management Authorities.

FWS-2019-00159:

"1) The OPA is also requesting all information, relating to the approval of permits for consortium/cooperative breeding agreements.

1a) This includes but is not limited to all information, relating to the approval of permits of consortium/cooperative breeding agreements of CITES appendix 1 listed species."

The OPA will limit its requests to the time period since 10/05/2016 - 11/01/2018. Agreement letters would be acceptable. A spreadsheet would also be acceptable if it lists all submitted requests and their outcomes within the proposed period, as well as processing times. The OPA would also like to know whether the cooperative breeding agreements ultimately approved by the Service resulted from negotiated agreements or were approved as submitted. Also requested are any non-publically available guidance related to how the Service decides to approve such agreements. The information requested is limited to agreements for approval of CITES Appendix 1 species.

FWS-2019-00162:

"The OPA is requesting all information, relating to the approval of permits for personal pets."

The OPA limits its requests to guidance for approving the export of CITES-listed avian species from the U.S. under the Personal Pet exemption. Specifically, what criteria are used by the Service to determine whether an export is "commercial."

FWS-2019-00163:

"The OPA requests from FWS all internal documents, memoranda, policy manuals, guidance, training manuals, etc. relating to the approval of permits for import or export of exotic avian species into or out of the United States."

The OPA will narrow this requests to all general internal guidance and training manuals published relating to the issuance of WBCA permits since 03/04/2013.

--
Thank you,
David A. Garcia
Law Clerk



3191 Coral Way, Suite 607 | Miami, Florida 33145
T: (786) 703-2061 | F: (786) 708-9508 | D: (786) 238-2222
www.pradaurizar.com

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Exhibit O



David Garcia <dgarcia@pradaurizar.com>

OPA USFWS FOIA requests

2 messages

Ford, Patricia <patricia_ford@fws.gov>
To: dgarcia@pradaurizar.com
Cc: "Tapia, Brenda" <brenda_tapia@fws.gov>

Wed, Nov 28, 2018 at 12:51 PM

Dear Mr. Garcia,







Please find attached six acknowledgment letters to you regarding your USFWS FOIA requests: 2019-00156, 2019-00157, 2019-00158, 2019-00159, 2019-00160, and 2019-00161.

Please confirm receipt of this email.

Best regards,
Pat

Pat Ford
Division of Scientific Authority
U.S. Fish & Wildlife Service - International Affairs
5275 Leesburg Pike, MS: IA
Falls Church, VA 22041-3803
703-358-2494 / patricia_ford@fws.gov

6 attachments

-  **FWS 2019-00159 ack ltr.pdf**
249K
-  **FWS-2019-00156 ack ltr.pdf**
267K
-  **FWS 2019-00160 ack ltr.pdf**
233K
-  **FWS 2019-00157 ack ltr.pdf**
265K
-  **FWS 2019-00158 ack ltr.pdf**
226K
-  **FWS 2019-00061 ack ltr.pdf**
244K

David Garcia <dgarcia@pradaurizar.com>
To: mprada@pradaurizar.com

Wed, Nov 28, 2018 at 1:30 PM







Sent from my iPhone

Begin forwarded message:

From: "Ford, Patricia" <patricia_ford@fws.gov>
Date: November 28, 2018 at 12:51:24 PM EST
To: <dgarcia@pradaurizar.com>
Cc: "Tapia, Brenda" <brenda_tapia@fws.gov>
Subject: OPA USFWS FOIA requests

[Quoted text hidden]

6 attachments

-  **FWS 2019-00159 ack ltr.pdf**
249K
-  **FWS-2019-00156 ack ltr.pdf**
267K
-  **FWS 2019-00160 ack ltr.pdf**
233K
-  **FWS 2019-00157 ack ltr.pdf**
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-  **FWS 2019-00158 ack ltr.pdf**
226K
-  **FWS 2019-00061 ack ltr.pdf**
244K



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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



In Reply Refer To:

FWS/AIA/DSA/FOIA-FWS-2019-00156

November 28, 2018

David A. Garcia
Organization of Professional Aviculturists
3191 Coral Way, Suite 607
Miami, Florida 33145
E-mail address: dgarcia@pradaurizar.com

Dear Mr. Garcia:

The U.S. Fish and Wildlife Service Headquarters Freedom of Information Act (FOIA) Office received your FOIA request dated October 18, 2018 and assigned it control number FWS-2019-00156. Please cite this number in any future communications with our office regarding your request. You requested the following:

“...all information relating to the attempt by the Argentinian CITES authority to petition the USFWS to allow for sustainable import of blue front amazon.”

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See [43 C.F.R. § 2.39](#). However, if our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. See [43 C.F.R. § 2.37\(g\)](#).

We use Multitrack 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 into the complex processing track. 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.

As yet, we have been unable to make a determination on your request. We apologize for this delay. Although we hope that you will wait so that we can complete our search, review, duplication, or consultation process, please note that you may seek dispute resolution services from our FOIA Public

Liaison, Carrie Hyde-Michaels at (703) 358-2291 and/or seek dispute resolution services from the Office of Government Information Services (OGIS).

If you choose to contact OGIS, you may do so 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

You may also file an appeal with the Department's FOIA/Privacy Act Appeals Officer regarding this delay. If you choose to appeal this delay, you may do so anytime between now and the date we make our determination on the FOIA request. 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 also include with your appeal copies of all correspondence between you and FWS concerning your FOIA request, including your original FOIA request and FWS's response. Failure to include with your appeal all correspondence between you and FWS 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
E-mail: FOIA.Appeals@sol.doi.gov

We regret the delay and appreciate your consideration. For more information on FOIA Administrative Appeals, you may review the Department's FOIA regulations at *43 C.F.R. Part 2, Subpart H*. If you have any questions, you may contact Brenda Tapia by phone at (703) 359-1989, or by email at brenda_tapia@fws.gov.

Sincerely,

For Carrie Hyde-Michaels
FWS FOIA Officer



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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



In Reply Refer To:
FWS/AIA/DSA/FOIA: 2019-00157

November 28, 2018

David A. Garcia
Organization of Professional Aviculturists
3191 Coral Way, Suite 607
Miami, Florida 33145
E-mail address: dgarcia@pradaurizar.com

Dear Mr. Garcia:

The U.S. Fish and Wildlife Service Headquarters Freedom of Information Act (FOIA) Office received your FOIA request dated October 18, 2018 and assigned it control number FWS-2019-00157. Please cite this number in any future communications with our office regarding your request. You requested the following:

“...all information and internal guidance relating to USFWS interpretation of sections 4905 and 4906 of the Wild Bird Conservation Act.”

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. *See 43 C.F.R. § 2.39.* However, if our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. *See 43 C.F.R. § 2.37(g).*

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We have determined that your FOIA request is within the complex processing track. 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.

As yet, we have been unable to make a determination on your request. We apologize for this delay. Although we hope that you will wait so that we can complete our search, review, duplication, or consultation process, please note that you may seek dispute resolution services

Mr. Garcia

from our FOIA Public Liaison, Carrie Hyde-Michaels at (703) 358-2291 and/or seek dispute resolution services from the Office of Government Information Services (OGIS). If you choose to contact OGIS, you may do so 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

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Fax: (202) 208-6677
E-mail: FOIA.Appeals@sol.doi.gov

Mr. Garcia

We regret the delay and appreciate your consideration. For more information on FOIA Administrative Appeals, you may review the Department's FOIA regulations at 43 C.F.R. Part 2, Subpart H. If you have any further questions relating to this response, please contact Ms. Pat Ford (USFWS Division of Scientific Authority, MS: IA, 5275 Leesburg Pike, Falls Church, Virginia 22041 (phone: 703- 358-2494; e-mail: patricia_ford@fws.gov).

Sincerely,

For Carrie Hyde-Michaels
FWS FOIA Officer



United States Department of the Interior
FISH AND WILDLIFE SERVICE



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

In Reply Refer To:
FWS/AIA/DSA/FOIA: 2019-00158

November 28, 2018

David A. Garcia
Organization of Professional Aviculturists
3191 Coral Way, Suite 607
Miami, Florida 33145
E-mail address: dgarcia@pradaurizar.com

Dear Mr. Garcia:

The U.S. Fish and Wildlife Service Headquarters Freedom of Information Act (FOIA) Office received your FOIA request dated October 18, 2018 and assigned it control number FWS-2019-00158. Please cite this number in any future communications with our office regarding your request. You requested the following:

“...All information relating to FWS procedures for considering a petition under section 4909 of the Wild Bird Conservation Act.”

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. *See 43 C.F.R. § 2.39.* However, if our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. *See 43 C.F.R. § 2.37(g).*

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Your request falls into the complex processing track. 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.

As yet, we have been unable to make a determination on your request. We apologize for this delay. Although we hope that you will wait so that we can complete our search, review,

Mr. Garcia

duplication, or consultation process, please note that you may seek dispute resolution services from our FOIA Public Liaison, Carrie Hyde-Michaels at (703) 358-2291 and/or seek dispute resolution services from the Office of Government Information Services (OGIS).

If you choose to contact OGIS, you may do so in any of the following ways:

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Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

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Mr. Garcia

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Sincerely,

Carrie Hyde-Michaels
FOR FWS FOIA Officer



United States Department of the Interior

FISH AND WILDLIFE SERVICE
5275 Leesburg Pike, MS: IRTM
Falls Church, VA 22041



In Reply Refer To:
FWS/AIA/DSA/FOIA: 2019-00159

November 28, 2018

David A. Garcia
Organization of Professional Aviculturists
3191 Coral Way, Suite 607
Miami, Florida 33145
E-mail address: dgarcia@pradaurizar.com

Dear Mr. Garcia:

The U.S. Fish and Wildlife Service Headquarters Freedom of Information Act (FOIA) Office received your FOIA request dated October 15, 2018 and assigned it control number FWS-2019-00159. Please cite this number in any future communications with our office regarding your request. You requested the following:

“... all information, relating to the approval of permits for consortium/cooperative breeding agreements. This includes but is not limited to all information, relating to the approval of permits of consortium/cooperative breeding agreements of CITES appendix 1 listed species.”

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. *See 43 C.F.R. § 2.39.* However, if our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. *See 43 C.F.R. § 2.37(g).*

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As yet, we have been unable to make a determination on your request. We apologize for this delay. Although we hope that you will wait so that we can complete our search, review,

Mr. Garcia

duplication, or consultation process, please note that you may seek dispute resolution services from our FOIA Public Liaison, Carrie Hyde-Michaels at (703) 358-2291 and/or seek dispute resolution services from the Office of Government Information Services (OGIS).

If you choose to contact OGIS, you may do so in any of the following ways:

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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

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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

Mr. Garcia

Telephone: (202) 208-5339
Fax: (202) 208-6677
E-mail: FOIA.Appeals@sol.doi.gov

We regret the delay and appreciate your consideration. For more information on FOIA Administrative Appeals, you may review the Department's FOIA regulations at 43 C.F.R. Part 2, Subpart H. If you have any further questions relating to this response, please contact Ms. Brenda Tapia (USFWS Division of Scientific Authority, MS: IA, 5275 Leesburg Pike, Falls Church, Virginia 22041 (phone: 703- 358-1989; e-mail: brenda_tapia@fws.gov).

Sincerely,

For Carrie Hyde-Michaels
FWS FOIA Officer



United States Department of the Interior

FISH AND WILDLIFE SERVICE
5275 Leesburg Pike, MS: IRTM
Falls Church, VA 22041



In Reply Refer To:
FWS/AIA/DSA/FOIA: 2019-00160

November 28, 2018

David A. Garcia
Organization of Professional Aviculturists
3191 Coral Way, Suite 607
Miami, Florida 33145
E-mail address: dgarcia@pradaurizar.com

Dear Mr. Garcia:

The U.S. Fish and Wildlife Service Headquarters Freedom of Information Act (FOIA) Office received your FOIA request dated October 15, 2018 and assigned it control number FWS-2019-00160. Please cite this number in any future communications with our office regarding your request. You requested the following:

“...all documents relating to its interpretation of its obligations under WBCA.”

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. *See 43 C.F.R. § 2.39.* However, if our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. *See 43 C.F.R. § 2.37(g).*

We use Multitrack 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 into the complex processing track. 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.

As yet, we have been unable to make a determination on your request. We apologize for this delay. Although we hope that you will wait so that we can complete our search, review, duplication, or consultation process, please note that you may seek dispute resolution services from our FOIA Public Liaison, Carrie Hyde-Michaels at (703) 358-2291 and/or seek dispute resolution services from the Office of Government Information Services (OGIS).

Mr. Garcia

If you choose to contact OGIS, you may do so 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

You may also file an appeal with the Department's FOIA/Privacy Act Appeals Officer regarding this delay. If you choose to appeal this delay, you may do so anytime between now and the date we make our determination on the FOIA request. 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 also include with your appeal copies of all correspondence between you and FWS concerning your FOIA request, including your original FOIA request and FWS's response. Failure to include with your appeal all correspondence between you and FWS 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
E-mail: FOIA.Appeals@sol.doi.gov

Mr. Garcia

We regret the delay and appreciate your consideration. For more information on FOIA Administrative Appeals, you may review the Department's FOIA regulations at 43 C.F.R. Part 2, Subpart H. If you have any further questions relating to this response, please contact Ms. Pat Ford (USFWS Division of Scientific Authority, MS: IA, 5275 Leesburg Pike, Falls Church, Virginia 22041 (phone: 703- 358-2494; e-mail: patricia_ford@fws.gov).

Sincerely,

For Carrie Hyde-Michaels
FWS FOIA Officer



United States Department of the Interior

FISH AND WILDLIFE SERVICE
5275 Leesburg Pike, MS: IRTM
Falls Church, VA 22041



In Reply Refer To:
FWS/AIA/DSA/FOIA: 2019-00161

November 28, 2018

David A. Garcia
Organization of Professional Aviculturists
3191 Coral Way, Suite 607
Miami, Florida 33145
E-mail address: dgarcia@pradaurizar.com

Dear Mr. Garcia:

The U.S. Fish and Wildlife Service Headquarters Freedom of Information Act (FOIA) Office received your FOIA request dated October 15, 2018 and assigned it control number FWS-2019-00161. Please cite this number in any future communications with our office regarding your request. You requested the following:

“...all information related to FWS's obligations to issue regulations under the Wild Bird Conservation Act. Particularly, we are requesting information relating to the agencies failure to include additional species on the approved list for captive-bred species.”

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. *See 43 C.F.R. § 2.39.* However, if our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. *See 43 C.F.R. § 2.37(g).*

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Mr. Garcia

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If you choose to contact OGIS, you may do so 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

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DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior
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Mr. Garcia

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Sincerely,

FOR Carrie Hyde-Michaels
FWS FOIA Officer

Exhibit P



David Garcia <dgarcia@pradaurizar.com>

USFWS FOIA requests 2019-00157, 2019-00158, 2019-00160, and 2019-00161

1 message

Ford, Patricia <patricia_ford@fws.gov> Tue, Dec 11, 2018 at 11:25 AM
To: dgarcia@pradaurizar.com
Cc: Rosemarie Gnam <rosemarie_gnam@fws.gov>, "Babij, Eleanora" <eleanora_babij@fws.gov>

Dear Mr. Garcia,

Please find attached the final letters to you regarding your USFWS FOIA requests: 2019-00157, 2019-00158, 2019-00160, and 2019-00161, plus three attachments with regard to 2019-00160.

Please confirm receipt of this email and contents.

Best regards,
Pat

Pat Ford
Division of Scientific Authority
U.S. Fish & Wildlife Service - International Affairs
5275 Leesburg Pike, MS: IA
Falls Church, VA 22041-3803
703-358-2494 / patricia_ford@fws.gov

7 attachments

-  **FWS FOIA 2019-00158 final ltr.pdf**
258K
-  **FWS FOIA 2019-00157 final ltr.pdf**
307K
-  **FWS FOIA 2019-00160 final ltr.pdf**
307K
-  **FWS FOIA 2019-00161 final ltr.pdf**
294K
-  **WBCA Final Rule_FR Vol 59_12-2-1994.pdf**
60K
-  **WBCA Final Rule FR Vol 61_1-24-1996.pdf**
161K
-  **WBCA Final Rule FR Vol 58_11-16-1993.pdf**
1423K