

EXHIBIT 7

From: tiffany_mcclurkin@fws.gov on behalf of [FOIA R4, FW4](#)
To: [Ramona McGee](#)
Cc: [Larry Lee](#); [Heather Hillaker](#)
Subject: Re: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response
Date: Friday, September 20, 2019 4:39:48 PM

Good Afternoon,

After speaking with the ES FOIA Coordinator, he is currently working on partial responses for FWS-2018-00274, FWS-2018-00542, and FWS-2018-00602. He has advised that he will have the partial responses to my office for review by September 27, 2019. If there is information that can be released in full, I will provide that to you immediately. I will keep you updated.

I will be sending a partial response to you for FWS-2019-00203 on or before September 24, 2019 and the remaining documents will be sent to the Office of the Regional SOL. I plan to have this request complete on or before September 30, 2019. Thanks so much for your continued patience.

V/R

Tiffany McClurkin

Government Information Specialist

Freedom of Information Act (FOIA) Coordinator

U.S. Fish & Wildlife Service

Southeast Region (Region 4)

1875 Century Blvd, Suite 214

Atlanta GA 30345

(E) foiar4@fws.gov

On Thu, Sep 19, 2019 at 6:28 AM FOIA R4, FW4 <foiar4@fws.gov> wrote:

Good Morning Ms. McGee,

Larry and I will discuss your requests today and I will provide updates to you by Friday, September 20, 2019. Thanks!

V/R

Tiffany McClurkin

Government Information Specialist

Freedom of Information Act (FOIA) Coordinator

U.S. Fish & Wildlife Service

Southeast Region (Region 4)

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On Wed, Sep 18, 2019 at 1:31 PM Ramona McGee <rmcgee@selcnc.org> wrote:

Hi Tiffany,

I never received a response to the below inquiry, and we have not received any more records in the intervening months. Can you please provide us an update on each of these requests?

-Ramona

From: Ramona McGee
Sent: Wednesday, May 22, 2019 1:00 PM
To: Tiffany McClurkin
Cc: 'Larry Lee'; Heather Hillaker
Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Hi Tiffany,

Any updates on any of these? As you are probably aware, the 274 request has now been pending for more than a year and half, with only one small partial response released to us. Similarly, 542 and 602 are now more than a year old.

And could you please provide any updates on the request we sent regarding red wolves on February 19, 2019 (FWS-2019-00455)?

Thanks,

Ramona

From: Tiffany McClurkin [mailto:foiar4@fws.gov]
Sent: Friday, May 03, 2019 1:10 PM
To: Ramona McGee
Cc: 'Larry Lee'; Heather Hillaker
Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Good Afternoon Ms. McGee,

The Field Office is still trying to organize records for FWS-2018-00542 and have indicated that they will try to have the records to the ES FOIA Coordinator within the next couple of weeks for review.

Larry has indicated that he is continuing the review for another release for FWS-2018-00274 with a goal of getting to my office by Thursday, May 9, 2019. after ES routing and review.

I am still awaiting a status update for FWS-2018-00602. Thanks!

V/R

Tiffany McClurkin

U.S. Fish & Wildlife Service

Headquarters Information Resources & Technology Management

Government Information Specialist

Freedom of Information Act (FOIA) Coordinator

(E) foiar4@fws.gov

From: Tiffany McClurkin <foiar4@fws.gov>
Sent: Friday, May 3, 2019 9:13 AM

To: 'Ramona McGee' <rmcgee@selcnc.org>
Cc: 'Larry Lee' <larry_lee@fws.gov>; 'Heather Hillaker' <hhillaker@selcnc.org>
Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Good Morning Ms. McGee,

Sorry for the delayed response. I sent Ms. Barefield an email this morning following up on the status of the consult (FWS-2019-00203). You referenced it as 602, but it should be 203. Remember, originally I put 602 in the email, but made a mistake—it was supposed to be 203. I just spoke with Ms. Barefield on the phone and she replied to my email. It is current at SJA (their attorney's office) and she indicated it was sent to them last Friday. She said that as soon as she receives it from the attorney, she will get it back to me as soon as possible.

I have not received the records for 00274. I am following up with the ES FOIA Coordinator and hope to have an update for you soon.

I will also ask the ES FOIA Coordinator for a status update of 00602 as well.

Thanks for your continued patience.

V/R

Tiffany McClurkin

U.S. Fish & Wildlife Service

Headquarters Information Resources & Technology Management

Government Information Specialist

Freedom of Information Act (FOIA) Coordinator

(E) foiar4@fws.gov

From: Ramona McGee <rmcgee@selcnc.org>
Sent: Friday, April 26, 2019 9:06 AM
To: Tiffany McClurkin <foiar4@fws.gov>
Cc: 'Larry Lee' <larry_lee@fws.gov>; Heather Hillaker <hhillaker@selcnc.org>
Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Hi Tiffany,

Could you please provide updates as to all of the below pending FOIA requests?

In particular: For 602, have you been able to coordinate with Ms. Barefield about releasing the documents in question? And for 274, did you receive the documents on April 12, and when will you be able to provide us with another response?

Thank you.

Ramona

From: Tiffany McClurkin [<mailto:foiar4@fws.gov>]
Sent: Friday, April 05, 2019 3:11 PM
To: Heather Hillaker
Cc: 'Larry Lee'; Ramona McGee
Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

You're welcome!

So sorry about that--Guess I was moving too fast ☺! Thanks for catching that!

Have a wonderful weekend!

V/R

Tiffany McClurkin

U.S. Fish & Wildlife Service

Headquarters Information Resources & Technology Management

Government Information Specialist

Freedom of Information Act (FOIA) Coordinator

(E) foiar4@fws.gov

From: Heather Hillaker <hhillaker@selcnc.org>

Sent: Friday, April 5, 2019 3:04 PM

To: 'Tiffany McClurkin' <foiar4@fws.gov>

Cc: 'Larry Lee' <larry_lee@fws.gov>; Ramona McGee <rmcgee@selcnc.org>

Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Thank you Tiffany for taking the time to speak with us this afternoon and for providing this written recap of our conversation.

For clarification, the highlighted tracking number below should read: FWS-2019-00203.

Best,

Heather Hillaker

Associate Attorney | Southern Environmental Law Center

601 West Rosemary Street, Suite 220 | Chapel Hill, NC 27516-2356

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From: Tiffany McClurkin [<mailto:foiar4@fws.gov>]
Sent: Friday, April 05, 2019 2:57 PM
To: Heather Hillaker
Cc: 'Larry Lee'; Ramona McGee
Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Good Afternoon Ladies,

Thanks so much for speaking with me this afternoon regarding FOIA requests FWS-2019-00203, FWS-2018-00542, and FWS-2018-00274. Below is a summary of our discussion. If I missed something, please feel free to chime in and let me know.

FWS-2019-00602: Per our conversation, I'm sincerely apologetic on the confusion of the 1st Partial Response letter. If you all can please disregard that letter, it would be greatly appreciated. I originally sent the referral documents to usarmy.belvoir.hqda-oaa-ahs.mbx.rmda-foia@mail.mil on March 22, 2019 and received a generic response of "Your inquiry has been received by the US Army Freedom of Information Act (FOIA) office. Thank you for contacting us. Army FOIA." I was never able to speak with a live person or received no other correspondence from this mailbox. When asked for contact information of who I sent the referral documents to, I emailed the same email address again on March 29, 2019 and received that same generated message. I spoke with a biologist from the Army (Fort Benning) and was provided a contact name and number for FOIA, Ms. Maureen Barefield, who I just spoke with on Wednesday, April 3, 2019. I explained the request and that I forwarded the records to usarmy.belvoir.hqda-oaa-ahs.mbx.rmda-foia@mail.mil, but had not received confirmation that the records were being processed. She confirmed that she is the FOIA contact for Army/Fort Benning.

The five records that were forwarded to the email address above are a part of the thirteen records in total. As discussed, I will consult with Ms. Maureen Barefield from the Army on the records to get this closed as soon as possible. I will follow-up with her periodically to ensure we can get these records to you in a timely manner. My plan is to send the records to her on Tuesday, April 9, 2019 for consultation and also review the records to determine if there is anything that can be released to you immediately.

FWS:2018-00274: I have followed up with Mr. Larry Lee (Ecological Services Field Office) regarding this request and spoke with him this morning. As mentioned, he was out of the office and on leave Monday through Thursday and just returned today. I understand that he is playing catch up on email so under the circumstances I asked him to provide a status update by next week. As soon as he provides a status update, I will send you all an email.

UPDATE: Mr. Larry Lee will be providing a 2nd Partial Response to me by Friday, April 12, 2019. Once those records are received, I will be able to give you a better idea of when I can have the response to you.

FWS-2018-00542: I reached out to Mr. Larry Lee for an update and as soon as he provides me with an update, I will send you all an email.

UPDATE: Mr. Larry Lee will be following up with the responsible office to determine the date he will be receiving additional records for review, but there are more records forthcoming

As per our discussion, we discussed how the process works--When the request is assigned to the program, the records are reviewed by the Program prior to coming to my office for review. The ES FOIA Coordinator works closely with the Subject Matter Expert (SME) during the course of his review of the records. Once I receive the records for review, if it requires Solicitor review, I work directly with the attorney during that review process.

I would again like to thank both of you for taking the time to speak with me regarding your FOIAs and I hope to have answers for you soon. If I left missed anything important from our conversation, please respond.

V/R

Tiffany McClurkin

U.S. Fish & Wildlife Service

Headquarters Information Resources & Technology Management

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Freedom of Information Act (FOIA) Coordinator

(E) foiar4@fws.gov

From: Heather Hillaker <hhillaker@selcnc.org>
Sent: Friday, April 5, 2019 12:47 PM
To: 'Tiffany McClurkin' <foiar4@fws.gov>
Cc: 'Larry Lee' <larry_lee@fws.gov>; Ramona McGee <rmcgee@selcnc.org>
Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Tiffany,

I am happy to speak with you at any time between now at 2:30. I just tried calling you back but your voicemail was full. Please give me a call back so we can discuss the questions below. I will also be out of the office from Monday through Wednesday of next week.

Best,

Heather Hillaker

Associate Attorney | Southern Environmental Law Center

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From: Tiffany McClurkin [<mailto:foiar4@fws.gov>]
Sent: Friday, April 05, 2019 12:08 PM
To: Heather Hillaker
Cc: 'Larry Lee'; Ramona McGee
Subject: RE: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Good Afternoon Ms. Hillaker,

I just recently gave you a call, but it was unfortunate that I missed you. I did leave a voicemail. I was calling to discuss your below questions and to hope clarify some items. I wanted to touch base with you as I know you would like a response by today. I am available today until 2:30 p.m. and then I will not return to the office until Tuesday, April 9, 2019. If you could please give me a call to discuss your concerns, that would be greatly appreciated. I would like to apologize in advance for any confusion my response may have caused. Thank you so much and I look forward to speaking with you soon.

V/R

Tiffany McClurkin

U.S. Fish & Wildlife Service

Headquarters Information Resources & Technology Management

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(E) foiar4@fws.gov

From: Heather Hillaker <hhillaker@selcnc.org>
Sent: Friday, March 29, 2019 2:53 PM
To: 'Tiffany McClurkin' <foiar4@fws.gov>
Cc: Larry Lee <larry_lee@fws.gov>; Ramona McGee <rmcgee@selcnc.org>
Subject: [EXTERNAL] RE: FOIA FWS-2019-00203 1st Response

Tiffany,

Thank you for sending the response letter, dated March 22, 2019. After reviewing the letter and your email, I was hoping you could clarify a few things. Please provide us with a response to these questions by no later than Friday, April 5, 2019.

First, can you please explain why FWS was not able to release the referenced records to us? Please provide us with your justification under FOIA for referring these 5 responsive documents in the Service's possession to the U.S. Army. Did these 5 documents originate at the Service?

Second, I read this response letter as a partial denial of my November 29, 2018, FOIA request. Please confirm that the Service is in fact *partially* denying the Nov. 29 FOIA request and that the appeal rights identified in the response letter *only apply* to the 5 documents the Service has referred to the Army.

Third, since the Service has referred these 5 documents to the U.S. Army, please provide the name and contact information for the FOIA officer at the Army that will handle this FOIA response. Please also provide us with the date that the documents were referred to the U.S. Army, and when we can anticipate to receive the documents or a response from the U.S. Army regarding these documents.

Finally, as it relates to the remaining responsive records in the Service's possession, please confirm that these records will continue to be processed pursuant to the FOIA request. Additionally, please provide a timeline for when I can expect a response from the Service regarding these remaining records, as the Service has already had four months to review these records.

Best,

Heather Hillaker

Associate Attorney | Southern Environmental Law Center

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From: Tiffany McClurkin [<mailto:foiar4@fws.gov>]
Sent: Friday, March 22, 2019 9:08 AM
To: Heather Hillaker
Cc: Larry Lee
Subject: FOIA FWS-2019-00203 1st Response

Good Morning Ms. Hillaker,

Attached is a response letter regarding your FOIA request submitted to our office on November 29, 2018. The documents that were located involved the Army and FWS. Because so much of the information involved the Army, we referred those documents to the Army for processing and direct response to you. This has all been outlined in your letter. There are additional documents that still need to be reviewed by the Ecological Services Program and those documents will be provided in subsequent responses. Thanks so much for your continued patience and please let me know if you have any questions or concerns.

V/R

Tiffany McClurkin

U.S. Fish & Wildlife Service

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