



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington, D.C. 20240

In Reply Refer To:
FWS/AEA/17916

August 3, 2004

Mr. Charles A. Zdebski
Attorney at Law
Troutman Sanders LLP
401 9th Street, NW, Suite 1000
Washington, DC 20004-2134

Dear Mr. Zdebski:

On June 22, 2004, you submitted to the U.S. Fish and Wildlife Service (Service) a request for correction of information pursuant to the Information Quality Act (IQA) under the Service's IQA Guidelines (<http://irm.fws.gov/infoguidelines/index.htm>) concerning unsupported information disseminated by the Service in connection with re-licensing the Osage Hydroelectric Project. The IQA requires that Federal agencies ensure the quality, objectivity, utility, and integrity of the information they disseminate to the public.

In your request, you allege that the Service has failed to adequately support its statements with necessary studies and evidence, specifically in our April 22, 2004 correspondence to the Federal Energy Regulatory Commission (FERC) concerning management plans for paddlefish.

Please be aware that as stated in the Service IQA Guidelines, the Service exempts information dissemination intended for adjudicative processes. It has been determined that FERC is an adjudicative body charged with determining if a license should be issued to an applicant and the terms of the license through an adjudicative process. Since the Service's April 22, 2004 correspondence was submitted to a federal regulatory agency as part of the FERC licensing process which is an administrative adjudication, your request does not meet the requirements for a request for correction of information under the Service's IQA guidelines.

Sincerely,

Thomas O. Melius
Assistant Director-External Affairs