



File Code: 1300  
03-0010-R

Date: April 20, 2004

Mr. Dennis Parker  
Post Office Box 1100  
Patagonia, AZ 85624

Dear Mr. Parker:

This letter responds to your Request for Reconsideration filed pursuant to the United States Department of Agriculture (USDA) Information Quality Guidelines (IQG) and the Data Quality Act, Pub. L. No. 106-554 § 515. You originally sought correction of data and information in the “Guidance Criteria for Determining the Effects of On-Going Grazing and Issuing Term Grazing Permits on Selected Threatened and Endangered Species, and Species Proposed for Listing and Proposed and Designated Critical Habitat” (Guidance Criteria).

We have given your Request for Reconsideration careful examination and thoroughly reviewed your concerns. According to the USDA IQG, our review was based on the explanation and evidence you provided. You requested a panel of officials to review your request that you state involves influential and regulatory information. USDA reviewed your request and found the document at issue to be non-influential, and consequentially, did not convene a panel. Rather, your Request for Reconsideration was remanded to the Forest Service.

The Forest Service was charged to determine whether the initial agency review was conducted with due diligence. The Request for Reconsideration was reviewed for conformity to both Office of Management and Budget and USDA guidelines. Forest Service examined the original request for correction, the response document, information provided by Forest Service and USDA websites, and information provided in your Request for Reconsideration.

The Guidance Criteria was developed for internal and interagency use by biologists from the Forest Service and the Fish & Wildlife Service, Department of the Interior. The information was intended for internal guidance only and not planned for public dissemination. The regional guidance is advisory and does not require a modification of grazing permits; it was not intended to, and does not provide, allotment management direction.

Your position is that by providing an incidental copy of the Guidance Criteria to you, as your client’s representative, and by similarly providing a copy of the Guidance Criteria to the New Mexico and Arizona Cattle Growers Association, the Forest Service has disseminated it to the public. The definitions within Office of Management and Budget and USDA guidelines foresee dissemination as agency action designed to make the information available to more than an extremely limited number of individuals. The plain meaning of “public” is related to a community or an aggregate of people. Additionally, the plain meaning of “disseminate” is to scatter or provide widely.



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Thus, the Forest Service determined that your position is not well founded and that that no correction of information is necessary. The information you provided does not demonstrate that the challenged information is inconsistent with USDA's Information Quality Guidelines. The review of the Request for Correction was conducted with due diligence.

In conclusion, the information you provided was carefully considered. However, after full consideration and careful, thorough review, I conclude there is no correction of information necessary.

Sincerely,

/s/ Irving W. Thomas (for)  
CHRISTOPHER L. PYRON  
Deputy Chief for Business Operations