



United States  
Department of  
Agriculture

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

January 28, 2010

David P. Hoyt  
Dynamic Aviation Group, Inc.  
Post Office Box 7  
Bridgewater, Virginia 22812

Dear Mr. Hoyt:

This is in response to your November 17, 2009, Freedom of Information Act (FOIA) request a listing of companies who provided a proposal in response to solicitations:

USDA APHIS Solicitation #AG-6395-S-09-0124 entitled "Air Services in Florida"  
USDA APHIS Solicitation #AG-6395-S-09-0134 entitled "Air Services in California"

You are also seeking the pricing proposed by each responding organization.

Your request was received in this Office on November 18, 2009, and assigned case number FOIA 10-090. We apologize for the delay of this response.

Agency employees conducted a thorough search of their files and enclosed are two pages of records responsive to your request. However, we are withholding the names, business type, size and cost line items for unsuccessful proposals, pursuant to FOIA Exemption 3, 5 U.S.C. § 552(b)(3). This exemption provides for nondisclosure of information that is statutorily prohibited from disclosure. In this case, Public Law 104-201, section 821(b)(m), the National Defense Authorization ACT (NDAA) for Fiscal Year 1997 [41 U.S.C. 253b(m)] which prohibits the release of any proposal not set forth or incorporated by reference in a contract entered into between the agency and the contractor.

You may appeal our partial denial of this information. If you choose to appeal, your appeal must be in writing and must be received within 45 days of the date of this letter. Please send to:

Administrator  
Animal and Plant Health Inspection Service  
Ag Box 3401  
Washington, D.C. 20250-3401

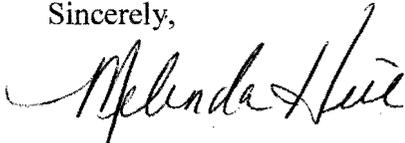
David P. Hoyt  
FOIA 10-090

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If you choose to appeal, please refer to FOIA 10-090 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, provide specific reasons why you believe modification of the determination is warranted.

Because the cost to process your request is less than \$25.00, the fee has been waived. If you have any question, please do not hesitate to contact Ms. Deborah L. Leilich of my staff at (301)734-3623.

Sincerely,



*for* Celeste Camp  
Acting Director  
Freedom of Information & Privacy Act  
Legislative and Public Affairs

Enclosure