



April 20, 2011

United States
Department of
Agriculture

Michael Budkie
Sent Via Email

Animal and
Plant Health
Inspection
Service

Dear Mr. Budkie:

Legislative and
Public Affairs

This is a partial response to your December 14, 2010, Freedom of Information Act (FOIA) request for copies of all documents discussed in the November 16, 2010, inspection report for the Southwest Foundation for Biomedical Research. Your request was received in this office on December 14, 2010, and assigned FOIA 11-136. We apologize for the delay of this response.

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Agency employees conducted a thorough search of their files and located 180 pages of records that are responsive to your request. Attach are 180 pages of records responsive to your request. After reviewing the records, we notice that 180 pages of these documents you have requested are involved in an ongoing investigation, therefore, we are withholding 180 pages in full under FOIA Exemption 7(A), 5 U.S.C. § 552(b)(7)(A). This exemption protects from disclosure records compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement activities. Moreover, we are unable to determine when the proceeding will be completed. You are welcome to submit a new request for this information at a later date.

Please note that copies of inspection reports are now available on our Animal Care web site. To access all available APHIS inspection reports, please visit the APHIS homepage at <http://www.aphis.usda.gov> and click on **FOIA Reading Room** (a bullet item located in the light blue box on the right-hand portion of the screen). Then, click on **List of active licensed and registered facilities**, a bullet item located under a Frequently Requested Documents heading. There, you will be able to access a searchable database.

Also note that copies of annual reports are now available on our Animal Care web site at: http://www.aphis.usda.gov/footer_items/foia_reading_room.shtml. Click on the bullet, "*Annual Reports of Research Facilities.*" There, you will be able to access available annual reports by facility

You may appeal our denial of 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 at the following address:

Administrator
Animal and Plant Health Inspection Service
Ag Box 340
Washington, DC 20250-3401

Mr. Michael Budkie



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Programs

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If you choose to appeal, please refer to FOIA 11-136 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.

Due to the delayed processing of your request, all fees have been waived. If you have any questions, please contact Ms. KeWanda McCain of my staff at (301) 734-4893.

Sincerely,



for Tonya G. Woods
Director
Freedom of Information & Privacy Act
Legislative and Public Affairs

Enclosure