



United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

May 11, 2011

Michael Budkie  
Sent Via Email

Dear Mr. Budkie:

This is a final 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.

Agency employees conducted a thorough search of their files and located 271 pages of records that are responsive to your request. Attach are four pages of records responsive to your request. After reviewing the records, we notice that 266 pages of these documents you have requested are involved in an ongoing investigation, therefore, we are withholding 266 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 be advised, there are five pages, which are releasable at this time. However, information has been withheld under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). This exemption protects information from disclosure when its release would cause a clearly unwarranted invasion of personal privacy. This same information has also been withheld under FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C). This exemption protects from disclosure records or information compiled for law enforcement purposes when its release could reasonably be expected to constitute an unwarranted invasion of personal privacy. We withheld four pages pursuant to this exemption. We have withheld names of third party individuals as well as job titles and addresses.

You may appeal our partial 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



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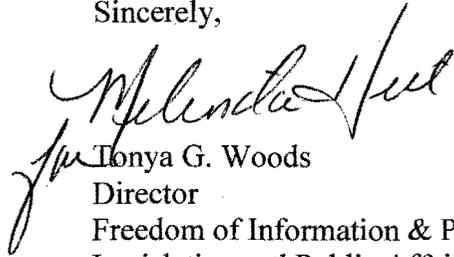
Mr. Michael Budkie  
FOIA 11-136

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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,

A handwritten signature in cursive script, appearing to read "Tonya G. Woods".

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

Enclosures