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# PEER

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ORS  
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Public Employees for Environmental Responsibility

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Inde

**RECEIVED**  
United States Department of Agriculture  
Animal & Plant Health Inspection Service  
APR 26 2011  
Tonya Woods, FOIA Officer  
4700 River Road, Box 50  
Riverdale, MD 20737-01232

Post-it* Fax Note	7671	Date	# of pages ▶
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\*refer to Departmental FOIA office

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## RE: FOIA REQUEST

Dear Ms. Woods:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, as amended, Public Employees for Environmental Responsibility (PEER) requests records reflecting the Agency's communications regarding the cultivation of genetically engineered or genetically modified crops (hereafter "GE") on national wildlife refuges. Specifically, we request the following:

1. All communications to and from outside (non-federal) entities, including corporations, or individuals concerning cultivation of GE crops on national wildlife refuges; and
2. All communications to and from other federal agencies, including the U.S. Fish and Wildlife Service and the Department of Interior, concerning cultivation of GE crops on national wildlife refuges.

These requests should cover communications from January 1, 2009 to the present.

For any documents or portions of documents that you block release due to specific exemption(s) from the requirements of the Freedom of Information Act, please provide an index itemizing and describing the documents or portions of documents withheld. The index should, pursuant to the holding of Vaughn v. Rosen (484 F.2d 820 [D.C. Cir. 1973] cert. denied, 415 U.S. 977 [1974]), provide a detailed justification for claiming a particular exemption that explains why each such exemption applies to the document or portion of a document withheld.

PEER requests that all fees be waived because "disclosure of the information is in the public interest . . . and is not primarily in the commercial interest of the requestor" (5 U.S.C. 552 (a) (4)(A)):

1. The records concern the operations or activities of the Government.



The FOIA request is, by its terms, limited to identifiable activities of the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS).

*2. The disclosure of the requested records is likely to contribute to public understanding of these operations or activities.*

The requested material concerns information relating to agency interactions regarding cultivating GE crops on national wildlife refuges. As the thrust of our FOIA request is to document agency communications on GE crops, the requested documents are precisely on point of the subject matter of the request.

*3. The release of these requested records will contribute significantly to public understanding of the governmental activities.*

While it is difficult to warrant in advance to seeing just how significant the information will be to the general public, the nature of the information should shed some direct light on how nongovernmental entities play a role in government business.

While a certain segment of the population has a keen interest in whether GE crops are cultivated on national wildlife refuges, the broader public interest served by this request concerns agency operations and the role of nongovernmental entities, including corporations and individuals, on the activities of the agency.

PEER believes that the disclosure of communications regarding GE crops on wildlife refuges will offer the general public a textbook example of outside influence on government activities and how the agency influences other government operations pursuant to this. The general public also has a keen interest in any factor bearing on decisions made by the agency where all sides may not have been equally represented and where the safety of our environment and food supply is at issue.

PEER intends to provide the requested information to the general public through —

- Release to the news media;
- Posting on the PEER web page which draws between 1,000 and 10,000 viewers per day; and
- Publication in PEER's newsletter that has a circulation of approximately 20,000, including 1,500 environmental journalists.

Through these methods, PEER generates an average of 1.5 mainstream news articles per day. Moreover, PEER has repeatedly demonstrated the ability to generate nationwide news coverage concerning activities occurring within the USDA.

*4. Disclosure would not serve a commercial interest of the requestor.*

Disclosure is in no way connected with any commercial interest of the requestors in that PEER is a nonprofit, nonpartisan public interest organization concerned with upholding the public trust through responsible management of our nation's resources and with supporting professional integrity within public land management and pollution control agencies. To that end, PEER is

designated as a tax-exempt organization under section 501 (c) (3) of the Internal Revenue code.

If you have any questions about this FOIA request, please contact me forward to receiving the agency's final response within 20 working days.

I look

Cordially, /

Kit Douglass  
Staff Counsel