



United States
Department of
Agriculture

November 9, 2010

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

4700 River
Road
Unit 50
Riverdale, MD
20737-1232

Dear

This is in response to your October 11, 2010, Freedom of Information Act (FOIA) request for the results of an investigation HI10059-AC pertaining to the death of your pet resulting from transportation on a United Airlines non-stop flight. Your request was received in this office on October 13, 2010, and assigned case number FOIA 11-024.

Agency employees conducted a thorough search of their files and on the enclosed CD-ROM are 105 pages of responsive records in which 22 pages are being released. We are withholding 83 records in their entirety that may be responsive to your request 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. Since Exemption 7(A) protects the records from disclosure, we have not determined if other exemptions apply. Therefore, we reserve the right to assert other exemptions when Exemption 7(A) no longer applies. If you wish, you may submit a new FOIA request at a later time.

However, information is being 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.

Additionally, information is being 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, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. Specifically, names, addresses and phone numbers have been withheld.

You may appeal our denial determination. If you choose to appeal, your appeal must be in writing and must be received at the following address within 45 days of the date of this letter:

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



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

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Mrs. Jennifer Anderson
FOIA 11-024

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Please refer to FOIA 11-024 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, all fees have been waived. If you have any questions, please contact Ms. Tamara M. Wade of my staff at (301) 734-5268.

Sincerely,

for Celeste Camp

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

Enclosure