



SEP 29 2010

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

Andrew D. Cardon, M.S., J.D.
Director of State and Legal Affairs
National Association for Biomedical Research
818 Connecticut Ave. NW, Suite 900
Washington, DC 20006

Dear Mr. Cardon:

This is in response to your June 17, 2010, Freedom of Information Act (FOIA) request for a current list of the names, institutions, titles, email addresses and mailing addresses for the USDA's contacts at each registered research facility. Your request was received via email on June 17, 2010, and assigned case number 10-509.

The facility names and mailing addresses of all research facilities can be found on our web site at http://www.aphis.usda.gov/animal_welfare/efoia/index.shtml.

Our Office of Animal Care (AC) conducted a search of its Animal Care Information Systems database for the names of institutional officials, titles and email address. AC found the names of 1,124 research facilities of which 1,113 contain contact names, 296 contain the names of institutional officials, and 64 email addresses are listed. However, no titles were listed. We did not locate this information for the remaining facilities. We have determined that information is exempt from disclosure under FOIA Exemptions 6 and 7(C) of the FOIA, 5 U.S.C. § 552(b)(6) and 5 U.S.C. § 552(b)(7)(C), respectively. Exemption 6 protects information from disclosure when its release would cause a clearly unwarranted invasion of personal privacy. Exemption 7(C) 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.

Pursuant to Exemption 6, 5 U.S.C. § 552(b)(6) of the FOIA, APHIS balanced these individuals' privacy interests against the public interest in disclosure. Under the FOIA, the public interest is advanced when disclosing responsive records educates the public about governmental activity. APHIS determined that releasing the identities of private individuals that are employed by a research facility would not shed light on the activities of APHIS or USDA.

Under Exemption 7(C) of the FOIA, APHIS, requires registered facilities to submit yearly Annual Reports that contained various activities involving the testing of various animals. In reviewing these reports and subsequent records, their identities connects them to such activities that will and have invited physical and verbal harassment. Moreover, APHIS considers Annual Reports law enforcement records as part of its responsibility in enforcing the Animal Welfare Act (AWA). Therefore, this portion of your request is denied.



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Andrew D. Cardon, M.S., J.D.
FOIA 10-509

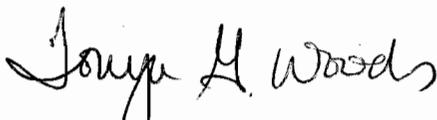
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You may appeal our partial denial and no records determination of your request. If you choose to appeal, you may appeal within 45 calendar days from the date of this letter stating the reasons why the requested information should be released under the Act; and why the denial may be in error.

Address your written appeal to the: Administrator, Animal and Plant Health Inspection Service, Ag Box 3401, Washington, D.C. 20250-3401. Please refer to **FOIA 10-509** in your appeal letter and add the words **FOIA Appeal** to the front of the envelope.

If you have any questions, please contact the FOIA Office at (301) 734-3257.

Sincerely,

A handwritten signature in cursive script that reads "Tonya G. Woods".

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