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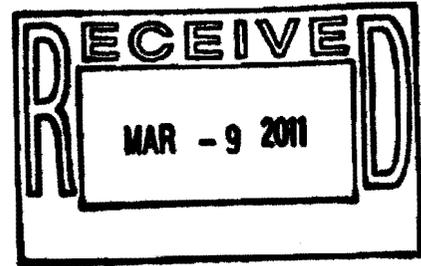
AC/IES
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WDCS

Whale and Dolphin Conservation Society

March 9, 2011

Freedom of Information Act Office
Legislative and Public Affairs
APHIS, USDA
4700 River Road, Unit 50
Riverdale, MD 20737
Via fax: 301-734-5941



APR - 6 2011

To the FOIA Officer:

I am writing to request the following information under, and pursuant to, the Freedom of Information Act (FOIA), and all other laws entitling full public disclosure of the following information:

- 1). All records, notes (including of phone conversations), correspondence and documentation (electronic or otherwise) relating to the 2006 export of killer whales from Sea World to Loro Parque, Tenerife, Spain (Canary Islands) and dating from March 1, 2003 to the present;
- 2). Specifically, all records, notes (including of phone conversations), correspondence and documentation (electronic or otherwise) relating to the evaluation for comparability of care and maintenance standards for the above said export dating from March 1, 2003;
- 3). All records, correspondence, notes (including phone conversations) and documentation (electronic or otherwise) relating to the policies, processes and procedures utilized by APHIS in evaluating the **comparability** of foreign facilities and certifying governments towards meeting the requirements (facility licensing requirements) of the Animal Welfare Act (AWA) and Marine Mammal Protection Act (MMPA) for exports of marine mammals to international public display facilities.
- 4). The final and official APHIS investigative report into the death of trainer Dawn Brancheau at SeaWorld Orlando on February 24, 2010, including any records or documentation relating to other incidents resulting in orca trainer injury or death.

Please send the results of this request to:

Courtney S. Vail
WDCS, US
333 N. Danielson Way
Chandler, Arizona 85225

Furthermore, we understand that under the Electronic Freedom of Information Act Amendments to the Freedom of Information Act (FOIA), all federal agencies are required to make available on the Internet, any records that have been disclosed in response to a FOIA request and which the agency determines have become or are likely to become the subject of subsequent requests.

This request satisfies the criteria for fee waiver under 5 U.S.C. 552 (a)(4)(A)(iii). WDCS is a non-profit animal welfare and conservation organization and none of the information under this request will be used for profit or to advance any commercial interests. Rather, WDCS has the ability to contribute to the public's understanding of federal agencies' operations as well as their policies and activities relating to worker and animal protection due to its proven ability to disseminate information to a large segment of the public. WDCS is an international conservation and welfare organization, headquartered in Plymouth, Massachusetts with additional offices in the United Kingdom, Australia, Argentina and Germany. Policies and activities relating to the protection of whales and dolphins are of national concern. WDCS is particularly well suited to distribute information to concerned citizens and others throughout the country. In addition, WDCS routinely distributes information, press releases, reports, and copies of original documents to members of the media to generate articles. WDCS also routinely distributes, at no charge, its own information and information obtained from other sources regarding policies and activities relating to the protection of whales and dolphins, to anyone requesting such information. This includes the public, media, students, and scientists.

Thank you in advance for your attention to this request. If there are any questions or concerns, I can be reached at _____ or courtney.vail@wdcs.org. I will look forward to a timely response, and thank you very much in advance for your efforts.

Sincere regards,

Courtney S. Vail
WDCS
www.wdcs.org
480-747-5015



FACSIMILE TRANSMITTAL

DATE: March 9, 2011

TO: APHIS/USDA
FOIA Officer
301-734-5941

FROM: Courtney S. Vail
Whale and Dolphin Conservation Society (WDCS), US

RE: FOIA Request

Pages: 2 +cover

Thank your attention to the attached.

Warmest regards.

Courtney Vail
480-747-5015