



United States  
Department of  
Agriculture

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Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

Ms. Kathleen Conlee  
Director of Program Management  
Animal Research Issues  
The Humane Society of the United States  
2100 L Street NW  
Washington, DC 20037

Dear Ms. Conlee:

This is a partial response to your July 1, 2010, Freedom of Information Act (FOIA) request. You requested a copy of the stipulation agreement and all documents relating to the stipulation concerning University of Louisiana Lafayette New Iberia Research Center. Your request was received in this office on July 15, 2010, and assigned case number FOIA10-502. Please forgive the delay of this response.

Agency employees conducted a thorough search of their files and located 571 pages of responsive records. With this letter, we are providing 539 pages. The records have been reviewed under the provisions of the FOIA and are being provided to you on the enclosed CD-ROM. Please note that we have withheld portions of the information pursuant to the following FOIA Exemptions 5 U.S.C. §§ 552 (b)(2), (b)(5), (b)(6), (b)(7)(c), and (b)(7)(f).

Exemption 2 (high) protects from disclosure information concerning internal matters of a substantial nature, which if disclosed would risk the circumvention of a statute or agency regulation. The same information is withheld pursuant to Exemption 7(F). This exemption protects from disclosure law enforcement related information, which if disclosed could reasonably be expected to endanger the life or physical safety of an individual.

Exemption (b)(5) permits the withholding of inter-and intra-agency records which are pre-decisional, deliberative which may contain agency employees advice, opinions and recommendations. Disclosure of such material would inhibit the open and candid expression of such views in similar future deliberations and have a detrimental effect on our decision-making process.

Exemption (b)(6) permit withholding of information which if released would cause a clearly unwarranted invasion of personal privacy. The same information has been withheld pursuant to FOIA Exemption 7(C), 5 U.S.C. § 552 (b)(7)(C). This exemption protects from disclosure records or information collected for law enforcement purposes when its release could reasonably be expected to constitute an unwarranted invasion of personal privacy. Identities of various federal employees have been withheld along with personally identifiable information, such as third party names, signatures, phone number, addresses, social security numbers, and date of births.



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Finally, the remaining 32 pages may contain confidential business information (CBI) submitted by New Iberia Research Center that may qualify for withholding under FOIA Exemption 4,5 U.S.C. § 552(b)(4). Exemption 4 protects from public disclosure trade secrets and CBI, the disclosure of which is likely to cause substantial competitive harm. Under the *Predisclosure Notification Procedures for Confidential Commercial Information*, Executive Order 12600 (copy enclosed), Federal agencies subject to the FOIA are required to notify a submitter of business information that disclosure of the information is being considered.

You may appeal our denial of this information or you may hold your appeal in abeyance until your final response is received. However, if you choose to appeal your appeal must be in writing and must be received within 45 days of the date of this letter to the following address:

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

Please refer to FOIA 10-502 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.

Also contained on the CD-ROM is rp505enu.exe, which is a free copy of Adobe® Acrobat® Reader™ that is required to view the responsive records. By opening rp505enu.exe and following the on-screen instructions, you will install Adobe Reader. After installation, the Adobe Reader should render the PDF files correctly.

Please note that the remainder of your request is still under review. Once the EO12600 process is complete, we will provide our final release to you.

In the interim, if you have any questions, please contact Melinda Hill of my staff at (301) 734-5974.

Sincerely,



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

Enclosures:

1. Responsive records (539 pages)
2. Executive Order (E.O.) 12600