



MAY - 2 2013

United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Legislative and
Public Affairs

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

Lisette Garcia, J.D.
Senior Investigator
Judicial Watch
425 Third Street SW
Suite 800
Washington, D.C. 20024

Dear Ms. Garcia:

This is a partial response to your January 18, 2013, Freedom of Information Act (FOIA) appeal (2013-APHIS-00064-A) regarding your FOIA request (2012-APHIS-02657-F), in which you requested from the time period January 1, 2010, through May 18, 2012, copies of the following:

1. All contracts and expense records related to training or services provided by Samuel Betances or his firm, Souder, Betances & Associates, of Chicago, Illinois;
2. All communications related to training and services provided by Samuel Betances or his firm, Souder, Betances & Associates, of Chicago, Ill.; and,
3. All records and email from the offices of Secretary Thomas Vilsack, Under Secretary Edward Avalos, Administrator Gregory Parham, and Deputy Administrator Joanne Munno regarding the above-referenced training and services.

Timeliness and accuracy are very important to us, and our Agency's FOIA Office is continuing to conduct an exhaustive search of Agency files for all items related to your request. In the interim, we have enclosed records responsive to Item 1 of your request. With regard to our partial response to Item 1, in its January 9, 2013, response, our Agency's FOIA office provided 54 pages of contracts that contained redactions made pursuant to Exemption 6 of the FOIA (Title 5, Section 522 of the U.S. Code.) Specifically, FOIA officials withheld the signatures. Upon further review, they have determined that the 9 pages containing signatures initially withheld within the contracts will now be provided to you without redactions.

Additionally, on January 9, 2013, in response to Item 3, you were provided with a video of the cultural transformation training conducted at our Riverdale, Maryland facility on September 2, 2011. FOIA officials conducted another search of records maintained by our Agency's Legislative and Public Affairs program and USDA's Department of

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Communications and located the enclosed unedited version of the cultural transformation training. FOIA officials are looking into your assertion that the video recording of the training session references recordings of other sessions provided to APHIS under contract.

To achieve the highest degree of accuracy for this appeal, a supervisor with our FOIA staff will continue to coordinate the search for and review of the documents as quickly as possible. That official's decision will then be reviewed by my office and at the Department level, independent of our Agency's FOIA staff. Given the volume of documents to be reviewed, we will continue to provide you with partial releases of records until your entire appeal is fulfilled.

If you are dissatisfied with this response, you have the right to judicial review in an appropriate United States District Court in accordance with 5 U.S.C. 552, (2)(4)(B).

Prior to seeking judicial review, you may contact the Office of Government Information Services (OGIS). OGIS was created within the National Archives and Records Administration when the Open Government Act of 2007 amended the FOIA. OGIS provides mediation of FOIA disputes between appellants and federal agencies. Participation in mediation does not affect your right to judicial review. Contact information for OGIS can be found at <http://www.archives.gov/about/organization/summary/ogis.html>.

Sincerely,



Kevin Shea
Acting Administrator

Enclosures