



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

May 17, 2012

Darrell Geist  
Buffalo Field Campaign  
P.O. Box 957  
West Yellowstone, Montana 59758

Dear Mr. Geist:

This is in final response to your Freedom of Information Act (FOIA) request received on January 6, 2012. You requested Brucella genotyping reports (final, preliminary, draft) generated by APHIS during calendar years 2010 and 2011. Your case was assigned case number 2012-APHIS-01161.

Enclosed are the requested Brucella genotyping reports (reports), totaling 72 pages. Portions of 58 pages are redacted under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). Exemption (b)(6) of the FOIA permits the government to withhold information regarding individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." Specifically, we have withheld the identities and ranch name of the individual ranchers/herd owners contained in the reports.

As a threshold matter, Exemption (b)(6) protects not only personnel files and medical files, but "similar" files, which are interpreted by courts to cover personal information pertaining to individuals. In order to determine whether a document may be withheld under Exemption 6, an agency must undertake a three-step analysis. First, the agency must determine whether a significant privacy interest would be compromised by the disclosure of the record. Second, the agency must determine whether the release of the document would further the public interest by shedding light of the operations and activities of the Government. Third, the agency must balance the identified privacy interests against the public interest in disclosure.

The private ranchers and herd owners have a significant privacy interest in protecting their names and identifying ranch names contained in these reports. Disclosing their identities would most likely subject the individuals to the stigma associated with the brucellosis testing program and could lead to unwarranted inquiries into the brucellosis status of their animals. The reports at issue are a tool used by APHIS to develop a genetic analysis of the brucella organism and to track the movement of the organism in a particular herd or animal based on samples provided by ranchers/herd owners as part of the brucellosis testing program. In this instance, APHIS is using these samples to further its research into brucellosis and the public interest in these records stems from whether they shed light on APHIS's performance of its statutory duties. The public interest in assessing whether APHIS is properly carrying out the brucellosis research is served fully by the release of the redacted records because the ranchers' and ranch names do not reveal APHIS's activities or operations. Therefore,



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the agency has concluded that the privacy interests of these individuals outweigh any public interest in the disclosure of this information.

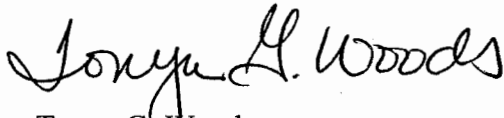
You may appeal our response determination. Your appeal must be submitted in writing and received within 45 days of the date of this letter by the following:

Administrator  
Animal and Plant Health Inspection Service,  
Ag Box 3401  
Washington, D.C. 20250-3401.

To ensure that your appeal is routed to the appropriate office, please write FOIA appeal on the outside of your envelope. We also ask that you reference the control number associated with your request (2012-APHIS-01161).

If you have any questions, please contact my staff at (301) 851-4102.

Sincerely,

A handwritten signature in black ink that reads "Tonya G. Woods". The signature is written in a cursive style with a large initial "T".

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

Enclosure: Documents