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September 28, 2010

VIA ELECTRONIC MAIL

Steven Sugarman, Esq.
347 County Road 55A
Cerrillos, New Mexico 87010

Re: WildEarth Guardians v. USDA APHIS (FOIA action)
Civil No. 10-00741-RHS/LFG (New Mexico)

Dear Steve,

I am in receipt of your letter of September 28, 2010 which follows up our conversation of September 16, 2010. I have been in contact with APHIS FOIA personal and provide you with the following response.

I have been informed that the Wildlife Services maintains its financial and operational records within two distinct systems: the APHIS Cost Management System (financial) and the Wildlife Services' Management Information System (operational). While both systems are electronic, the systems are not interactive and do not share or cross link data. The financial system is an Agency level system that meets the financial reporting and tracking needs of multiple programs within APHIS. The operational database is a Program level (Wildlife Services) system that meets the individual reporting and tracking requirements of Wildlife Services. The financial system records data on expenditures by broad budgetary object codes used across the Agency such as salary and benefits, travel, project supplies and equipment, etc. Information regarding the techniques (trapping, aerial gunning, toxicants, calling and shooting, etc.) utilized by Wildlife Services while conducting wildlife damage management is maintained within the operational database. In instances where reporting is needed by the Wildlife Services program to link expenditures and operational activities (Protection of Natural Resources, Protection of Agriculture, etc.), the process is done manually. Reports at this level are produced annually by Wildlife Services and are at the level of detail needed by management to plan operational programs, and provide public information regarding our programmatic expenditures and activities. Wildlife Services does not have a managerial need or capability to track financial expenditures to the level of operational technique implemented.

A search for records that would be responsive to your clients FOIA request was conducted by reviewing the annually produced reports where program staff manually

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link expenditures to broad operational programs. No documents were located with the amount of detail requested by WildEarth Guardians because the information requested is a combination of financial and operational data which are maintained within separate databases that are not interactive and do not share or cross link data. Additionally, Wildlife Services does not have a managerial need for financial data at this finite level. Forty-two (42) pages of responsive documents were provided to WildEarth Guardians in fulfillment of the FOIA request. The data provided was broken down by state, with national level totals, for broad program areas such as Natural Resources, Agriculture, Human Health and Safety, and Property, and each of the broader program areas were subsequently broken down to more finite operational programs, such as aquaculture, crops, livestock, forest/ range, wildlife disease, avian influenza, for example, for the program area of Protecting Agriculture. The search and documents provided are the most responsive and the only Agency records which breakdown expenditures by program activity for Wildlife Services.

Therefore, no other records are available that are responsive to your clients request. I am free to speak to you about this case.

Sincerely,

KENNETH J. GONZALES
United States Attorney

/s/ Manuel Lucero
MANUEL LUCERO
Assistant U.S. Attorney