



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington, D.C. 20240



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HQ FOIA OFFICE

In Reply Refer To:

AIA/DMA/FOIA-02-42100

DOI/FWS/2003-00238

Mr. Christopher S. Robbins

Biota

2233 NE Mason Street

Portland, Oregon 97211

Dear Mr. Robbins:

This letter is a final response to your Freedom of Information Act (FOIA) request dated June 11, 2002, for a copy "of all documents pertaining to shipments of big leafed mahogany detained by the U.S. authorities upon entry into the United States from Latin America from January 2002 to present." Our response includes documents contained in the Division of Management Authority as of August 6, 2002.

Enclosed are the documents responsive to your request. Pages 752-759, 797-801, 1228-1236, 1266-1288, 1301-1311, 1333-1344, 1357-1362, 1370, 1386-1388, 1420-1423, 1432, 1433-1438, 1485-1486, 1488-1491, 1510-1513, 1533-1534, 1536-1537 1628-1632, 1676-1680, 1693-1694, 1775, 1891, 1949, 2021-2022, 2042, 2072-2074a, 2084-2093, 2137-2143, 2203-2206, 2211-2212 and 2214-2217 are various documents that originated with the U.S. Department of Agriculture; pages 103, 114, 119, 123, 343-347, 350, 352, 493-495, 497-499, 811-815, 821-828, 832-835, 837-849, 956-959, 969-973, 990-999, 1136-1138, 1142-1149, 1316-1326, 1363-1368, 1389-1393, 1398-1404, 1416-1417, 1424-1430, 1494-1509, 1517-1526, 1683, 1723-1725, 1743-1744, 1956-1958, 2024-2026, 2058-2060, 2074b-2075, 2079-2081, 2102-2110, 2115-2121, 2131-2135, 2147-2148, 2150-2152, 2163-2168, 2170, 2174-2176, 2185-2188, 2190-2193, 2198-2199 and 2218-2219 are various documents generated by the U.S. Department of State; page 59 is a document generated by the National Aeronautics and Space Administration; page 113 is a document generated by the U.S. Customs Service; pages 1776-1783 and 1950 are documents generated by the U.S. Department of Justice; pages 1821-1882 and 1892-1948 are documents generated by the Office of the Solicitor. Pursuant to our regulations at 43 C.F.R. 2.15 (c), these documents have been referred to the appropriate Departments, Agencies and Offices along with a copy of your original request. You may contact them at the following addresses:

U.S. Department of Agriculture
 ATTN: Andrea E. Fowler
 FOIA/PA Coordinator
 Room 532A, Whitten Building
 Washington, D.C. 20250-1300
 Phone number: (202) 720-8164

U.S. Department of State
 ATTN: Margaret P. Grafeld, Director
 Office of IRM Programs and Services, SA-2
 5th Floor
 Washington, D.C. 20522-6001
 Phone number: (202) 261-8300
 Fax number: (202) 261-8579

NASA Headquarters
 300 E Street, S.W.
 Room 8079
 Washington, D.C. 20546
 Phone number: (202) 358-0205
 Fax number: (202) 358-4338
 E-mail: foia@hq.nasa.gov

U.S. Customs Service
 ATTN: Lynette D. Carter, Paralegal Specialist, ORR
 Room 3.4A
 1300 Pennsylvania Avenue, N.W.
 Washington, D.C. 20229
 Phone number: (202) 572-8711
 Fax number: (202) 572-8747

U.S. Department of Justice
 FOIA/PA Mail Referral Unit
 Justice Management Division
 Room 114 LOC
 950 Pennsylvania Avenue, N.W.
 Washington, D.C. 20530-0001
 Phone number: (301) 436-1007

Office of the Solicitor
 FOIA Officer
 MS-7456, MIB
 1849 C Street, N.W.
 Washington, D.C. 20240
 Phone number: (202) 208-2961
 Fax number: (202) 208-5206

All documents within the scope of your request have been provided as appropriate under the FOIA. Certain information within these documents is being withheld in accordance with 5 U.S.C. 552 (b)(4), (b)(5) and (b)(6) of the Freedom of Information Act.

The courts have held that if information is likely to harm the competitive position of the party who submitted the information or might jeopardize the Government's ability to obtain similar information in the future it can be withheld under exemption b(4) of the FOIA.

Certain documents in response to your request are being withheld because they reflect the personal opinions, recommendations and advice of staff members and are being used to arrive at a final decision. Disclosure of such material would inhibit the open and candid expression of such views in similar future deliberations, could confuse the public as to the official agency position on an issue, and have a detrimental effect on the Service's decision making process currently taking place. Therefore, sound grounds exist for withholding the materials pursuant to exemption 5 of the FOIA (5 U.S.C. 552 b(5)) which permits an agency to withhold interagency or intra-agency memoranda or letters which might confuse the public as to official agency policy or position or which could have

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June 11, 2002

Ms. Andrea Gaski, Chief
Branch of Operations
Division of Management Authority, 7th Floor
U.S. Fish and Wildlife Service
4401 North Fairfax Drive
Arlington, VA 22203
Fax: 703.358.2298

Re: FOIA Request for Big-leafed mahogany documents

Dear Ms. Gaski,

This is a request for documents under the Freedom of Information Act (FOIA), 5 USC 552, regarding the records of the U.S. Fish and Wildlife Service (FWS).

Specifically, TRAFFIC would like to obtain copies of all documents pertaining to shipments of big leafed mahogany detained by U.S. authorities upon entry into the United States from Latin America from January 2002 to present. These documents might include but may not be limited to correspondence, notifications or memoranda issued by the U.S. Department of Agriculture or the U.S. Fish or received by either agency from the CITES management authorities of exporting countries or importing or exporting companies regarding impounded mahogany shipments. These documents may also include CITES Export Permits or Certificates of Origin associated with mahogany shipments that were impounded upon importation into the United States.

TRAFFIC requests a fee waiver under 5 USC 552(a)(4)(A). TRAFFIC believes that it is entitled to a fee waiver because disclosure and use of the information benefits the general public as it pertains to U.S. and international wildlife conservation issues and needs.

Your expeditious processing of this request, in accordance with 5 USC 552(a)(6)(i), is greatly appreciated, as TRAFFIC's receipt and use of the requested documents is time-sensitive. Information disclosed in these documents would be used in IUCN/TRAFFIC's analysis of Nicaragua's proposal to include big leafed mahogany in Appendix II of CITES at the 12th Meeting of the Conference of Parties (COP12) to CITES in September, 2002. Prior to each COP, The IUCN-World Conservation Union and TRAFFIC analyze species proposals to determine whether proposals meet the CITES listing criteria. The IUCN-TRAFFIC analyses of species proposals submitted to COP12 will be made available to CITES Parties in advance of the COP.

TRAFFIC North America is part of the worldwide TRAFFIC Network, which is a joint program of WWF and IUCN, established to monitor trade in wild plants and animals. TRAFFIC works in cooperation with the CITES Secretariat.

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NASA-BRAZIL EARTH SCIENCE COOPERATION

Large Scale Biosphere Atmosphere Experiment in Amazonia (LBA)

The Brazil-led Large Scale Biosphere-Atmosphere Experiment in Amazonia (LBA) is an international, multi-disciplinary research program designed to provide new knowledge of the region. NASA contributes to three major research components of LBA: TRMM-LBA, conducted in early 1999, was a field validation campaign for the Tropical Rainfall Measuring Mission (TRMM) and consisted of studies to understand and quantify tropical continental precipitation; LBA-ECO focuses on the effects of tropical forest conversion, regrowth, and selective logging on carbon storage and exchange, nutrient dynamics, trace gas fluxes, and the prospect for sustainable land use in Amazonia; LBA-HYDROMET plans to define the basin-scale precipitation and water fluxes in order to examine how the basin functions as a regional entity including hydrologic effects due to land use change.

Aqua Satellite Mission and Humidity Sounder for Brazil (HSB)

The NASA Aqua mission will collect climate-related data by measuring clouds, atmospheric temperature/moisture content, precipitation, snow, sea ice, and sea surface temperature. INPE's Humidity Sounder for Brazil (HSB) experiment will make a significant contribution to the advanced atmospheric sounding package on Aqua, which could serve as a prototype for the next generation of meteorological satellites. Aqua is currently scheduled for launch in April 2002.

SCAR-B

NASA flew the ER-2 aircraft over Brazil to conduct the Smoke/Sulfate, Clouds and Radiation Experiment-Brazil (SCAR-B) experiment in August-September 1995.

AERONET/LBA Research in Brazil

NASA's Aerosol Robotic Network (AERONET) provides aerosol spectral concentrations and properties for several satellite systems including the Earth Observing System algorithm validation program. In collaboration with INPE, CPTEC, IBAMA and USP, NASA has operated the AERONET aerosol measurement sites in the Amazon Basin since 1993. Cooperation using the AERONET system has included both short-term intensive field campaigns such as SCAR-B and long-term observational research programs such as LBA. Currently five NASA and three USP AERONET sites are operating under the LBA umbrella to assess possible impacts of aerosols on the temperature regime and hydrological cycle, in collaboration with intensive field campaign measurements.