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Description of document:

Administrative tracking file for each of the seven oldest FOIA requests pending at United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) – as of December, 2008

Requested date:

Released date: 24-December-2008

18-July-2007

27-May-2009

03-April-2000 – 04-April-2008

Posted date:

Date/date range of document:

Source of document:

US Department of Agriculture Animal and Plant Health Inspection Service Director, Freedom of Information and Privacy Act Staff 4700 River Road, Unit 50 Riverdale, MD 20737 Fax: 301-734-5941 E-mail: <u>foia.officer@aphis.usda.gov</u>

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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 This is in response to your July 18, 2007, Freedom of Information Act (FOIA) request for the contents of the administrative tracking file for each of the seven oldest FOIA requests pending at APHIS. Your request was received in this office on July 19, 2007, and assigned case number 07-887. We apologize for the delay of this response.

Agency employees conducted a thorough search of their files and located the enclosed 16 pages of administrative tracking files for the seven oldest cases as of the date of your original request and the seven oldest cases as of this date. However, information is withheld pursuant to FOIA Exemption 6, 5 U.S.C. § 552(b)(6). This exemption protects information from disclosure when its release would cause a clearly unwarranted invasion of personal privacy. This same information is withheld pursuant to FOIA Exemption 7(C), 5 U.S.C. § 552(b)(7)(C). This exemption protects from disclosure records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy.

You may appeal our partial denial determination. 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:

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

Please refer to FOIA 07-887 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.

Because the cost to process your request is less than \$25, the fee has been waived. If you have any questions, please contact Ms. Bev Whitfield of my staff at (301) 734-5250.

Sincerely,

or Tonya G. Woods

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

Enclosures



Safeguarding American Agriculture APHIS is an agency of USDA's Marketing and Regulatory Programs DEC 2 4 2008

01-462	Cathy	Liss	Janice Shipman- Hobbs	8/7/2001	Animal Rights/Environmental	Animal Welfare Institute
02-582	Joseph	Mendelson, III	Janice Shipman- Hobbs	7/23/2002	Commercial	The Center For Food Safety
03-406	Mary	Schick	Reginald Sheppard	5/7/2003	Commercial	Atlanta Animal Allergy and Determatology
03-873	Thomas	Knudson	Reet Kaseoru	9/11/2003	Media	The Sacramento Bee
04-235	John	Staley	Melinda Hill	2/9/2004	Individual	Attorney
04-392	Jane	Rissler	Katy Vagnoni	4/20/2004	Commercial	Union of Concerned Scientists
04-430			Reginald Sheppard	4/28/2004	Individual	arrend alle alle and the arrend a

CASE #	FIRST NAME	I	LAST	NAME	C	R	EQUI	EST DA	TE D	ATE R	ECEL	VED	DAT	E DU	E OUT	•
01-462	Cathy	I	iss			1		8/7/2	2001		1	1/7/200	1		9/5/	2001
AFFILIATION								ТҮРЕ	OFR	EQUE	STER					
Animal Welfare Institute					·····			Anima	Rights	/Enviro	nmenta					
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Janice Shipman-Hobbs		Comp	lex													
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Subject																
All material (including in Texas SW Medical Center												iniv of	S FL, Jo	hn Ho	opkins U	niv, Univ of

Comment

Ist Partial, 480 pgs:8/11/08 2nd Partial, 272 pgs:9/11/08 3rd Partial, 561 pgs:10/29/08 4th Partial, 394 pgs:11/24/08

CASE #	FIRST NAME	I	AST	NAME	2	R	EQUE	ST DA	TE DA	ATE R	ECEI	VED	DAT	E DUE OUT
02-582	Joseph	N	Aendels	on, Ill		1		7/20/2	002		7,	23/200	2	8/19/2002
AFFILIATION	[TYPE	OF R	EQUE	STER	1		
The Center For Fo	od Safety							Commo	rcial					
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Janice Shipman-H	lobbs	Compl	ex					0						
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Subject														
Entire file concern	ning the field testing of genetic	ally engin	neered v	vheat va	rictics									
Comment														
originally assigned reassigned to J Shi	d to Tanya Layne ipman-Hobbs: 2/08				-									gan an the angle and an angle and an angle of the second state of

CASE #	FIRST NAME	I	LAST	NAMI	2	R	EQUE	ST DA	TE DA	ATE R	ECEI	VED	DAT	E DUE OUT
03-406	Mary	s	chick					2/21/2	003			5/7/200	3	4/9/2003
AFFILIATION								түре	OF R	EQUE	STER	Ł j		
Atlanta Animal Alle	rgy and Determatology							Comme	ercial					
SPECIALIST		TRA	CK			# DA`Y	S OPI	EN	DATE	CLO	SED	FEE V	VAIVE	R?
Reginald Sheppard		Comp	ex											
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Subject equesting all data an related to this produ	id correspondence related to ct code.	licensing	of Stap	h aur e i	is Phag	e Lysate	, produ	rt cods 3	355.00 1	Delmont	t Labs (stablish	ied 339.	. All outlines and labels
Comment														
Reassigned to Talis	ha Williams on 8/18/08.													
8/19/08- Scanned in	records.													
8/19/08- Sent CBI n	otification letter and instruct	tions - Du	ie 9/9/0	8,										
8/25/08- 9/28/08- Received a	called and asked for an ex- response back from Delmor													
Reassigned to R. sh	eppard 10/15/08													

CASE #	FIRST NAME	I	LAST	NAMI	3	R	EQUE	ST D/	A TE D	ATE R	ECEI	VED	DAT	E DU	E OUT	
03-873	Thomas	ŀ	(nudsor	1				9/8/	2003		9	/11/200	3		10/9/2003	
AFFILIATION								TYPE	E OF R	EQUE	STER	ł				
The Sacramento Bee								Media								
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Reet Kaseoru		Exped	ited			T										
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APIIIS-PPQ complian	nce inspection reports of tr	ansgenci	crop he	elds test	in CA	<u>, nv, o</u>	R and H	lawan t	rom 1/1	/200 to 1	present	•		_		
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10/03/03-TH-ack ltr s	ent.	·														
19/11/03-Search to PPC																ł
11/05/03-TH-e-mail to	K.Peterson re search.															,
	e to search from BRS with	i docs.														
2/22/05-Case reassign																
3/11/05-RK-sent inter																
5/11/05-RK-closed ou			_													
	rest ltr from requester. Still					file.										
	arch to BRS. Called T. Kn															
	BRS-I. Berlander and revi															
	in records for Master 1,2,3,															
	nal response letter. Need to									x 1 . x					A 15 -1	
	with KV regarding respor		uments;	contau	ned tie	eld test w	orkshee	ts and c	iraits. A	It to be	withhel	d under	65. Edi	ted dr	arted final respon	ise ,
•	scanning in rest of docume	nts.														,
7/30/08-RK-scanned i	and redacted Master 5 - p	. 1 77.1	Anatar 6		104											1
	in Master 7, 8, and 9 docur		MASICI U	- pg. 1	-104.											;
8/07/08-RK-sent e-ma	ul to Ciny Eck in BRS with	th recard	to revie	wing de	ors the	nt RK ha	d revieu	vert								1
	onse from CE. Agreed the								nd to R	K - weel	cof 8-1	80-11				
8/11/08-RK-rec'd e-m																
	Review 1,3,4 for CBI doc	uments.														
	O 12,600 ltr for CBI infor		i docs c	ontaine	d in R	eview 1.	3 and 4									
RK-e-mail to CE - adv	vising that reviews have be	en done f	for 1,3,4	1,5,6,7,	8,9.	-										
8/21/08-RK-e-mails fi	rom KV and TW re b2, b5	use in re-	views.													
8/26/08-RK-e-mail to	CE requesting status on ca	ise reviev	¥.													
	case with TW. TW advise															0 C 5.
	Ceck from 10:00-11:30 an		ed docs	. CE ad	vised	RK. as to	what in	fo need	ed to be	redacte	d and t	he exen	iptions (to be u	ised.	
	d and redacted documents.															
	ed redaction of all respons						,									
10/10/0X-RK-advised	CE that all redactions wer	e comple	led and	that she	e could	1 start he	T review	Y								

CASE #	FIRST NAME]	LAST	NAME	5	R	EQUE	EST DA	TE D	ATE R	ECEI	VED	DAT	E DUE OUT
04-235	John		Staley					1/26/2	004	-		2/9/200	4	3/8/2004
AFFILIATION		·						туре	OF R	EQUE	STER	Ł		
Attomey								Individ	ual					
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Melinda Hill		Comp	lex	······				0						
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		j		\Box			Y	\Box				\Box	\Box	

Subject

Copies of all records maintained by Wildlife Services since 1997 documenting loss of livestock from predation; copies of memorandums, correspondence, studies, consulting reports or other similar documents concerning the effect of Proposition 4 on the ability of Wildlife Services and its agents to trap wildlife and protect livestock; copies of any documents showing the number of individuals or entities that received trapping service from Wildlife Services from 1997 to 2003; copies of documents discussing or explaining the trapping methods currently being used by wildlife services concerning to Proposition 4.

Comment

Case reassigned to me from Lynette on 2/21/2007 - 3,857 pages of records (kv) Lynette Carter processed and mailed 1st partial on 2/23/2006 (kv) Mailed 2nd partial 8/21/2007 (kv) Mailed 3rd partial 4/16/2008 (kv) Reassigned to Melinda 8/7/08 - kv 9/4/08 4th partial sent

CASE #	FIRST NAME	J	LAST	NAME	5	R	EQUE	ST DA	TEDA	ATE R	ECEP	VED	DAT	E DUE OUT
04-392	Jane	ľ	Rissler					4/20/2	004		4/	20/2004	4	5/17/2004
AFFILIATION								TYPE	OF R	EQUE	STER			
Union of Concerne	d Scientists							Comme	rcial					
SPECIALIST		TRA	СК			# DA Y	(S OPI	EN I	DATE	CLOS	SED	FEE V	VAIVE	R?
Katy Vagnoni		Fast												
CLOSE CODE		B 1	B2	B 3	B4	B 5	B6	B7A	B7B	B7C	B7D	B7E	B7F	OTHER EXEMPT.
					\Box		\Box				\Box	\Box	\Box	

Subject

Request is for the following records relevant to field trials conducted under each of the following six permits granted to Ventria Bioscience/Applied Phytologics by USDA to conduct field trials of genetically engineered rice in California, 02-361-01R, 01-029-02R, 00-069-01R, 99-029-02R, 98-008-01R, and 97-363-1R: --All docs which assess the risks of field trials conducted under each permit; --all docs and communications which detail the permit conditions and requirements imposed on the conduct of field trials under each permit; --all communications to and from Ventria Bioscience/Applied Phytologics to USDA concerning the conduct of field trials under each permit; --all communications to and from Ventria Bioscience/Applied Phytologics to USDA concerning the conduct of field trials under each permit, including written records, records of electronic communications, and records of phone calls; --all records documenting USDA inspections, finding of inspections, follow-up to inspections, and violations of permit conditions for field trials conducted under each permit, including written records, records of electronic communications, and records permit, including written records, records of electronic conducted under each permit, including written records, records of electronic communications, and records of phone calls; --all correct of field trials conducted under each permit, and; --all communications for field trials conducted under each permit, including written records, records of electronic communications, and records of phone calls.

Comment

The documents were separated into workable portions among the team. We each created an index of the records. Once the index is completed for files listed as: Master L, Master M, and Master N, the CBI records should be sent back to the business submitter under E012600.

Re-assigned from Cindy on 11/14/2006 (kv)

Drafted 2 EO12600 letter (Ventria Bioscience & Applied Phytologics, Inc) - gave to Garfield for his review (7/24/2007-ky)

Mailed EO12600 letter to Ventria and Applied Phytologics, Inc. (these 2 may be one in the same-no letter in file indicating that the companies are the same or that one bought the other one out) Due back to FOIA 8/24/2007 - kv

Neither company submitted their justification - drafted 2 Notice of Intent letters - gave to Garfield for his review 10/16/2007 - kv

Letters of Intent mailed by Robbie Perry while I was on leave 10/19/2007 - kv

Left message on Dr. Rissler's voice mail with status 11/20/2007 - kv

File in locked cabinet in my cubicle - kv

Forwarded the records to BRS for their review 4/11/2008 - kv

CASE #	FIRST NAME	I	LAST I	NAME		R	EQUE	ST DA	TEDA	TE R	ECEP	VED	DAT	E DU	E OUT	
04-430					*	1		4/28/2	2004		4/	28/200	4		5/25/2004	
AFFILIATION								TYPE	OFR	EQUE	STER	L				
			· · ·					Individ	ual							
SPECIALIST		TRA	СК		i	# DAY	/S OPI	EN	DATE	CLOS	SED	FEE V	VAIVE	R?		
Reginald Sheppard		Comp	ex]										-	
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Subject																
Investigation concern	ning you for allegation												· · · · · · · · · · · · · · · ·			
Comment																
3/6/08 Tammi's case Reassigned to R.She	U											_	2 3 main an			
which can be release	 Apparently, its missing t I proposed to release the iting a response from Minn 	requester	his wit													

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CASE NO	FIRST NAME	LAST NAME	Date Received	SPECIALIST	CLOSED DATE	Subject
Served Street		7393-26/M/	eradinatios:			All records regarding issuance of permits or any other authorizaton under the authority of the Migatory Bird Treaty Act or Fish and Wildlife Services
00-266	Jonathan R.	Lovvorn	03-Apr-00	Deborah Leilich	30-May-08	regulations implementing that Act
00-324	Timothy	Preso	03-May-00	Katy Vagnoni	03-Aug-07	Information on responses to actual or suspected livestock depredations by wolves in MT, ID, and WY.
00-417	Carl	Prine	17-Jul-00	Robble Perry	04-Apr-08	Documents regarding AWA licenses facilities
00-436	Wendy	Keefover- Ring	26-Jul-00	Tanya Layne		Aerial gunning program regarding tort claims & other information
00-438	Wendy	Keefover- Ring	26-Jul-00	Tanya Layne		Aerial gunning program for Pilot Safety Initiative
00-445	Gene	Mairs	31-Jul-00	Kay Peterson	06-Aug-07	All prices from all companies that provided a quotation for Asian Longhorned Beetle Tree Inspectors sent to USDA. Request #23MC, Requisition/Purchase Request No. APPQUERAY 0004-0.
00-454	Linda	Faso	04-Aug-00	Kay Peterson		Request all information including video tapes of case TX99237 and FL99028. Concerning the death of "Benjamin" a baby Asian elephant traveling with Ringling Brothers and Barnum Bailey Circus.

CASE #	FIRST NAME	I	AST	NAMI	2	R	EQUE	ST DA	TE D/	TE R	ΕCE Γ	VED	DAT	E DUE OUT
00-417	Cærl	F	rine					5/23/2	2000		7/	17/200	0	8/14/2000
AFFILIATION								туре	OF R	EQUE	STER			
Pittsburgh Tribune Re	eview						and the second second	Media						
SPECIALIST		TRA	CK			# DAY	S OPE	EN	DATE	CLO	SED	FEE V	VAIVE	ER?
Robbie Perry		Comp	ex					2015		4/4	4/2008			
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Subject														
Documents regarding	g AWA licenses facilities		~											
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1731 pages were release	ased.													

CASE #	FIRST NAME	I	LAST)	NAME	;	R	EQUE	ST DA	TEDA	TE R	ECEF	VED	DAT	E DUE OUT
00-436	Wendy	ŀ	Ceefove	r-Ring			·	7/26/2	2000		7/	26/200	0	
AFFILIATION								TYPE	OF R	EQUE	STER			
SINAPU								Anima	Rights/	Enviror	nmenta	I		
SPECIALIST		TRA	CK			# DAY	(S OPE	N	DATE	CLOS	SED	FEE V	VAIVE	ER?
Tanya Layne		Comp	lex					1522		8/17	1/2007			
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Subject														
Aerial gunning prog	ram regarding tort claims &	other info	ormatio	n										
Comment														
	SE SUBMITTED TO REQUESTION SUBMITTED - 231 PAGE		ON 10	AUGUS	ST 200	7 - 186 J	PAGES							

CASE #	FIRST NAME	1	LAST	NAME	2	R	REQUE	ST DA	TE DA	ATE R	ECEI	VED	DAT	E DUE OUT	
00-438	Wendy		Cecfove	r-Ring				7/26/2	2000		7,	/26/200	0		
AFFILIATION								ТҮРЕ	OF R	EQUE	STER	Ł			
Sinapu Boulder, CO	80302							Anima	Rights	Enviro	ımenta	I			
SPECIALIST		TRA	СК		:	# DA Y	YS OPI	EN	DATE	CLOS	SED	FEE V	VAIVI	ER?	
Tanya Layne		Comp	lex		-			258	; ;	10/12	2/2007				
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Subject			1												
Aerial gunning progr	ram for Pilot Safety Initiativ	e													
Comment															
Appealed - see appea	al database - kv														

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CASE #	FIRST NAME	LAST NAME					EQUE	ST DA	TEDA	VED	DATE DUE OUT			
00-445	Gene	Mairs						7/28/2000 7					0	8/25/2000
AFFILIATION								TYPE	OFR	EQUE	STER	2		
								Individ	ual					
SPECIALIST		TRA	СК			# DAY	(S OPI	EN	DATE	CLO	SED	FEE V	VAIVE	ER?
Kay Peterson		Fast				[1761		8/	6/2007			
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W/D				·									\Box	
Subject														
All prices from all on No. APPQUERAY	companies that provided a qu 0004-0.	otation fo	or Asian	Longh	orned	Beetie T	ree Insp	ectors se	ent to U	SDA. F	Request	#23MC	C, Requi	sition/Purchase Request
Comment														
Case reassigned 04/	/17/2006 from Freali													
-	spoke with the requester from pursure this request. Therefo			eing clo	sed ad		does no tively.	ot						
08/06/07 - Reassign 08/06/07 Adm. Clo	ned to Kay Peterson to close o osed Kay	out.												

CASE #	FIRST NAME	ł	LAST	NAME	2	R	EQUE	ST DA	TE DA	ATE R	ECEI	VED	DAT	E DUE OUT
00-454	Linda	1	Faso				•	7/21/2	2000			8/4/200	0	9/1/2000
AFFILIATION								TYPE	OF R	EQUE	STER	t		
Las Vegas, NV 89113								Individ	lual					
SPECIALIST		TRA	СК			# DA)	(S OPI	en	DATE	CLOS	SED	FEE V	VAIVE	ER?
Kay Peterson		Comp	lex							7/3(0/2007	1		
CLOSE CODE		B 1	B2	B 3	B4	B5	B 6	B7A	B7B	B7C	B7D	B7E	B7F	OTHER EXEMP
W/D														
Subject														
Request all informatio Brothers and Barnum	n including video tapes of Bailey Circus.	case TX	99237 a	nd FL9	9028.	Concern	ning the	death o	f "Benja	min" a l	baby A	sian ele	phant tr	aveling with Ringling
Comment														
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07/30/07 Kay contacted Linda Faso, to see if she was still interested in her request. The requester no longer wanted the documents. She is going to send an email. File Admin. Closed. (Kay) Rec'd VHS tape from IES - gave to Kay (8/2/2007 kv)

CASE #	FIRST NAME	I	AST	NAMI	C	R	EQUI	EST DA	TE D	ATE R	ECEI	VED	DAT	E DU	E OUT	
00-266	Jonathan R.	Jonathan R. Lovvom								4/3/2000						
AFFILIATION								TYPE	OF R	EQUE	STER					
Meyer & Glitzenste	in							Anima	Rights	/Enviror	nmenta	1			•	
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Deborah Leilich		Complex						41		5/30/2008						
CLOSE CODE		B1	B2	B3	B4	B5	B6	B7A	B7B	B7C	B7D	B7E	B7F	στ	HER EXEMPT	
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On behalf of the Hu Was Administrative	imane Society of the United S ely Closed -	states										a				
Then Reopened																
08/13/07 - Reassign	ned to Bevelyn Whitfield (pre-	viously a	ssigned	to Deb	orah Le	ilich)										
09/26/07 - Reassign	ned back to Deborah Leilich f	or proces	sing.													
05/07/2008 Additio	onal Search (after reviewing r	ecords pr	eviousl	y provi	ded by	WS) Fo	or specia	fic Study	Protoc	ols						
	ed response from WS				·		-	-								
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und							Individ	ual						
	TRAC	CK			# DAY	S OP	en	DATE	CLOS	SED	FEE V	VAIVE	R?	
	Fast						1821		8/3	/2007				
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actual or suspected live	estock a	depreda	tions by	wolve	es in MI	, ID, ar	id WY.							
	und	und TRAC Fast B1	und TRACK Fast B1 B2	und TRACK Fast B1 B2 B3	und TRACK Fast B1 B2 B3 B4	und TRACK # DAY Fast B1 B2 B3 B4 B5	und TRACK # DAYS OPI Fast B1 B2 B3 B4 B5 B6 B1 B2 B3 B4 B5 B6	TYPE und Individ TRACK # DAYS OPEN Fast 1821 B1 B2 B3 B4 B5 B6 B7A	TYPE OF R) und Individual TRACK # DAYS OPEN DATE Fast 1821 B1 B2 B3 B4 B5 B6 B7A B7B	TYPE OF REQUE und Individual TRACK # DAYS OPEN DATE CLOS Fast 1821 8/3 B1 B2 B3 B4 B5 B6 B7A B7B B7C	TYPE OF REQUESTER und Individual TRACK # DAYS OPEN DATE CLOSED Fast I821 8/3/2007 B1 B2 B3 B4 B5 B6 B7A B7B B7C B7D	TYPE OF REQUESTER und Individual TRACK # DAYS OPEN DATE CLOSED FEE W Fast 1821 8/3/2007 B1 B2 B3 B4 B5 B6 B7A B7B B7C B7D B7E Image: State of the stat	TYPE OF REQUESTER und Individual TRACK # DAYS OPEN DATE CLOSED FEE WAIVE Fast I821 8/3/2007 B1 B2 B3 B4 B5 B6 B7A B7B B7C B7D B7E B7F B1 B2 B3 B4 B5 B6 B7A B7B B7C B7D B7E B7F	