



United States
Department of
Agriculture

Office of the General Counsel
1400 Independence Ave. SW
Washington, DC 20250-1400

March 25, 2020

Delivered via Electronic Mail

Austin R. Evers
American Oversight
1030 15th Street NW
Suite B255
Washington, District of Columbia 20005
Email: foia@americanoversight.org

Ricardo J. Salvador
Union of Concerned Scientists
1825 K Street NW
Suite 800
Washington, District of Columbia 20006

**Re: Freedom of Information Act (FOIA) Request No. 2020-DA-02831-F
Final Response**

Dear Mr. Evers and Mr. Salvador:

This is the final response to the March 4, 2020, Freedom of Information Act (FOIA) request submitted to the U.S. Department of Agriculture (USDA), Departmental FOIA Office (DFO). The request sought the following records, for the time period from June 1, 2018 to August 30, 2018:

All email communications (including emails, complete email chains, email attachments, calendar invitations, and attachments thereto) that were sent by any of the USDA officials listed below to an email address ending in .com / .org / .net / .edu / .mail (including any message on which such email addresses were copied (CC) or blind copied (BCC)), and that contain either: (a) the terms "Bohman" or "ERS Administrator" anywhere in the subject line or body of the email; or (b) the term "ERS" within the same paragraph as "Administrator," "DMB," "DMEB," "MEB," or "MB" within the body of the email.

USDA Officials:

- i. Sonny Perdue, Secretary, and anyone communicating on his behalf, such as Chiefs of Staff, executive assistants, personal assistants, or schedulers
- ii. Stephen Censky, Deputy Secretary
- iii. Donald Bice, Acting Deputy Assistant Secretary for Administration

- iv. Scott Hutchins, Deputy Under Secretary for Research, Education, and Economics
- v. Robert Johansson, Chief Economist
- vi. Chris Hartley, Acting Administrator of the Economic Research Service
- vii. Chavonda Jacobs-Young, Administrator of the Agricultural Research Service
- viii. Kevin Shea, Administrator, Animal and Plant Health Inspection Service
- ix. Robert MacGregor, former Director of Intergovernmental and External Affairs and current Senior Advisor
- x. Kristi Boswell, Senior Advisor
- xi. Benny Young, Associate General Counsel
- xii. Brian Klippenstein, Senior Advisor

On March 16, 2020, pursuant to USDA regulation 7 C.F.R. § 1.4(c), the DFO routed parts of your request to the Research, Education, and Economics (REE) mission area and the Animal and Plant Health Inspection Service (APHIS) for processing and direct response to you. Specifically, the DFO routed items iv, vi, and vii to REE and item viii to APHIS.

The request has been processed under the FOIA, 5 U.S.C. § 552.

A search for responsive records was conducted by the DFO's telecommunications provider, the Client Experience Center (CEC). The CEC provides comprehensive, fee-for-service information technology (IT) associated operations, security, and technical support services to USDA end users. The CEC also implements and manages enterprise IT solutions for users Department-wide. The email accounts associated with individuals listed in your request were searched, from June 1, 2018 to August 30, 2018. The CEC search did not locate any records that are responsive to your FOIA request. As a result, the DFO is not able to provide any responsive records.

You may appeal this response by email at USDAFOIA@usda.gov, or by mail to Inga Bumbary-Langston, Deputy General Counsel, Room 101-W, Jamie L. Whitten Federal Building, U.S. Department of Agriculture, 1400 Independence Avenue, S.W., Washington, D.C. 20250-0103. Your appeal must be in writing, and it must be received electronically (or postmarked if by mail) no later than 90 calendar days from the date of this letter. The OGC will not consider appeals received (or postmarked) after the 90 calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above, a copy of the original request, the DFO's response to your original request, and a statement explaining the basis of your appeal. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal." You should also reference FOIA No. 2020-DA-02831-F.

You may seek dispute resolution services from the DFO's FOIA Public Liaison, Ms. Camille Aponte. Ms. Aponte may be contacted by telephone at (202) 505-0271, or electronically at Camille.Aponte@usda.gov or USDAFOIA@usda.gov.

You also have the option to seek assistance from the Office of Government Information Services (OGIS). Please visit <https://www.archives.gov/ogis/mediation-program/request-assistance> for information about how to request OGIS assistance in relation to a FOIA request.

Provisions of the FOIA allow us to recover part of the cost of processing your request. In this instance, your fee waiver has been granted and no fees will be charged.

If you have any questions regarding the processing of this request, please contact Ms. Melanie Enciso at (202) 694-5982, or electronically at melanie.enciso@usda.gov or USDAFOIA@usda.gov.

For additional information regarding USDA FOIA regulations and processes, please refer to the information available online at www.dm.usda.gov/foia.

The DFO appreciates the opportunity to assist you with this matter.

Sincerely,

Alexis R. Graves

Alexis R. Graves
Departmental FOIA Officer
Office of the General Counsel