



United States
Department of
Agriculture

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

April 10, 2020

Delivered via Electronic Mail

Austin R. Evers
American Oversight
1030 15th Street NW
Washington, DC 20005
foia@americanoversight.org

**Re: Freedom of Information Act (FOIA) Request No. 2020-REE-03061-F
Final Response**

Dear Mr. Evers:

This is the Research, Education, and Economics (REE) mission area's 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). As of October 1, 2019, the DFO was realigned under the Office of the General Counsel (OGC) and now operates the FOIA program for the REE mission area. See U.S. Department of Agriculture, Secretary's Memorandum 1076-033, September 24, 2019, available at:

https://www.ocio.usda.gov/sites/default/files/docs/2012/20190924_SM%201076-033_FOIA_Realignment_final.pdf.

Your request to the USDA's Departmental Administration (DA), pertaining to the relocation of the USDA's Economic Research Service (ERS) and the National Institute of Food and Agriculture (NIFA) to Kansas City, Missouri, that sought communications from June 1, 2018, through August 30, 2018, that were sent by certain USDA officials "to an email address ending in .com / .org / .net / .edu / .mail, 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," was partially routed to REE. Under the Secretary's Memorandum referenced above, the DFO is processing requests on behalf of REE. The corresponding DA case tracking number is 2020-DA-02831-F. That request is currently being processed by FOIA analysts in the DFO.

Your 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, as well as implements and manages enterprise IT solutions for users Department-wide. The CEC searched the email accounts of the REE Deputy Under Secretary, Scott Hutchins, the ERS Acting Administrator, Scott Hartley, and the ARS Administrator, Chavonda Jacobs-Young. The search did not locate any responsive records. Therefore, the DFO is unable to provide any records that are responsive to your FOIA request.

You may appeal this response by email at USDAFOIA@usda.gov. Your appeal must be in writing, and it must be received electronically no later than 90 calendar days from the date of this letter. The OGC will not consider appeals received 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 and the appeal letter should be marked "Freedom of Information Act Appeal." You should also reference FOIA No. 2020-REE-03601-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 202-690-5260, 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://ogis.archives.gov/mediation-program/request-assistance.htm> 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, no fees are being charged.

If you have any questions regarding this letter, please contact Mr. Michael Snytkin at 202-205-9784 or electronically at Michael.Snytkin@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