



United States
Department of
Agriculture

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

December 15, 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 2020-DA-02836-F
Final Response**

Dear Mr. Evers and Mr. Salvador:

This is the Departmental FOIA Office's (DFO) **final response** to the above referenced FOIA request. This correspondence also responds to the matter of *American Oversight, et al. v. U.S. Department of Agriculture, et al.*, Civil Action No. 20-1259-EGS, currently pending in the U.S. District Court for the District of Columbia.

The pending Complaint in the above referenced matter is based on USDA's alleged failure to comply with the applicable time-limit provisions of the FOIA in response to American Oversight (AO) and the Union of Concerned Scientist's (UCS) request for the following:

All records reflecting site visits to the location finalists for the relocation of the USDA's Economic Research Service and National Institute of Food and Agriculture. This request includes, but is not limited to, the following:

- i. Records sufficient to identify all federal officials, employees, and/or contractors invited to attend each site visit;*
- ii. Records sufficient to identify all federal officials, employees, and/or contractors who actually attended each site visit;*
- iii. Any documents identifying the buildings visited;*
- iv. Itineraries and/or agendas;*
- v. Briefing or other informational materials;*
- vi. Any hard copy materials provided to federal officials, employees, and/or contractors during the site visits;*
- vii. Any handwritten or electronic notes taken during site visits;*

- viii. *Summaries of any site visits created after the fact; and*
- ix. *All email and text communications relating to the site visits, and attachments thereto.*

Please provide all responsive records from May 3, 2019, through June 13, 2019.

On March 17, 2020, pursuant to USDA regulation 7 C.F.R. § 1.4(c), the DFO routed a copy of your request to the Research, Education, and Economics (REE) mission area for processing and direct response to you.

Pursuant to USDA regulation 7 C.F.R. § 1.4(e)(2), the DFO referred three (3) pages of responsive records to the Environmental Protection Agency (EPA) on May 18, 2020 for processing and direct response to you.

On August 20, 2020, the DFO issued an interim response covering the electronic portion of your FOIA request. Subsequently, the DFO continued processing the manual portion of your request.

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

Search Efforts

Manual searches for responsive records were conducted by the Office of the Secretary (OSEC). The searches 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.

In light of the matter *American Oversight, et al. v. U.S. Department of Agriculture, et al.*, Civil Action No. 20-1259-EGS, currently pending in the U.S. District Court for the District of Columbia, administrative appeal rights are not being provided in this response letter.

If you have any questions or concerns about this final response or the pending civil action, please contact John Truong, Assistant United States Attorney, U.S. Department of Justice at John.Truong@usdoj.gov.

Sincerely,

Alexis R. Graves Digitally signed by Alexis R. Graves
Date: 2020.12.15 14:51:18 -05'00'

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