



United States
Department of
Agriculture

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

May 11, 2020

Delivered via Electronic Mail

Austin R. Evers
American Oversight
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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-02838-F
First Interim Response**

Dear Mr. Evers and Mr. Salvador:

This is the first interim response to the March 4, 2020, Freedom of Information Act (FOIA) request you submitted to the U.S. Department of Agriculture (USDA), Departmental FOIA Office (DFO). Your request sought the following records:

1. All records reflecting any cost-benefit analysis of relocating USDA employees outside of the National Capital Region.

Requesters believe that USDA is in the best position to identify the custodians of responsive records. However, we request that USDA search, at a minimum, records of Deputy Secretary Stephen Censky, Acting Deputy Assistant Secretary Donald Bice, and Chief Economist Robert Johansson.

Please provide all responsive records from January 1, 2018, through August 15, 2018.

2. The complete copy of the "NIFA and ERS Relocation: Cost Benefit Analysis," the Executive Summary of which was published on June 13, 2019, in conjunction with the announcement of the Kansas City Region as the new location for the Economic Research Service and National Institute of Food and Agriculture. This request includes any and all underlying records on which this Executive Summary was based.

3. All electronic communications (including emails, email attachments, calendar invitations, calendar invitation attachments, or text messages) sent by (a) the USDA officials listed below to (b) any members of Congress or congressional staff, including anyone communicating with an email address ending in senate.gov or mail.house.gov.

USDA Officials:

- i. Stephen Censky, Deputy Secretary
- ii. Donald Bice, Acting Deputy Assistant Secretary for Administration
- iii. Robert Johansson, Chief Economist
- iv. Kristi Boswell, Senior Advisor
- v. Benny Young, Associate General Counsel
- vi. Courtney Knupp, Chief of Staff for Research, Education, and Economics
- vii. Brock Densel, Policy Advisor for Research, Education, and Economics
- viii. Robert MacGregor, former Director of Intergovernmental and External Affairs and current Senior Advisor

On March 17, 2020, pursuant to USDA regulation 7 C.F.R. § 1.4(c), the DFO routed parts of Item 3, specifically vi and vii, to the Research, Education, and Economics (REE) mission area for processing and direct response to you.

Your request is being processed under the FOIA, 5 U.S.C. § 552.

A search for responsive records to Item 3 of your request 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 Item 3 of your request were searched, from June 7, 2019 to June 14, 2019. 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.

The DFO is continuing to process Items 1 and 2 of your request and will issue a final response.

You have the right to appeal the DFO's determinations. Due to the need to issue more than one release of records to fully resolve your request, your appeal rights for this request will be provided to you in the DFO's final response letter.

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.

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