



United States
Department of
Agriculture

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

May 18, 2020

Delivered via Electronic Mail

Hart Wood
American Oversight
1030 15th Street NW
Suite B255
Washington, DC 20005
Email: foia@americanoversight.org

Re: Final Response for Freedom of Information Act (FOIA) Request No. 2019-OGC-06551-F

Dear Mr. Wood:

This is the Departmental FOIA Office's (DFO) and the Office of General Counsel's (OGC) final response to the above-referenced FOIA request which sought:

All email communications (including emails, email attachments, and calendar invitations) regardless of subject matter sent by (a) any of the employees listed in Column A [of the table included in the request letter] to (b) any of the individuals or entities listed in Column B [of the table included in the request letter], including but not limited to the email addresses and domains specified[.]

The request further identified various responsiveness parameters, as follows:

[F]or communications with all entities in column B except Tim Murtaugh, Linda McMahon, Stefan Passantino, and Nick Ayers from June 1, 2018 to the date the search is conducted.

[F]or communications with Nick Ayers outside of his tenure at the White House from February 19, 2019 to the date the search is conducted.

[F]or communications with Stefan Passantino outside of his tenure at The White House from August 31, 2019 to the date the search is conducted.

[F]or communications with Tim Murtaugh outside of his tenure at USDA from February 23, 2019, to the date the search is conducted.

[F]or communications with Linda McMahon outside of her tenure at SBA from April 13, 2019, to the date the search is conducted.

Your original request was assigned tracking number 2019-DA-06466-F by the DFO. On September 10, 2019, your request was partially routed to the OGC for separate processing and

direct response to you regarding the part of the request pertaining to Stephen Vaden. Subsequently your request was assigned tracking number 2019-OGC-06551-F.

As of October 1, 2019, the DFO was realigned under OGC and now operates the FOIA programs for all USDA staff offices to include the Office of the Secretary (OSEC). 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.

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.

No responsive records were identified as a result of the search.

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 should be marked "Freedom of Information Act Appeal." You should also reference FOIA No. 2019-OGC-06551-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://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, no fees will be charged.

If you have any questions regarding the processing of this request, please contact Mr. Randolph Ballard at 202-720-3461, or electronically at Randolph.ballard@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