



AFL FOIA <foia@aflegal.org>

USDA FOIA Request 2023-OGC-00081-F Acknowledgment - Clarification Requested

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To: "FOIA@aflegal.org" <FOIA@aflegal.org>
Cc: USDAFOIA - Office of Information Affairs <USDAFOIA@usda.gov>

Thu, Oct 27, 2022 at 12:36 PM

Good Afternoon Mr. Meckler,

This email acknowledges receipt of your attached Freedom of Information Act (FOIA) request to the U.S. Department of Agriculture (USDA), Office of Information Affairs, Freedom of Information Act Division (OIA-FOIA). Your request was received by this office on October 06, 2022.

The OIA-FOIA is under the purview of the Office of the General Counsel (OGC) and serves as the focal point for USDA's FOIA program. It provides coordination and ensures agency-wide compliance with the FOIA. Additionally, the OIA-FOIA processes requests and appeals on behalf of the Office of the Secretary (OSEC), the Under Secretaries, USDA's staff offices, and the Research, Education and Economics and Trade and Foreign Agricultural Affairs mission areas.

The FOIA, 5 U.S.C. § 552(a)(6)(A)(i), requires USDA to make a determination in response to a FOIA request within 20 business days from its date of receipt. In unusual circumstances, the Federal agency time limit may be extended by 10 business days as stated in 5 U.S.C. § 552(a)(6) (B). If your request seeks numerous records that will necessitate a wide-ranging search, including searches with components and possible consultations with components that have a substantial interest in the determination of this request, USDA will invoke a 10 business day extension for determination of your request. You have the option to narrow the scope of your request to limit the number of potentially responsive records.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Pursuant to USDA FOIA Regulations, Title 7 CFR §1.6(a), the USDA processes FOIA requests according to their order of receipt.

Provisions of the FOIA allow USDA to recover part of the cost of complying with your request. For purposes of fee assessment, you have been categorized as a "news media" requester, pursuant to 7 CFR Appendix A to Subpart A of Part 1 Section 2(b)(4)(i). For your review and information, a copy of the USDA FOIA Fee Schedule is attached. In accordance with 7 CFR Appendix A to Subpart A of Part 1, Section 3(b), your fees shall be waived where the amount of the fee is \$25.00 or less. You have agreed to pay all fees up to \$100.00. You have also requested a fee waiver. However, your classification as a news media requester renders your fee waiver request moot because the only fees that would apply to you are duplication costs beyond the first 100 pages. Because your response will be delivered electronically, duplication costs are not anticipated.

You have requested the following records from the USDA's OGC: "All communications with any email address ending in "@farmaid.org," "@rafiusa.org"

or "flaginc.org" since Aug. 16, 2022."

The OIA's communication searches are conducted by the Office of the General Counsel's telecommunications provider, the Client Experience Center (CEC). In order to conduct mailbox searches, the CEC requires the names of the USDA employees to be searched. We are unable to perform broad, agency-wide searches of all email accounts within a particular agency or office. For this reason, please clarify your request by providing the names of individuals within a USDA office, agency or mission area that you wish to be searched. You have the option to narrow the scope of your request to limit the number of potentially responsive records. In the interim, your request is being placed on hold. If your response with the requested clarification is not received by November 24, 2022, your request will be administratively closed.

Your request has been assigned **FOIA Case No. 2023-OGC-00081-F**. Please refer to this case number in any future correspondence. If you have any questions regarding this email or would like to discuss these matters, please contact me at 202-378-1075 or electronically at Kyle.Kemper@usda.gov or USDAFOIA@usda.gov.

For additional information regarding USDA FOIA regulations and process, please refer to the information available on-line at [Freedom of Information Act Division | USDA](#).

We appreciate the opportunity to assist you.

The OIA-FOIA Team

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