



United States  
Department of  
Agriculture

Office of the Chief  
Information Officer

1400 Independence  
Avenue SW  
Washington, DC  
20250

November 2, 2017

**Delivered via Electronic Mail**

Jimmy Tobias

MuckRock

Email: [45398-62792997@requests.muckrock.com](mailto:45398-62792997@requests.muckrock.com)

**RE: Freedom of Information Act (FOIA) Request 2018-OCIO-00697-F  
Final Response**

Dear Mr. Tobias:

This is the Departmental final response to the November 1, 2017, Freedom of Information Act (FOIA) request you submitted to the U.S. Department of Agriculture (USDA), Department FOIA Office (DFO). You requested “[a]ll correspondence between Representative Bruce Westerman of Arkansas, or his staff, and the Office of the Secretary of Agriculture pertaining to timber management and other natural resource management on U.S. Forest Service lands.” The responsive time period is since February 1, 2017.

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

A search for responsive records was conducted by the Office of the Executive Secretariat (OES). OES serves the Office of the Secretary of Agriculture by managing the official correspondence of the Immediate Office of the Secretary, maintaining the official records of the Office of the Secretary, and assisting the Office of the Secretary with special projects. OES receives and analyzes all correspondence addressed to the Secretary and Deputy Secretary, refers it to the appropriate agencies or staff offices for preparation of a response, as appropriate, and coordinates and tracks the preparation, review, clearance, signature, dispatch, and archival filing of responses. OES works with USDA agencies to ensure prompt delivery of reports and other documents requested or legislatively mandated by Congress or the White House, and provides editorial assistance as necessary to ensure optimal quality. One hundred and forty (140) pages of responsive records were located as a result of OES’s search.

Following a review of the responsive records, DFO has determined that certain information contained therein should be withheld pursuant to 5 U.S.C. §552(b)(6) (FOIA Exemption 6). Below is an explanation of the information that has been withheld.

### **FOIA Exemption 6**

Exemption 6 generally is referred to as the “personal privacy” exemption. It provides that the disclosure requirements of FOIA do not apply to “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” Application of the exemption involves balancing the public’s interest in disclosure against individuals’ privacy interests.

The information withheld under Exemption 6 consists of a certain email address and a certain telephone number. This information qualifies as “similar files” because it is information in which individuals have a privacy interest. Moreover, releasing the information could subject the individuals to unwarranted or unsolicited communications. Since there is a viable privacy interest that would be threatened by disclosure, Exemption 6 authorizes this office to withhold the information. Accordingly, we have determined that the public interest in the information’s release does not outweigh the overriding privacy interests in keeping it confidential.

You have the right to file an appeal. The appeal must be made within 90 days of the date of this letter. Your appeal must be in writing and must clearly indicate that a FOIA appeal is being made. The appeal should be sent to:

Assistant Secretary for Administration  
USDA  
1400 Independence Avenue, S.W.  
Whitten Building 209-A  
Washington, D.C. 20250-0103

Your appeal should include a copy the original request, the response to the request and a statement explaining the basis for your appeal. To facilitate processing your appeal, the phrase “FOIA APPEAL” in capital letters should be placed on the front of your envelope.

Provisions of the FOIA allow us to recover part of the cost of processing your request. In this instance, because the cost is below the \$25 minimum, there is no charge. 7 C.F.R. Part 1.18.

If you have any questions regarding this letter, please contact Ms. Camille Aponte at 202-694-5260 or electronically at [Camille.Aponte@ocio.usda.gov](mailto:Camille.Aponte@ocio.usda.gov) or [USDAFOIA@ocio.usda.gov](mailto:USDAFOIA@ocio.usda.gov).

You may seek dispute resolution services from the Department FOIA Office’s FOIA Public Liaison, Ms. Marqui Barnes, at (202) 694-1802, or electronically at [Marqui.Barnes@ocio.usda.gov](mailto:Marqui.Barnes@ocio.usda.gov) or [USDAFOIA@ocio.usda.gov](mailto:USDAFOIA@ocio.usda.gov).

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll-free at 1-877-684-6448; or facsimile at 202-741-5769.

The DFO Team appreciates the opportunity to assist you in this matter.

Sincerely,



Alexis R. Graves  
Departmental FOIA Officer  
Office of the Chief Information Officer  
Policy, E-Government and Fair Information Practices

Enclosure: Responsive Records (140 pages)