

**U.S. DEPARTMENT OF AGRICULTURE  
OFFICE OF THE SECRETARY  
WASHINGTON, DC 20250**

**SECRETARY'S MEMORANDUM 1076-033  
September 24, 2019**

**Realignment of the USDA Departmental FOIA Office**

**1. PURPOSE**

This Memorandum implements the realignment of the USDA Departmental Freedom of Information Act Office (DFO) from the Office of the Chief Information Officer (OCIO) to the Office of the General Counsel (OGC).

**2. AUTHORITY**

This Memorandum uses the authority of the Secretary to reorganize the Department under Section 4(a) of *Reorganization Plan No. 2 of 1953* (5 U.S.C. App.; 7 U.S.C. 2201 note).

**3. ACTIONS ORDERED**

- a. The DFO is transferred from OCIO to OGC. This realignment complies with the *Freedom of Information Act* (FOIA), 5 U.S.C. § 552(j). DFO will be supervised by the General Counsel.
- b. The General Counsel is designated as the Chief FOIA Officer.
- c. All currently assigned functions and delegations of authority pertaining to the Chief FOIA Officer transfer to the General Counsel. All functions performed by the DFO, including day-to-day leadership, coordination, and direction for the USDA FOIA program transfer to OGC. Government Information Specialist and FOIA contractor positions in DFO transfer to OGC.
- d. The FOIA operations for all USDA staff offices, the Research, Education and Economics Mission Area, and the Trade and Foreign Agricultural Affairs Mission Area transfer to OGC.
- e. Lines of authority will be established between the General Counsel and all USDA Mission Area, agency, and staff office FOIA programs to ensure standardization of

FOIA management, training, policy, and records processing. The Office of Inspector General is exempt from this requirement.

- f. Administrative services, including budget, fiscal, human resources, procurement, space, and information technology will be provided by either the OGC or Departmental Administration, as appropriate.

#### 4. INCIDENTAL TRANSFERS

The Assistant Secretary for Administration, the Chief Financial Officer, and the Office of Budget and Program Analysis are authorized to approve such transfers of funds, employment authority, space, records, property, and incidentals as may be necessary to implement the provisions of this Memorandum.

#### 5. EFFECTIVE DATE AND TERMINATION

The provisions of this Memorandum are effective October 1, 2019. This Memorandum will remain in effect for 1 year or until published delegations are revised to incorporate its provisions.

/s/ SONNY PERDUE  
SECRETARY OF AGRICULTURE