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DEPARTMENT OF AGRICULTURE
CHIEF FREEDOM OF INFORMATION ACT
OFFICER REPORT
March 2016

"We provide leadership on food, agriculture, natural resources, rural development, nutrition, and related issues based on sound public policy, the best available science, and efficient management."

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EXECUTIVE SUMMARY

The United States Department of Agriculture ("Department") was founded by President Abraham Lincoln in 1862 and was quickly coined "The People's Department." At the time, more than half of all American either lived or worked on farms, compared with the two percent today. Despite this decrease, the Department is still fulfilling Lincoln's vision of touching the lives of every American through its mission to provide leadership on food, agriculture, natural resources and related issues based on sound public policy, the best available science, and efficient management.

To successfully accomplish its mission, the Department operates more than 300 programs through an extensive network of Federal, State, and local cooperators. These programs affect every American, every day, by providing a safe and stable food supply, nutrition assistance, renewable energy, rural economic development, care for forest and conservation lands, and global opportunities for farm and forest products. These programs also hold the answers to pressing global issues like the need for renewable energy, increasing crop yields to combat hunger, protecting the food supply, and optimizing internal trade.

The Department's success is dependent on several core values. Among them is transparency. Central to the Department's effort to increase transparency is its Freedom of Information Act ("FOIA") program. The Department's Chief Information Officer and Chief FOIA Officer, Mr. Jonathan Alboum provides program oversight for all twenty of the Department's FOIA offices at the agency and mission area. These offices all collaborate throughout the year to process the tens of thousands of FOIA requests received at the Department.

The FOIA Service Center ("FSC") is the central office for the Department's FOIA program and led by the Office of the Chief Information Officer's (OCIO) Policy, E-Government, and Fair Information Practices (PE&F) Division. The FSC provides day-to-day coordination and oversight and ensures statutory compliance with the FOIA. The FSC also processes FOIA requests, consultations, and appeals on behalf of the Office of the Secretary (OSEC), the Departmental Management agencies, Office of Communications (OC), and the Office of Ethics (OE).

In Fiscal Year 2015, the Department processed approximately 97% of the 19,559 FOIA request received. The Department is also pleased to report a 12.6% decrease in the overall request backlog. Rural Development (RD) contributed significantly with its 91% reduction. Other notable reductions included Agricultural Marketing Service (AMS), Farm Service Agency (FSA), Food Safety and Inspection Service (FSIS), and the FSC. The Office for the Assistant Secretary of Civil Rights (OASCR), Office of Budget & Program Analysis (OPBA) and Research, Education and Economics (REE) successfully closed the Fiscal Year with no backlogged requests.

This report encompasses the efforts of the following agencies, offices, and mission areas:

Agricultural Marketing Service (AMS)
Animal & Plant Health Inspection Service (APHIS)
Farm Service Agency (FSA)
Departmental Management (DM)
  Office of the Administrative Law Judges (OALJ)
  Office of Advocacy and Outreach (OAO)
  Office of the Chief Information Officer (OCIO)
  Office of the Executive Secretariat (OES)
  Office of Homeland Security & Emergency Coordination (OHSEC)
  Office of Human Resource Management (OHRM)
  Office of Operations (OO)
  Office of Procurement & Property Management (OPPM)
  Office of Small & Disadvantaged Business Utilization (OSDBU)
Food, Nutrition & Consumer Services (FNCS)
Food Safety & Inspection Service (FSIS)
Foreign Agricultural Service (FAS)
Forest Service (FS)
Grain Inspection, Packers & Stockyards (GIPSA)
National Appeals Division (NAD)
Natural Resources Conservation Service (NRCS)
Office of Budget & Program Analysis (OBPA)
Office of Communications (OC)
Office of the Chief Financial Officer (OCFO)
  National Finance Center (NFC)
Office for the Assistant Secretary of Civil Rights (OASCR)
Office of Ethics (OE)
Office of the General Counsel (OGC)
Office of the Secretary (OSEC)
Office of Inspector General (OIG)
Research, Education and Economics (REE)
  Agricultural Research Service (ARS)
  Economic Research Service (ERS)
  National Agricultural Statistics Service (NASS)
  National Institute of Food and Agriculture (NIFA)
Risk Management Agency (RMA)
Rural Development (RD)

Section I: Steps Taken to Apply the Presumption of Openness

The guiding principle underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines is the presumption of openness.

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness.
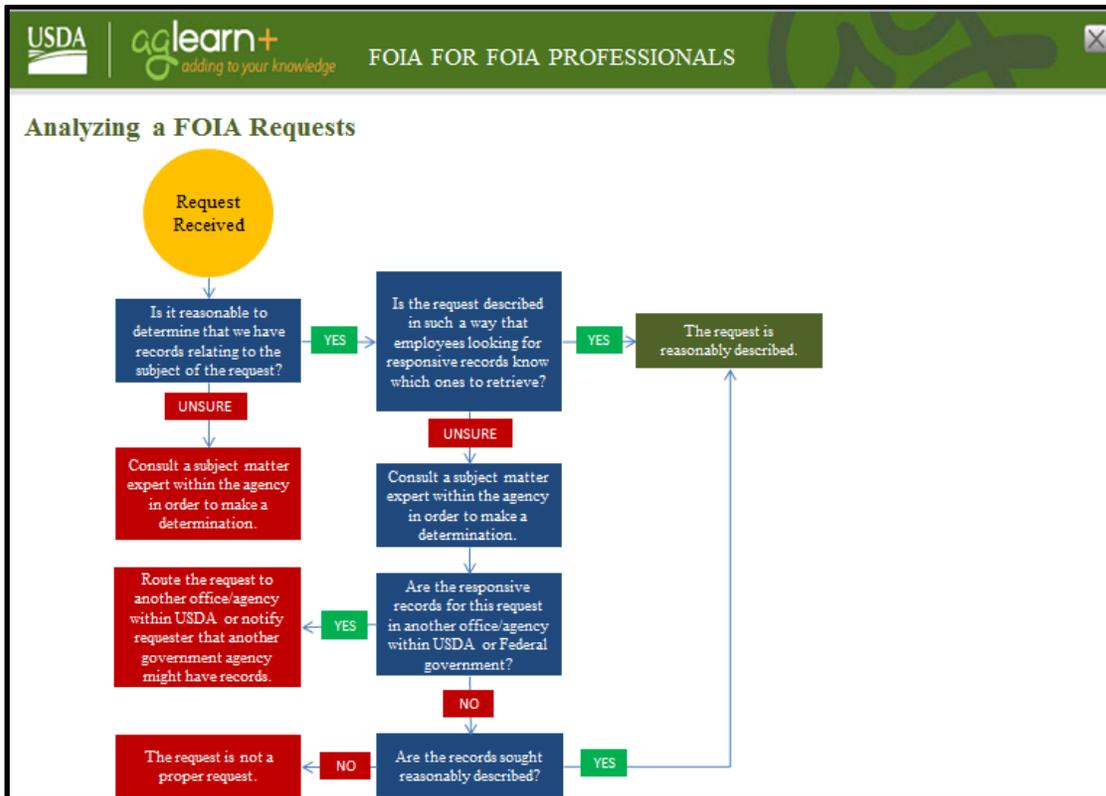
FOIA Training:

1. Did your agency conduct FOIA training during the reporting period for FOIA professionals?

Yes. The Department did provide substantive FOIA training for its FOIA professionals during the reporting period.

2. If yes, please provide a brief description of the type of training conducted and the topics covered.

Department's Extended Online FOIA Training: In January 2016, the Department will publish the first six lessons (select slides shown below) of its extended online FOIA training module, *FOIA for FOIA Professionals*. These six lessons provide a detailed introduction to the FOIA, the Department's FOIA team, and procedural items related to intake. At the end of each lesson, students have an opportunity to test their knowledge with a ten question quiz.

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Analyzing a FOIA Requests

Request Received

Is it reasonable to determine that we have records relating to the subject of the request?

YES →

Is the request described in such a way that employees looking for responsive records know which ones to retrieve?

YES → The request is reasonably described.

UNSURE ↓

Consult a subject matter expert within the agency in order to make a determination.

UNSURE ↓

Consult a subject matter expert within the agency in order to make a determination.

Route the request to another office/agency within USDA or notify requester that another government agency might have records.

← **YES**

Are the responsive records for this request in another office/agency within USDA or Federal government?

NO ↓

The request is not a proper request.

← **NO**

Are the records sought reasonably described?

YES →

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Tracking and Acknowledging FOIA Requests

FOIA fee Category Assignment

Fee Waiver Request Response

Federal Agency Recommendation

Expedited Processing Response

Clarification

Interagency Routing Notification

Request For Fee Assurance

Time Extension

FOIA Processing Track Assignment

The Department intends to roll out the next set of six lessons later in Fiscal Year 2016. This second set of lessons provides instruction for redacting and the application of FOIA Exemptions 1-5.

Department's FOIA Advice Column: In May 2015, the Department began circulating an internal advice column as shown below. The column features a beloved character from the extended online FOIA training module, *FOIA for FOIA professionals* and provides guidance on commonly asked questions from the Department's FOIA Community.

"ASK a FOIA OFFICER"
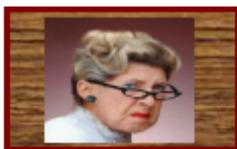
Dear Favorite FOIA Officer:

I'm a mess. I need your help. It's about Lou Anne and me . . You see, Lou Anne and I have been the best of buds for simply forever. We were college roommates and pledge sisters. She had my back and I had hers. Although she came from a different kind of family than mine – they are loud, opinionated, and use language that would make a soldier blush – they are the nicest, kindest people I have ever known. Long story short -- we both ended up in San Francisco after college, working for the USDA. She is a people person, and quickly gravitated to project management. I was happy working with my records. The FOIA suited me to a tee. Until last week, when this FOIA request landed on my desk. Some of the records it asks for are her email messages. On reading them, I was horrified to find that she writes just like she talks. Her language is embarrassing. What should I do? I want to let her know that I know, but I don't know if I should. (I look out of my office window and see the Island of Alcatraz. That's where I see myself if I do this wrong. Just me and the ghost of Al Capone.) Can I tell her that her emails have been asked for? Can I tell her what she said and why she shouldn't say it? I wish I could redact it, but I can't. I know that notifying individuals that someone has asked for their records is not a part of our agency's FOIA regulations and it's not in our standard operating procedures. But surely there is something I can do. I want to keep her as a friend. But I also want to do my job.

Signed,
Frantic in Frisco

Dear Frantic—

What a dilemma! Especially when the two of you should be having the time of your life enjoying the San Francisco scene. Fisherman's Wharf, Pier 39 -- Ah, to be young again! But I digress. You do have a sticky problem. There's no way you can wish these messages away. But do you have to process it yourself? Perhaps your supervisor can reassign it to another analyst within your office. Sometimes in instances like this, it is best if we can position ourselves at arm's length from the problem. Especially if we find ourselves wanting to deviate from regulations or standard operating procedures.

Unfortunately for you, the FOIA doesn't have a notice requirement for ordinary FOIA requests. (If you were dealing with records potentially covered by exemption 4, and Lou Anne was the submitter of the records, you would be able to follow Executive Order 12600. It has a notice requirement. But then, again, it's not confidential business information that is at issue. It is intemperate remarks.) With that in mind, if you cannot recuse yourself from processing the request, it is always best to follow both the letter and the spirit of the FOIA. Process it in accordance with your agency's regulations, and don't treat this request any differently from any other. If you need to contact Lou Anne in order to understand any of the records, feel free to do so. That is your standard operating procedure after all. Or if you need to contact her to get additional, potentially responsive records, by all means do. In short, do what you normally do to process this request.

But afterwards, when all is said and done, you are allowed to provide some tailored FOIA training to Lou Anne and her colleagues. If she had known that her emails would be subject to the FOIA, and that there are no exemptions permitting the withholding of records likely to cause embarrassment, I'm sure she would have toned them down. She wouldn't want to get you in trouble by bending the law. And she doesn't want to call that type of attention to herself. Not if she is as talented as I gather she is. The USDA is lucky to have you both on their payroll.

Incidentally, I can, at least reassure you on one point. Alcatraz, the Prison, was closed in 1963. Regardless of how this affair plays out, you won't need to brush up on your open water swimming skills.
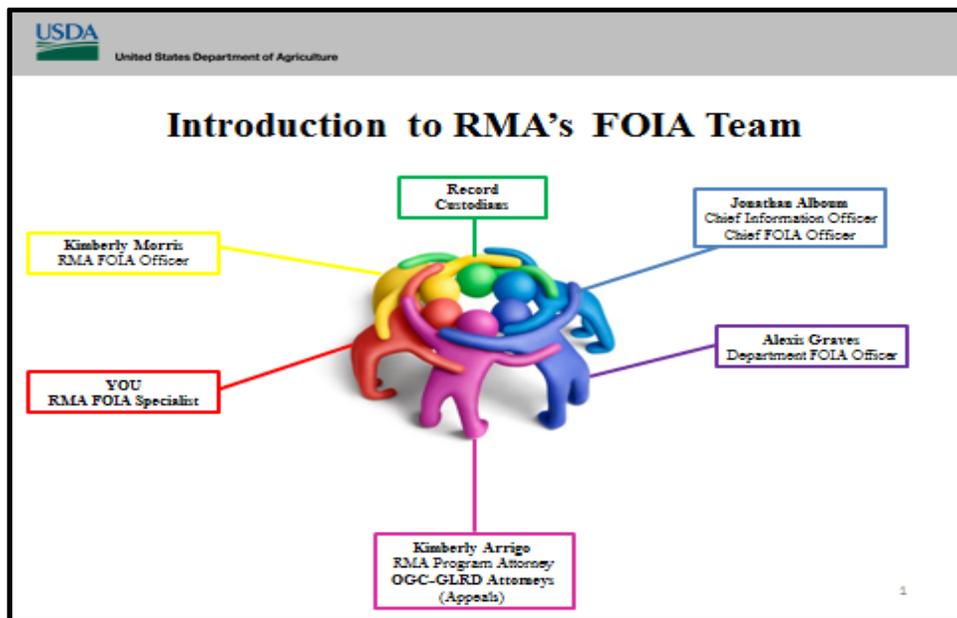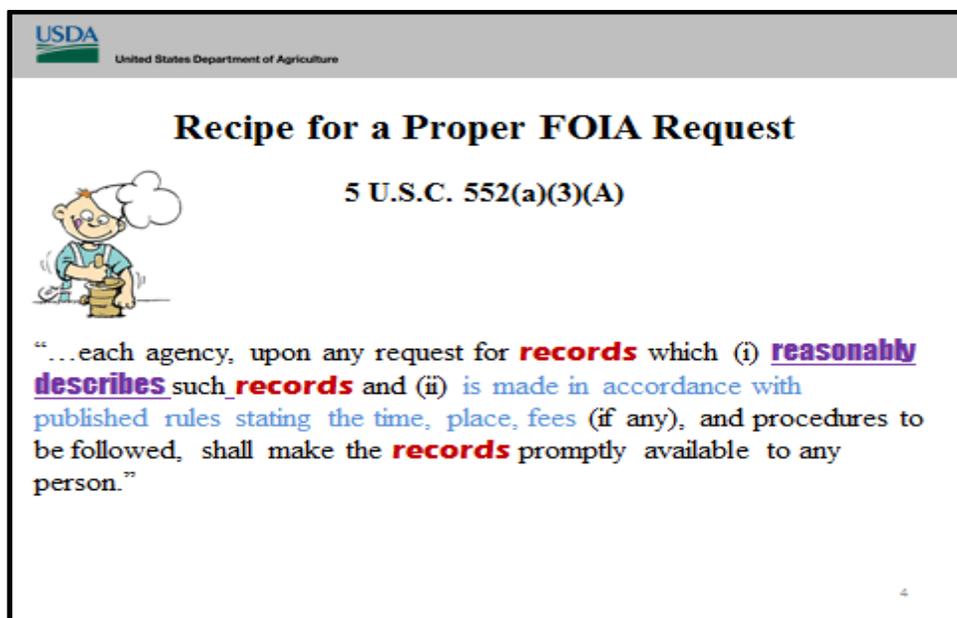
Sincerely Yours,
Your Favorite FOIA Officer

Monthly FOIA Council Meetings: The FSC continues to hold its monthly FOIA council meetings with the Department's FOIA Officers, Liaisons, and Team Leads. Although most meetings are devoted to the dissemination and discussion of recent court decisions, Department of Justice guidance, best practices, and upcoming training opportunities, others do provide for refresher training on select FOIA issues.

One-on-One Training for New Hires: Recognizing that FOIA regulations and best practices can vary from agency to agency, the FSC continues to provide one-on-one FOIA training for recently hired FOIA Officers, FOIA Team Leads and Liaisons. These one-on-one sessions highlight the Department's FOIA best practices as articulated in its recently published online FOIA lite training module.

OGC-General Law and Research Division Training: OGC's General Law and Research Division (GLRD) invited the Department's FOIA professionals to participate in a series of FOIA courses during its May 2015 General Law Conference. Courses were facilitated by GLRD staff in coordination with the Department of Justice, Office of Information Policy and included instruction on FOIA's procedural requirements, the application of FOIA Exemptions 4, 5, and 6, and emerging FOIA issues.

Other Agency Training Initiatives: The RMA FOIA Officer invited the FSC to facilitate a four hour interactive FOIA overview course (select slides shown below) for a small group of incoming professionals.
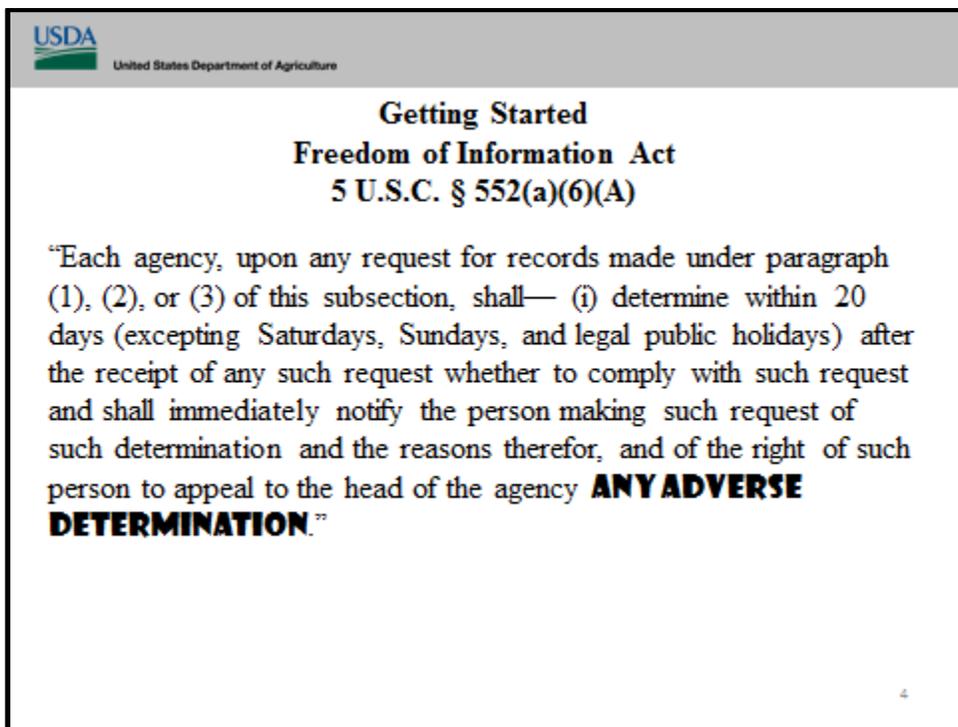
The FSC also facilitated a two hour training session for FS' FOIA professionals in the Washington Office. This session (select slides shown below) focused on preparation of an appeal package for legal sufficiency review.
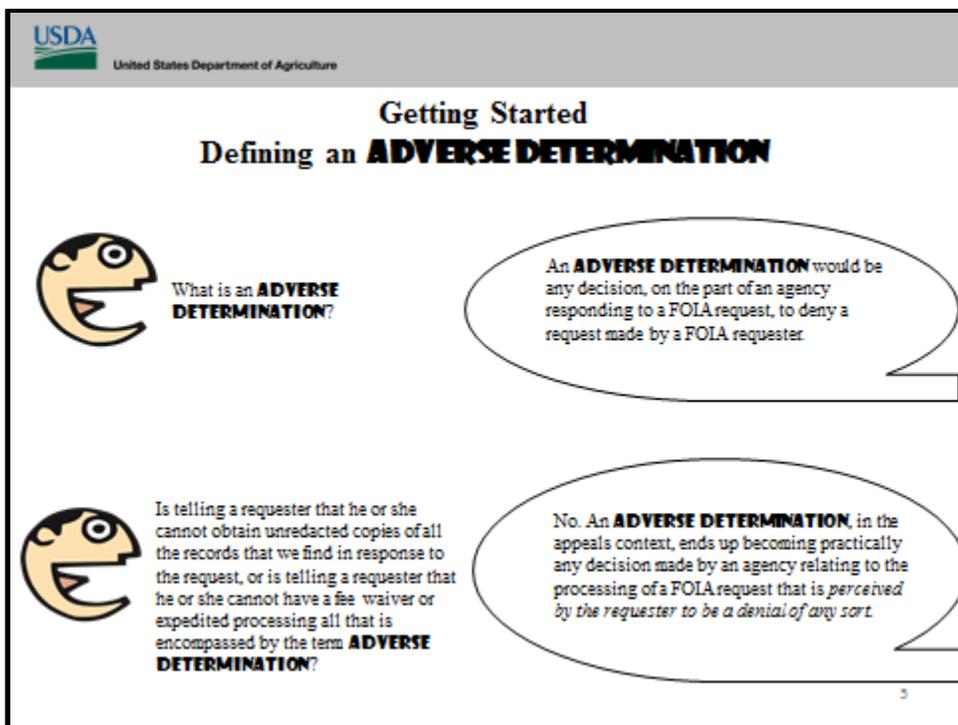
3. If no, please explain why your agency did not hold training during the reporting period, such as if training offered by other agencies was sufficient for your agency's training needs.

Not applicable. The FSC on behalf of the Department provided multiple training opportunities for the USDA FOIA community.

4. Did your FOIA professionals attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice?

Yes. The Department's FOIA professionals attended the following training programs provided by the Department of Justice, Office of Information Policy:

- Introduction to the Freedom of Information Act
- The Freedom of Information Act for Attorneys and Access Professionals
- Advanced Freedom of Information Act Seminar
- FOIA Litigation Seminar

The Department's FOIA professionals also participated in the following external training courses and conferences:

- American Society of Access Professionals: 8th Annual National Training Conference
- American Society of Access Professionals: FOIA-Privacy Training Workshop
- American Society of Access Professionals: Exemption 4
- American Society of Access Professionals: Exemption 5
- American Society of Access Professionals: Privacy Act Overview

- Office of Government Information Services: Dispute Resolution Skills for FOIA Professionals
- USDA Graduate School: Freedom of Information and Privacy Acts Course

5. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

Approximately 90% of the Department's FOIA professionals participated in either one or more substantive FOIA training courses.

6. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

Not applicable. More than 80% of our FOIA professionals participated in substantive FOIA training courses facilitated by the FSC, the OGC-GLRD, the Department of Justice, Office of Information Policy and/or some other external training course or conference.

Outreach

7. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? This question addresses outreach that is conducted outside of the individual request or appeal process. For example, outreach activities can include engaging with frequent requesters by holding meetings or events which include them, conducting surveys or otherwise soliciting requester feedback, or participating in any other requester initiative coordinated by your agency or by others, such as OIP.

Yes. The Department's FOIA professionals did engage in outreach and dialogue with the requester community.

APHIS reported the Office of Animal Care continues to invite its FOIA Officer to its stakeholder meetings as many participants are also frequent APHIS FOIA requesters. These meetings ensure requesters better understand the regulatory mission of APHIS, the type of records maintained by APHIS, in addition to APHIS' FOIA processing procedures.

Additionally, in light of the recent influx of FOIA requests from party committees, the FSC elected to reach out to the Research Directors of each committee to best determine the course of action for timely responding to its requests. In several instances, the FSC was able to coordinate an arrangement whereby the requester would in lieu of sending a request to every FOIA agency, office, or mission area, review the Department's congressional and gubernatorial logs and identify specific items of interest to the FSC. The FSC would then timely pull, review and forward those records of interest to the requester.

8. If you did not conduct any outreach during the reporting period, please describe why?

Not applicable. The Department did conduct agency outreach during the reporting period.

Discretionary Releases:

9. Does your agency have a distinct process or system in place to review records for discretionary release? If so, please briefly describe this process. If your agency is decentralized, please specify whether all components of your agency have such a process or system in place?

Yes. All of the Department's FOIA Officers have a process in place for making discretionary releases. Although the processes may differ is some respect, all do require a secondary and in some instances a third review of responsive records to ensure the application of select FOIA exemptions are appropriate and applied with an eye toward the presumption of openness.

10. During the reporting period, did your agency make any discretionary releases of information?

Yes. The Department routinely makes disclosures of otherwise exempt information as a matter of discretion in compliance with Attorney General Holder's 2009 Guidelines.

11. What exemption(s) would have covered the material released as a matter of discretion? For a discussion of the exemptions that allow for discretionary releases, please see OIP's guidance on implementing the President's and Attorney General's FOIA Memoranda.

Discretionary disclosures were made of material that could have been withheld under 5 U.S.C. §552 (b)(2) and 5 U.S.C. §552 (b)(5).

12. Provide a narrative description, as well as some specific examples, of the types of information that your agency released as a matter of discretion during the reporting year.

Examples of the types of information that the Department released as a matter of discretion are included below:

- Audit Reports.
- Internal Emails.
- Records Related to the Creation of the Department's Online FOIA Training Module.
- Records Related to the Department's Annual Budget.
- Records Related to the Department's Shutdown Plans.
- Records Related to Rulemakings.
- Talking Points Prepared by Senior Advisors.

13. If your agency was not able to make any discretionary releases of information, please explain why.

Not applicable. The Department was able to make hundreds of discretionary releases during the reporting period.

Other Initiatives:

14. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA? Efforts can include training for non-FOIA professionals, distributing memoranda on the FOIA, announcements on FOIA matters, etc.

<u>First Friday Message:</u> In his April 2015 First Friday Message (shown on the next page), Secretary Vilsack encouraged all Department employees to renew their commitment to open government and transparency. With that, he asked Department employees receiving a request for records to timely return those records to their assigned FOIA professional. The Secretary also encouraged employees to learn more about their role and responsibility in the Department's FOIA process by reviewing the Department's FOIA Lite Training Module.

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UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

</div>

Dear USDA Employees,

This first Friday, I would like to highlight the outstanding work of the USDA Freedom of Information Act (FOIA) community. Although the community has a number of full-time FOIA professionals, most members are performing FOIA functions in addition to other assigned duties. I applaud their hard work and diligent effort to respond promptly to FOIA requests, adopt a belief in favor of disclosure of information, and to use technology to inform the public in accordance with President Barack Obama's 2009 FOIA memorandum.

Thanks to the outstanding work of our FOIA team, USDA was the top performer on the Center for Effective Government's 2015 Access to Information Scorecard which reviews in depth FOIA implementation for the 15 federal agencies that together received over 90 percent of all FOIA requests in 2012 and 2013. In Fiscal Year 2014, the Department processed approximately 96% of the 19,864 FOIA request received and successfully closed its ten oldest pending perfected FOIA requests. Several of the Department's components also reported reductions in the number of backlogged FOIA requests. The FOIA Service Center decreased its backlog by 69.69% and the Natural Resources Conservation Service (NRCS) by 86%. Slight reductions were also reported in the Agricultural Marketing Service (AMS) and Rural Development (RD). The Foreign Agriculture Service (FAS), Grain Inspection, Packers & Stockyards (GIPSA), Office of Budget & Program Analysis (OBPA), and Research Education, Economics (REE) had no backlogged FOIA requests.

Let's continue to work together to ensure our FOIA Community's success. If you have an outstanding FOIA search or FOIA consultation requests, please coordinate with your FOIA professionals. By taking action today, you will assist in the timely production of records and the reduction of the Department's FOIA backlog.

Today, I am asking each USDA employee to renew your commitment to open government and transparency. If you receive a request for records, please promptly conduct a search and return any potentially responsive records un-redacted to your agency's FOIA professional. Similarly, if you receive a FOIA consultation request, please promptly arrange a review of the records and keep an open a line of communication with the FOIA professional. Generally speaking, the FOIA only provides 20 working days to conduct the search, complete consultations if appropriate, review the potentially responsive records, and make a determination. Therefore, compliance with both the letter and the spirit of the FOIA requires everyone's cooperation.

Lastly, if you are unfamiliar with the FOIA, I urge you to review the Department's FOIA Lite Training Module in Ag Learn. The Department of Justice recently recognized USDA's team of FOIA professionals for their exceptional work on this module which explores the FOIA's statutory requirements, the USDA's FOIA process, key players in the USDA FOIA process, the importance of detailing your search efforts, and the USDA's commonly cited FOIA exemptions.

The work of our FOIA team is one reason that I take so much pride in USDA. And I must not be alone, because earlier this week, Forbes published its list of the nation's top 500 best employers, and USDA was ranked #216 (above Microsoft, Coca-Cola and ESPN!). Thank you for all that you are doing as employees to contribute to making USDA one of the best places to work across government and across the country.

Sincerely,
Tom Vilsack

Posting of OIP's e-Learning Module for Federal Employees: In November 2015, the Department posted the Department of Justice, Office of Information Policy's FOIA e-Learning module for all federal employees to the Department's online training repository. FOIA Officers were highly encouraged to consider speaking with management to include this module as a training requirement on performance plans for all employees.

Training for Record Custodians: The Department also facilitated two-hour interactive training sessions for record custodians in FNCS' Supplemental Food Programs Division, the Office of the Chief Scientist(OCS) and OALJ. These sessions (see slides on the next page) explored a range of topics pertinent to record custodians but most notably – the presumption of openness, effective communication, search requirements, and the 20 day statutory deadline.
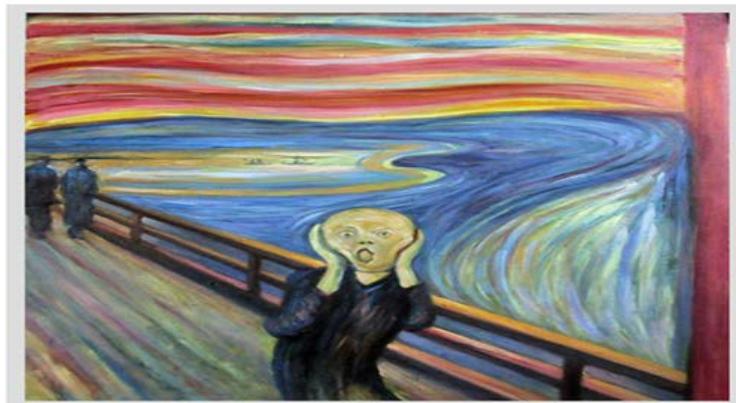
15. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. If any of these initiatives are online, please provide links in your description.

Not applicable. No additional initiatives were undertaken.

Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests

As the Attorney General emphasized in his FOIA Guidelines, "[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests." It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that your management of your FOIA program is effective and efficient. You should also include any additional information that that describes your agency's efforts in this area.

Processing Procedures:

1. For Fiscal Year 2015, what was the average number of days your agency reported for adjudicating requests for expedited processing?

The Department's average number of days to adjudicate requests for expedited process is 25.85.

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

The Department will continue to remind FOIA Officers of the statutory requirement to adjudicate requests for expedited processing within ten calendar days.

3. If your agency has a decentralized FOIA process, has your agency taken steps to make the routing of misdirected requests within your agency more efficient? If so, please describe those steps.

Yes. The Department has a decentralized FOIA process and has taken steps to make the routing of misdirected requests within the Department more efficient.

First, FOIA professionals are required by the Department's regulation to forward any requests not addressed to a specific FOIA Officer or may pertain to more than one FOIA Officer to the Department for further review and routing. The Department FOIA Officer is then required to notify the requester and provide the contact information for the FOIA Officer processing the request.

Secondly, the Department continues to emphasize the importance of routing within ten working days. The Department also routinely encourages via its monthly Council Meetings to include the ten day working requirement as part of their team's performance plans.

4. On July 2, 2015, OIP issued new guidance to agencies on the proper procedures to be used in the event an agency has a reason to inquire whether a requester is still interested in the processing of his or her request. Please confirm here that to the extent your agency may have had occasion to send a "still interested" inquiry, it has done so in accordance with the new guidelines for doing so, including affording requesters thirty working days to respond.

The Department addressed the Department of Justice, Office of Information Policy guidance at a Council Meeting shortly after issuance. Since then, very few agencies have had occasion to send a "still interested" inquiry and those that did, all reported having adhered to the Department of Justice, Office of Information Policy's guidance of affording requesters thirty working days to respond.

Requester Services:

5. Agency FOIA Requester Service Centers and FOIA Public Liaisons serve as the face and voice of an agency. In this capacity they provide a very important service for requesters, informing them about how the FOIA process works and providing specific details on the handling of their individual requests. The FOIA also calls on agency FOIA Requester Service Centers and FOIA Public Liaisons to assist requesters in resolving disputes. Please explain here any steps your agency has taken to strengthen these services to better inform requesters about their requests and to prevent or resolve FOIA disputes.

The Department's FOIA agencies and offices continue to communicate routinely with FOIA requesters to keep them informed on the status of their requests and provide contact information for the FOIA Officer and/or Requester Service Centers in the event any questions arises concerning their requests.

One example of a step taken to strengthen these services includes APHIS' recent creation of a FOIA Intake Team. Designed to increase communication with FOIA requesters and encourage dialogue between the APHIS FOIA Office, APHIS program offices, and the APHIS requester community, the APHIS FOIA Intake Team is led by a senior government information specialist responsible for overseeing the interpretation of every incoming FOIA and consulting when appropriate with APHIS programs offices about the scope of the request.

To date, the Intake Team has consulted on over ninety incoming FOIAs. About 24% of these FOIAs requiring consult were either significantly narrowed after discussions between the APHIS program offices and requesters or administratively closed as a result of the FOIA Office directing requesters to the information online. Requesters also walked away better understanding the regulatory mission of APHIS and the types of records the agency maintains.

Other Initiatives:

6. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc., please describe them here.

Yes. APHIS' FOIA Officer championed a FOIA Business Process Improvement (BPI) Review and partnered with its Policy office to provide an audit of its current FOIA process. The BPI was designed to evaluate the execution of FOIA within APHIS, inclusive of both the FOIA Office and APHIS programs. By spearheading the BPI, APHIS sought to fully document all steps involved in processing FOIA requests and identify improvements likely to significantly increase its ability to meet the mandated twenty day processing deadline and decrease the FOIA backlog. The BPI identified twenty-seven total recommendations and sixteen priority recommendations that will be implemented going forward in Fiscal Year 2016.

NRCS is also continuing its initiative it began in Fiscal Year 2014 to improve agency FOIA service. This initiative increased the focus and support provided to FOIA and in turn significantly decreased NRCS' backlog. The effort is continuing with the NRCS FOIA program being transferred to the Resource Economics and Analysis Division (READ), and the Associate Chief requesting an action plan to strengthen NRCS'FOIA process.

Section III: Steps Taken to Increase Proactive Disclosures

Both the President and Attorney General focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received. Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

Posting Material:

1. Describe your agency's process or system for identifying "frequently requested" records required to be posted online under Subsection (a)(2) of the FOIA. For example, does your agency monitor its FOIA logs or is there some other system in place to identify these records for posting.

The Department's FOIA Officers employ varying methods for identifying frequently requested records. Most common among the methods however is routine monitoring of the FOIA logs.

2. Does your agency have a distinct process or system in place to identify other records for proactive disclosure? If so, please describe your agency's process or system.

Yes. The Department has multiple systems in place to identify records for proactive disclosure. Most of these systems involve the review of feedback received in existing participatory

processes like blogs and other media channels, knowledgebase and customer relationship management tools like AsktheExpert, ideation platforms, and town hall meetings. Other systems involve the review of feedback from the Department's public liaisons, communication specialist, and Open Data Policy Team.

3. When making proactive disclosures of records, are your agency's FOIA professionals involved in coding the records for Section 508 compliance or otherwise preparing them for posting? If so, provide an estimate of how much time is involved for each of your FOIA professionals and your agency overall.

The Department's FOIA professionals are not involved in coding but do serve as the intermediary when needed for the IT professional, 508 compliance officer, and subject matter expert (SME). The Department's FOIA professionals estimate spending about two hours to facilitate discussions between these three professionals for each record set posted.

4. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post?

Yes. The Department has encountered challenges that make it difficult to post records.

5. If so, please briefly explain those challenges.

As described above, our FOIA professional often are the intermediary between the IT professional, the 508 compliance officer, and SME. With limited human resources, it is often difficult to find the time to facilitate these discussions.

6. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

Some examples of proactive disclosures are included in the chart below.

Agency/ Office/ Mission Area	Examples of Materials Proactively Posted
ARS	• Information on ARS' approximately 800 research projects is available through searchable and browsable interfaces at: http://www.ars.usda.gov/research/projects.htm • ARS' virtual Briefing Room is available at: http://www.ars.usda.gov/News/docs.htm?docid=1281 • ARS' virtual Press Room is available at: http://www.ars.usda.gov/News/docs.htm?docid=1383 • ARS' administrative information is available at: • http://www.afm.ars.usda.gov/

	• ARS' administrative issuances are available at: http://www.afm.ars.usda.gov/ppweb/
ERS	In the event that a substantive error is detected in a disseminated information product (research report, market analysis and outlook report, data product, interactive map, or Amber Waves content), ERS will make a correction and report changes on the errata page on the ERS website. The ERS errata page postings for the reporting period can be found here: http://www.ers.usda.gov/about-ers/information-quality/ers-error-correction-policy/errata.aspx#.Uqijhvv9xXc
FS	The Fossil Creek Wild and Scenic River Comprehensive River Management Plan web page http://www.fs.usda.gov/project/?project=27457 is a recent (since March 2015) example of a success story that highlights our disclosure efforts. The management plan, critical to the forests' future operation and widely scrutinized by residents, is a joint effort by the Forest Service's Coconino and Tonto national forests in Arizona. The web site includes access to meeting notes, stakeholder presentations, Spanish-language versions of some documents, and an easy-to-use database of objectors' comments. The objectors' comments often lay out positions that are the basis for further advocacy and legal action against the Forest Service.
NASS	NASS is committed to transparency within the estimation process. As such, commodity reports include tables that identify statistical reliability for the corresponding estimates. This information is available at the same time estimates are published. The following link provides an example on page 40. http://usda.mannlib.cornell.edu/usda/current/Acre/Acre-06-30-2015.pdf
NIFA	The following link shows the information available via the Congressional District Map Highlights. http://nifa.usda.gov/data-gateway-congressional-district-map-highlights
NRCS	NRCS releases natural resource data related to agency programs, and including data from the Natural Resources Inventory (NRI). NRCS also release data and scientific information generated by the Conservation Effects Assessment Project (CEAP). Links to this and more data are available at: http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/nra/rca/ida/?cid=stelprdb1187041
OASCR	• The Civil Rights Learning Center features a collection of USDA Civil Rights Directives and Statutory Regulations prohibiting discrimination in programs receiving Federal Financial Assistance from USDA. It also contains information and resources for the LGBT community, which appears under the LGBT Rural Summit Series. Each series offers a unique opportunity for USDA and other federal agencies to share information relating to policies, programs, and services that exist to protect, promote and strengthen LGBT rural communities. https://www.ascr.usda.gov/civil-

	rights-learning-center • Complaint Resolution focuses on all aspects of the Programs and Employment discrimination complaint processes. It includes the activities of the Office of Adjudication, Conflict Complaint Division and the Early Resolution and Conciliation Division that are carried out within the OASCR framework. https://www.ascr.usda.gov/complaint-resolution
OBPA	• FY2016 Budget Summary http://www.obpa.usda.gov/budsum/fy16budsum.pdf • FY2016 Budget Highlights http://www.obpa.usda.gov/2016budgethighlights.pdf
OSEC	The Office of the Secretary in coordination with OC continues to post monthly the Secretary's public schedule. http://www.usda.gov/wps/portal/usda/usdahome?contentidonly=true&contentid=secretary-schedule.xml
RD	• http://www.usda.gov/wps/portal/usda/usdahome?contentidonly=true&contentid=2015/11/0323.xml • http://www.usda.gov/wps/portal/usda/usdahome?contentidonly=true&contentid=2015/11/0321.xml • http://www.rd.usda.gov/newsroom/news-release/usda-provides-support-native-american-businesses-and-rural-communities • http://www.usda.gov/wps/portal/usda/usdahome?contentidonly=true&contentid=2015/03/0079.xml

7. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe those efforts.

Yes. The Department continues to use various tools to highlight important proactive disclosures for public awareness. Some recent examples include:

Agency/ Office/ Mission Area	Means to Publicize	Description
AMS	YouTube	**Debunking the Myths: Finding Success in the Organic Market Place** https://www.youtube.com/watch?v=iz_Nap4OvhY **Overview of USDA Market News** https://www.youtube.com/watch?v=nwpIVDLqbrE
FNCS	YouTube	**Farm to School Initiative** https://www.youtube.com/playlist?list=PLBccton6gOdqbPEasMmU-_JYdpbJUckmC

		Partnering for Nutrition in School Meals https://www.youtube.com/watch?v=LAY9ZlvOd80
FSA	**Radio Hub**	**Natural Disaster Assessments** Actuality: FSA Field Staff And Natural Disaster Assessments
FS	**Facebook**	**National Interagency Fire Statistics** https://www.facebook.com/pages/The-Forest-Service/1431984283714112?ref=hl
FSIS	**Twitter**	**Recalls and Food Safety Guidelines** https://twitter.com/USDAFoodSafety
NRCS	**Mobile App**	An innovative outreach effort is the SoilWeb app, which combines NRCS's soil maps with GPS to allow anyone to access real-time information about the soil characteristics wherever they are. The app is available in the App or Play store for Apple and Android devices.
OSEC	**Blogs**	**Working Together to Address Global Food Insecurity** https://blogs.usda.gov/2015/12/02/working-together-to-address-global-food-insecurity/
OSEC	**YouTube**	**Secretary Vilsack's Discussion with USDA Student Diversity Program Participants** https://www.youtube.com/watch?v=Ct81t9NanDI
OSEC	**Really Simple Syndication (RSS)**	**Loans and Grants Announcement for Rural and Small Business** http://www.usda.gov/wps/portal/usda/usdahome?contentid=2015/07/0220.xml&contentidonly=true **Completion of 500th Recovery Act Water Project** http://www.usda.gov/wps/portal/usda/usdahome?contentid=2013/08/0163.xml&contentidonly=true

Other Initiatives:

8. If there are any other steps your agency has taken to increase proactive disclosures, please describe them here.

Not applicable. No additional steps were taken to increase proactive disclosures.

Section IV: Steps Taken to Greater Utilize Technology

A key component of the President's FOIA Memorandum was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests. Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that that describes your agency's efforts in this area.

Making Material Posted Online More Usable:

1. Beyond posting new material, is your agency taking steps to make the posted information more useable to the public, especially to the community of individuals who regularly access your agency's website?

Yes. The Department is taking steps to make posted information more usable to the public.

2. If yes, please provide examples of such improvements.

Some examples of such improvements are listed in the chart below.

Agency/ Office/ Mission Area	Description of Improvement
ERS	During FY 2015 ERS began to offer interactive data visualizations on our website to more effectively and efficiently deliver web-accessible data in ways that are more meaningful, useful, and easier for customers to use. As of December 2015, thirteen visualization tools have been published on the ERS website on such topics as agricultural imports and exports, land use, food security, food consumption and prices, and the status of High Pathogenic Avian Influenza outbreaks and trade bans. These tools reduce the amount of time customers spend collecting and manipulating the data needed, reduce the need by the public to request special tabulations of Agency data, expand the reach of government information, and improve customer satisfaction.
NASS	NASS has undertaken a "Data Visualization" initiative to present data in a more understandable format in addition to the traditional data tables.
	NASS produces vast amounts of data from more than 400 agricultural surveys it conducts each year. These data are available to the public via a Quick Stats database and reports that the agency posts online in .pdf, .txt and .csv formats. The goal of the project is to reform pieces of the data dissemination process to include more easily digestible and reusable visual representations of the data products NASS releases and increase the speed to which they are available. The visuals will be reusable in many ways, both internally and externally, providing the public with a useful and timely data product created by a NASS specialist.
NIFA	The Data Gateway allows NIFA to be responsive to the public and to the agency's senior leadership in providing an immediate response to inquiries and how we disseminate funding. We are able to refer individuals to the

Gateway where they can easily access awards, funding information, and projects.

The National Institute of Food and Agriculture is committed to serving its stakeholders, Congress, and the public by using new technologies to advance greater openness. To strengthen transparency and promote open government, NIFA is providing easy access to data and metrics on how the agency disseminates funding.

NIFA is committed to increasing transparency and making technical advancements to ensure that data is easily accessible. The Data Gateway provides the ability to filter and export data.

Recently added features to the Congressional District Map and Data Gateway Search make for an improved user experience when searching and reporting information on NIFA-administered grants and projects. New interactive features in the Congressional District Map allow users to see the total amount of funding by state and further to drill down to the individual awards. Funding information is available for awards made from 2011-2015. Simply click on a state listing on the right of the screen. No need to create your own search if you are looking for NIFA funding by Congressional District.

Key enhancements in the Data Gateway Search tool include:

- A project-based display of data
- Embedded help text within tool
- Drop down lists allowing you to choose the fields you want to search and display
- Expanded filter lists

Visit NIFA's Project Based Search Highlights and Congressional District Map Highlights for a quick visual overview of the features made available with these new releases. The Data Gateway fact sheet describes the various functions available to users.

3. Has your agency's FOIA professionals interacted with other agency staff (such as technology specialist or public affairs or communications professionals) in order to identify if there are any new ways to post agency information online?

Yes. Just recently, the Department revamped its FOIA site with the assistance of OCIO technology specialists. In addition to identify new ways to post agency information, the Department was able to create a slide show on it FOIA homepage to highlight new initiatives, rearrange its main page for the FOIA reading room for ease of review by the public, and share useful tips for filing FOIAs at the Department.

Use of Technology to Facilitate Processing of Requests:

4. Did your agency conduct training for FOIA staff on any new processing tools during the reporting period, such as for a new case management system, or for search, redaction, or other processing tools.

Yes. The Department did provide training on several of its existing and new processing tools.

5. Beyond using technology to redact documents, is your agency taking steps to use more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents? If yes, describe the technological improvements being made.

Yes. The Department continues to take steps to utilize more advanced technology to facilitate overall FOIA efficiency.

Public Access Link (PAL): Launched in 2012 by OCIO, PAL is the Department's public-facing web portal. PAL allows the requester community to submit requests electronically through a link on our FOIA site, track the status of requests, and directly download records responsive to requests.

e-Discovery Platform: Deployed by OCIO in 2013, this add-on module for the existing enterprise-wide tracking solution features e-Discovery technologies such as the identification of duplicate and near duplicate records, ability to search and categorize records, and ability to rank and view records by "record custodian."

Legal Research Engine: In 2013, OCIO purchased several licenses for a legal research engine for use by FOIA Officers in processing FOIAs posing complex legal issues.

Advanced Search Capabilities: As of May 2015, the Department is able to review and search internally its FOIA reading rooms regardless of the types of records (PDF, Excel, Word, HTML, etc.) available in those rooms. Upon receipt of requests, the Department can quickly cross reference all its reading rooms to ensure the item(s) requested are not already publically available.

6. Are there additional tools that could be utilized by your agency to create further efficiencies?

The Department is not aware of any additional tools to create further efficiencies.

Other Initiatives:

7. Did your agency successfully post all four quarterly reports for Fiscal Year 2015?

Yes. The Department successfully posted all four of its quarterly reports for Fiscal Year 2015.

8. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2016.

Not applicable. The Department successfully posted all four of its quarterly reports for Fiscal Year 2015.

9. Do your agency's FOIA professionals use e-mail or other electronic means to communicate with requesters, whenever feasible?

Yes. All of the FOIA officers reported using email or other electronic means to communicate with requesters.

10. If your agency does not communicate electronically with requests as a default, are there any limitations or restrictions for the use of such means? If yes, does your agency inform requesters about such limitations?

Not applicable. All of the FOIA officers reported using email or other electronic means to communicate with requesters.

Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

The President and the Attorney General have emphasized the importance of improving timeliness in responding to requests. This section your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations. For the figures required in this Section, please use the numbers contained in the specified sections of your agency's 2014 Annual FOIA Report and, when applicable, your agency's 2013 Annual FOIA Report.

Simple Track: Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

Yes. The Department utilizes a separate track for simple requests.

2. If so, for your agency overall in Fiscal Year 2015, was the average number of days to process simple requests twenty working days or fewer?

Yes. In Fiscal Year 2015, the average number of days to process a simple request was 11.2 days.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2015 that were placed in your simple track.

The percentage of requests processed by the Department in Fiscal Year 2015 that were placed in the simple track is 91.4%.

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

Not applicable. The Department tracks simple requests separately.

Backlogs: Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Years 2014 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

BACKLOGGED REQUESTS

5. If your agency had a backlog of requests at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

Yes. The overall number of backlogged requests decreased by 12.6% in Fiscal Year 2015.

	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
USDA OVERALL	1,314	1,148

6. If not, explain why and describe the causes that contributed to your agency not being able reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- **An increase in the number of incoming requests.**
- **A loss of staff.**
- **An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.**

- **Any other reasons – please briefly describe or provide examples when possible.**

Not applicable. The Department was able to reduce its overall request backlog.

7. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests *received* by your agency in Fiscal Year 2014.

Yes. The Department had a request backlog. The percentage of requests that makeup the backlog out of requests received in Fiscal Year 2014 is 5.78%.

BACKLOGGED APPEALS

8. If your agency had a backlog of appeals at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

No. The overall number of backlogged appeals increased by 46.26 % in Fiscal Year 2015.

	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
USDA OVERALL	268	392

9. If not, explain why and describe the causes that contributed to your agency not being able reduce backlog. When doing so, please also indicate if any of the following were contributing factors:

- **An increase in the number of incoming requests.**
- **A loss of staff.**
- **An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.**
- **Any other reasons – please briefly describe or provide examples when possible.**

Backlogged appeals originate primarily in three of the Department's agencies. All three of these agencies reported having to redirect human and financial resources at the onset of FOIA litigation.

10. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2015. If your agency did not receive any appeals in Fiscal Year 2015 and/or has no appeal backlog, please answer with "N/A."

The percentage of appeals that make up the backlog out of the total number of appeals received by the Department in Fiscal Year 2015 is 128.9%.

Backlog Reduction Plans:

11. In the 2015 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1,000 requests in Fiscal Year 2014 was asked to provide a plan for achieving backlog reduction in the year ahead. Did you agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2015?

Yes. The Department did implement a backlog reduction plan in Fiscal Year 2015.

Similar to Fiscal Year 2014, the plan required continuous monitoring and posting of the Department's backlog reports. FOIA Officers unable to realize a reduction mid-way through the Fiscal Year were asked to submit a modified plan for reduction for review by the Department's FOIA Officer.

The Department is pleased to report the plan resulted in a 12.6% decrease in the overall request backlog. RD contributed significantly with its 91% reduction. Other notable reductions included:

- AMS 26.9%
- OSEC/OCIO/DM 20%
- FSIS 18%
- FSA 3%

OASCR, OPBA and REE successfully closed the Fiscal Year with no backlogged requests.

Lastly, to further facilitate a reduction in its backlog, APHIS recently increased staffing resources, hiring two FOIA contract attorneys. Since joining APHIS' team, these contract attorneys have processed 133 requests and eighteen appeals. APHIS also hired a FOIA program manager to serve as the lead point of contact for litigation and appeals.

12. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2015, what is your agency's plan to reduce this backlog during Fiscal Year 2016?

Having experienced success in the previous Fiscal Year, the FSC will continue to monitor the Department's backlog on a monthly basis and provide reports to each FOIA Officer on its progress. FOIA Officers unable to realize progress by mid-way through the Fiscal Year will review its current processing procedures with the Department FOIA Officer to determine whether any areas can be further streamlined to create greater efficiency.

Status of Ten Oldest Requests, Appeals, and Consultations:

Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests,

appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Years 2013 and Fiscal Year 2014 when completing this section of your Chief FOIA Officer Report.

TEN OLDEST REQUESTS

13. In Fiscal Year 2015, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

No. The Department did not close its ten oldest requests reported pending in the Fiscal Year 2014 Annual FOIA Report.

14. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. For example, if you only had seven requests listed as part of your "ten oldest" in Section VII.E. and you closed six of them, you should note that you closed six out of seven "oldest" requests.

The Department successfully closed seven out of its ten oldest requests.

15. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

None of the seven requests were withdrawn by the requester.

TEN OLDEST APPEALS

16. In Fiscal Year 2015, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

No. The Department did not close its ten oldest appeals reported pending in the Fiscal Year 2014 Annual FOIA Report.

17. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that. For example, if you only had seven appeals listed as part of your "ten oldest" in Section VII.C.(5) and you closed six of them, you should note that you closed six out of seven "oldest" appeals.

The Department successfully closed five of its ten oldest appeals.

TEN OLDEST CONSULTATIONS

18. In Fiscal Year 2015, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

No. The Department did not close its ten oldest consultations.

19. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. For example, if you only had seven consultations listed as part of your "ten oldest" in Section XII.C. and you closed six of them, you should note that you closed six out of seven "oldest" consultations.

The Department was unable to close any of the three pending consultations from Fiscal Year 2014.

Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans:

20. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2014.

A major obstacle continues to be the lack of human resources to process the growing number of multi-agency requests, complex appeals, and large consultations.

21. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

Not applicable. The Department was not unable to close any of its ten oldest requests because it was waiting to hear back from other agencies.

22. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those "ten oldest" requests, appeals, and consultations during Fiscal Year 2016.

The Department remains committed to closing these items. In FY2016, the Department intends to continue monitoring progress on a monthly basis, providing tips on effective FOIA management, and providing substantive FOIA training in an effort to ensure closure.

Interim Responses:

23. Does your agency have a system in place to provide interim responses to requesters when appropriate? *See OIP Guidance*, "The Importance of Good Communication with FOIA Requesters." (Mar. 1, 2010)

Yes. The Department continues to encourage FOIA Officers to coordinate with requesters and establish production schedules early on in instances where multiple searches are required, records sets are voluminous and/or the requester has specifically asked to receive records on a "rolling basis."

24. If your agency had a backlog in Fiscal Year 2015, please provide an estimate of the number or percentage of cases in the backlog where a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.

Interim responses were provided for approximately 75% of the cases in the Department's backlog.

Use of the FOIA's Law Enforcement Exclusions

1. Did your agency invoke a statutory exclusion, 5 U.S.C. § 552(c)(1), (2), (3), during Fiscal Year 2015? If so, please provide the total number of times exclusions were invoked.

The Department did not invoke any of the three statutory exclusions during Fiscal Year 2015.

2. If so, please provide the total number of times exclusions were invoked.
Success Story

Not applicable. The Department did not invoke any of the three statutory exclusions.

Out of all the activities undertaken by your agency since March 2015 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas. As noted above, these agency success stories will be highlighted during Sunshine Week by OIP.

To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

- The Department decreased its overall backlog by 12.6%. Rural Development (RD) contributed significantly to this decrease with its 91% reduction. RD attributes its success to re-establishing priorities and charging one of its senior level FOIA professionals with intake and addressing other procedural matters. This in turn allowed RD's other FOIA professionals to focus solely on the review and dissemination of records.

- Other notable backlog reductions in the Department included Agricultural Marketing Service (AMS), Farm Service Agency (FSA), Food Safety and Inspection Service (FSIS), and the FSC. The Office for the Assistant Secretary of Civil Rights (OASCR), Office of Budget & Program Analysis (OPBA) and Research, Education and Economics (REE) successfully closed the Fiscal Year with no backlogged requests.
- Recognizing the foundation of any successful FOIA program requires trained analysts, the Department initiated and deployed multiple training initiatives for the Department's FOIA Community. The largest of these initiatives was completion of the first six lessons in its online module *FOIA for FOIA Professionals*. Publication in AgLearn is anticipated for late January and several of our FOIA agencies and offices have already committed to making this a mandatory requirement for their FOIA professionals. Other initiatives included the Department's Ask a FOIA Officer Column to address commonly asked FOIA procedural questions and a series of FOIA training workshops covering a range of topics across the Department.