I. Basic Information Regarding Report


A paper copy of the report may be obtained by requesting it. For additional information, contact:

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Washington, DC 20250  
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Tel. (202) 720-8164  
Fax. (202) 720-7808

II. How to Make a FOIA Request

Anyone may request USDA records under the FOIA by letter, fax or e-mail. A requester who sends USDA a FOIA request that is understandable and specific about the time frame of the records sought and who has addressed the request to the USDA agency with responsibility for the records has the greatest likelihood of receiving a response within 20 working days of the agency's receipt of the request. Any request that fails to identify the records sought or is sent to the wrong agency must be clarified before an agency can begin a search; in such case, USDA will try to contact the requester for additional information.

The url (universal resource locator) for the U.S. Department of Agriculture's home page is http://www.usda.gov. All USDA agencies are linked to the USDA home page. A significant portion of USDA records are maintained in agency files and are described on agency web pages, which are linked to the USDA home page. Potential requesters may want to review agency web pages in order to identify the USDA agency likely to have possession of the records sought.
USDA employs a number of Freedom of Information Act specialists who make every effort to comply with the requirements of the Freedom of Information Act as amended. A list of USDA agency employees responsible for handling FOIA requests can be found at http://www.usda.gov/news/foia/contacts.htm

III. Definitions of Terms and Acronyms Used in the Report

A. Agency-specific acronyms are as follows:

AMS - Agricultural Marketing Service;
APHIS - Animal and Plant Health Inspection Service;
CCC - Commodity Credit Corporation;
DA - Departmental Administration;
FAS - Foreign Agricultural Service;
FNCS - Food, Nutrition and Consumer Service;
FSA - Farm Service Agency;
FSIS - Food Safety and Inspection Service;
FS - Forest Service;
GIPSA - Grain Inspection, Packers and Stockyards Administration;
NAD - National Appeals Division;
NFC - National Finance Center;
NRCS - Natural Resources Conservation Service;
OBPA - Office of Budget and Program Analysis;
OC - Office of Communications;
OCFO - Office of the Chief Financial Officer;
OCIO - Office of the Chief Information Officer;
OCR - Office of Civil Rights;
OGC - Office of General Counsel;
OIG - Office of the Inspector General;
RD - Rural Development;
REE - Research, Education and Economics; and
RMA - Risk Management Agency

B. Basic terms are as follows:

**FOIA/PA request** - a Freedom of Information Act/Privacy Act request. A FOIA request is generally a request for access to records concerning a third party, an organization or a particular topic of interest. A Privacy Act request is a request for records concerning oneself. Requests filed under either law are treated as FOIA requests and are processed as expeditiously as possible.

**Initial request** - a request to a Federal agency for access to records under the Freedom of Information Act.
Appeal - a request to a Federal agency asking that it review at a higher level of administrative authority any full or partial denial of access to records under the Freedom of Information Act or Privacy Act or any other FOIA determination, such as a proposed fee for access to records.

Processed request - a request or appeal for which an agency has made its final determination or taken its final action.

Multi-track processing - a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous, complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first out basis. A requester who has an urgent need for records may request expedited processing.

Expedited processing - an agency will process a FOIA request on an expedited basis when the requester has shown a compelling need for a specific record. A compelling need is a threat to life or physical safety for an individual or, in the case of the media, urgency to inform the public concerning actual or alleged Federal Government activity.

Simple request - a FOIA request that an agency using multi-track processing places in its fastest, nonexpedited track based on the volume and/or simplicity of records requested.

Complex request - a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.

Grant - an agency decision to disclose all records in full in response to a FOIA request.

Partial grant - an agency decision to disclose part of a record in response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions, or a decision to disclose some records in their entirety but withhold others in whole or in part.

Denial - an agency decision not to release a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions or because of a procedural reason, such as no record was located.

Time limits - the time period authorized in the FOIA for an agency to respond to a FOIA request is 20 working days from proper receipt of a "perfected" FOIA request.
"Perfected" request - a FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.

Exemption 3 statute - a separate Federal statute prohibiting the disclosure of certain types of records and authorizing their withholding under FOIA subsection (b)(3).

Median number - the middle, not average, number. For example, of 3, 7 and 14, the median number is 7.

Average number - the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7 and 14, the average number is 8.
### IV. Exemption 3 Statutes

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<td>Agents &amp; Toxins which could be used as weapons of mass destruction</td>
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<td>16 U.S.C. § 470hh</td>
<td>Archaeological site maps, cultural resource survey maps</td>
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V. INITIAL FOIA/PA ACCESS REQUESTS.

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VII. Compliance with Time Limits/Status of Pending Requests

A. Median Processing Time for Requests Processed during the Year

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<th>Complex Requests</th>
<th>Requests Accorded Expedited Processing</th>
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### B. STATUS OF PENDING REQUESTS

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### VIII. Comparisons With Previous Years

*Improve timeliness.*

Agencies are continuing to provide public information and frequently requested information through their agency FOIA websites.
**Expedited processing.**

Agencies received a total of 1,840 requests for expedited processing and granted a total of 526 requesters expedited processing.

**Reduce backlog.**

Several agencies have increased contact with requesters in order to clarify and/or narrow requests.

Several agencies have established electronic tracking systems which have been successful in reducing processing time.

**Provide training.**

The FOIA personnel of most USDA agencies attended training sponsored by the Department of Justice, the USDA Graduate School, or the American Society for Access Professionals. Most of the agencies provided on-the-job FOIA training for agency personnel, and three of the largest agencies held agency-wide FOIA/PA meetings that included field units.

Several agencies provided field locations with copies of the Freedom of Information Act Guide & Privacy Act Overview and the Department of Justice quarterly FOIA Updates to use as reference material.

All agency FOIA personnel continue to meet quarterly to share information and establish consistent standards for processing of FOIA requests within the Department.
## IX.  Costs/FOIA Staffing

### A. Staffing Levels

<table>
<thead>
<tr>
<th>Number of Full Time Personnel</th>
<th>Number of Personnel With Part Time or Occasional FOIA Duties (In Total Workyears)</th>
<th>Total Number Of Personnel (In Workyears)</th>
<th>FOIA Processing (Including Appeals) (Estimated)</th>
<th>Litigation-Related Activities (Estimated)</th>
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X. Fees

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XI. FOIA Regulations

USDA's regulations implementing the Electronic Freedom of Information Act Amendments of 1996 were published in the Federal Register July 28, 2000, and are available on the World Wide Web at:

http://www.usda.gov/News&Information;/FOIA Information/USDA FOIA Regulations

USDA's current fee schedule was published in the Federal Register December 31, 1987.

USDA's home page is located at http://www.usda.gov. The web sites of USDA agencies are linked to this home page, and each agency's web site contains explanatory information about FOIA processing.