

U. S. DEPARTMENT OF AGRICULTURE

Freedom of Information Act Annual Report FY 2007

I. Basic Information Regarding Report

Responsibility for preparing the U.S. Department of Agriculture's Freedom of Information Act Annual Report for fiscal year 2007 rests with USDA's Office of the Assistant Secretary for Administration. The report can be accessed from the World Wide Web at:

<http://www.usda.gov/da/foia.htm>.

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

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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 component agency with responsibility for the records has the greatest likelihood of receiving a response within 20 working days of the component agency's receipt of the request. Any request that fails to identify the records sought or is sent to the wrong component agency must be clarified and referred to the proper component agency before a search occurs; 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 FOIA home page is <http://www.usda.gov/da/foia.htm>. All USDA component agencies are linked to the USDA home page. A significant portion of USDA records are maintained in component agency files and are described on component agency web pages, which are linked to the USDA home page. Potential requesters should review these web pages in order to identify the USDA component agency likely to have possession of the records sought.

USDA employs a number of Freedom of Information Act analysts who make every effort to comply with the requirements of the Freedom of Information Act as amended. A list USDA FOIA contacts by component agency can be found at <http://www.usda.gov/da/foia.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;
ASCR – Assistant Secretary for Civil Rights
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;
OCFO - Office of the Chief Financial Officer;
OCIO - Office of the Chief Information Officer;
OGC - Office of General Counsel;
OIG - Office of the Inspector General;
OSEC- Office of the Secretary;
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 FOIA exemption, 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 FOIA exemption 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.

Exemption 3 Statutes

Statute	Type of Information Withheld	Case Citation
7 U.S.C. § 4901-4916 Watermelon Research and Promotion Act	List of watermelon growers and handlers	None
7 U.S.C. § 608(d)(2) Agricultural Marketing Act	Olive Handlers Information	None
7 U.S.C. § 499 (b) Perishable Agricultural Commodities Act	Names of individuals filing violations of the PACA	None
7 U.S.C. § 136 et seq. FIFRA (Federal Insecticide, Fungicide & Rodenticide Act	Information that would reveal location where restructured pesticides are applied and/or identity of producers	None
Rule 6(e) Federal Rules of Criminal Procoedures – Grand Jury Material	Grand Jury-related information	Iglesias vs. CIA 525F. Supp 547.566 (DDC 1981)
35 U.S.C. § 209 Licensing of Patents	Detailed patent information	None
41 U.S.C. § 253(b) Technical Proposals of Contracts	Business/financial information	Hornbostel vs. Department of Interior 305F Supp 2d 21 (DDC 2003)
Section 11(e)(8) of the Food Stamp Act	Information obtained concerning administration or enforcement of the Food Stamp Act.	None
7 U.S.C. § 2018(c)	Contents of applications or other information furnished by vendors in the Food Stamp Act business	None
16 U.S.C. § 470aa-mm Archaeological Resources Protection Act (1979)	Archaeological and Historic sites	None
Public Law 104-106, February 10, 1996: National Defense Authorization Act 1996	Technical Proposals submitted by unsuccessful contractors	None
16 U.S.C. § 470bb. National Historic Preservation Act of 1966	Location and nature of historic sites	None

7 U.S.C. § 1502(c). FCIC Crop Insurance Act Section 502©	Personal information provided by the producer (policy info, yield data, etc.)	None
7 U.S.C. § 2276	Identities of respondents and unaggregated survey data	None
16 U.S.C. § 4304, Federal Cave Resources Protection Act of 1988	Information concerning the specific location of any significant cave	None

V. INITIAL FOIA/PA ACCESS REQUESTS

A. NUMBER OF INITIAL REQUESTS

	Number of Requests Pending As Of End of Preceding Year	Number of Requests Received in Current Year	Number of Requests Processed in Current Year	Number of Requests Pending as of End of Current Year
AMS	12**	114	108	18
APHIS	954	1042	1101	895
ASCR*	11	47	52	6
DA	29	55	70	14
FAS	3	42	39	6
FNCS	6	133	136	3
FSA	163	24641	24573	231
FS	291***	3010	3036	265
FSIS	240	289	389	140
GIPSA	3	149	152	0
NAD	0	32	32	0
NRCS	14	323	322	15
OBPA	0	5	5	0
OCFO	0	14	14	0
OCIO	0	5	5	0
OGC	11****	29	29	11
OIG	41	154	173	22
OSEC	3	74	71	6
REE	8	203	204	7
RMA	0	100	99	1
RD	45	1039	1041	43
TOTAL	1834	31500	31651	1683

* ASCR previously reported as the Office of Civil Rights

** Due to clerical error, the data reported in the FY 2006 annual report failed to include the processing of the 24 pending from FY 2005. Additionally, there was a transcription error in the 2006 report. That report showed 121 processed and 46 pending; the numbers should have been 131 processed and 36 pending. Thus, the number of pending requests should have been 12, and we are now reporting 12 as the correct number.

*** The number of pending for FY 2006 was reported as 295 instead of 291 because of clerical error, and we are now reporting 291 as the correct number.

**** We recognize that this figure does not comport with the number of initial requests reported as pending on 9/30/2006 as reported in the FY 2006 Annual FOIA Report. We attribute that to personnel turnover, an inadequate database and lack of training for database operators. Every effort has been made in this FY 2007 FOIA Report to scour all potential sources of information, including the old database, supervisor notes, individual attorney files, and available hard copy in chronological files. In addition, we have developed a new spreadsheet application for entry and storage of information concerning OGC initial FOIA requests and appeals.

V. INITIAL FOIA/PA ACCESS REQUESTS

B. DISPOSITION OF INITIAL REQUESTS

	Number of Total Grants	Number of Partial Grants	Number of Denials	No Records	Referrals	Request Withdrawn	Fee-related Reason	Records Not Reasonably Described	Not a Proper FOIA Request for Other Reason	Not an Agency Record	Duplicate Request	Other
AMS	38	47	9	11	1	2	0	0	0	0	0	0
APHIS	123	738	24	147	11	20	0	0	0	0	0	38
ASCR	9	16	19	2	4	0	0	0	2	0	0	0
DA	26	4	0	4	1	29	3	0	1	2	0	0
FAS	20	7	0	7	3	0	2	0	0	0	0	0
FNCS	40	27	36	16	12	5	0	0	0	0	0	0
FSA	23316	165	337	80	36	356	34	6	12	28	57	146
FS	2106	366	218	147	35	47	47	19	15	13	11	12
FSIS	80	119	15	52	11	60	8	1	32	7	4	0
GIPSA	122	12	3	10	0	0	0	1	0	0	0	4
NAD	16	7	0	4	0	0	0	0	0	5	0	0
NRCS	193	39	26	44	6	11	1	0	1	1	0	0
OBPA	5	0	0	0	0	0	0	0	0	0	0	0
OCFO	5	0	1	5	3	0	0	0	0	0	0	0
OCIO	0	0	0	2	0	0	0	0	0	3	0	0
OGC	2	5	3	13	5	1	0	0	0	0	0	0
OIG	22	88	17	18	1	8	3	0	6	2	3	5
OSEC	18	10	0	15	0	3	2	13	0	7	0	3
REE	128	23	9	18	5	9	7	0	3	2	0	0
RMA	27	23	22	19	4	2	0	0	0	2	0	0
RD	750	97	59	82	18	19	7	3	2	2	2	0
TOTAL	27046	1793	798	696	156	572	114	43	74	74	77	208

B. DISPOSITION OF INITIAL REQUESTS (Continued)

EXPLANATION OF DISPOSITION OF FOIA/PA INITIAL REQUESTS: OTHER REASONS FOR NONDISCLOSURE (COLUMN MARKED "OTHER")

Component	Number of Times	Reason(s)
AMS	0	
APHIS	38	Referred to regions
ASCR	0	
DA	0	
FAS	0	
FNCS	0	
FSA	146	Transferred to another FOIA office
FS	12	
FSIS	0	
GIPSA	4	Administratively closed
NAD	0	
NRCS	0	
OBPA	0	
OCFO	0	
OCIO	0	
OGC	0	
OIG	5	No written consent for release
OSEC	3	Transfers within USDA
REE	0	
RMA	0	
RD	0	

**B. DISPOSITION OF INITIAL REQUESTS (Continued)
EXEMPTIONS CLAIMED UNDER THE FREEDOM OF
INFORMATION ACT**

	(1)	(2)	(3)	(4)	(5)	(6)	(7) (A)	(7) (B)	(7) (C)	(7) (D)	(7) (E)	(7) (F)	(8)	(9)
AMS	0	0	5	29	7	23	8	0	11	0	0	0	0	0
APHIS	0	17	10	81	66	585	29	0	517	1	1	0	0	0
ASCR	0	0	0	0	12	14	15	0	12	0	0	0	0	0
DA	0	0	0	1	0	4	0	0	0	0	0	0	0	0
FAS	0	0	0	5	2	0	0	0	0	0	0	0	0	0
FNCS	0	0	10	6	3	13	4	1	14	5	9	2	0	0
FSA	0	12	1	36	28	412	1	0	9	0	0	1	0	10
FS	0	6	9	76	89	188	13	0	80	0	0	0	0	0
FSIS	0	16	0	72	8	106	11	0	85	0	1	0	0	0
GIPSA	0	3	0	6	9	6	2	0	4	2	1	0	0	0
NAD	0	0	0	0	0	7	0	0	0	0	0	0	0	0
NRCS	0	2	0	7	9	64	0	0	0	0	0	0	0	0
OBPA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OCFO	0	0	0	0	0	1	0	0	0	0	0	0	0	0
OCIO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OGC	0	1	0	0	8	1	0	0	0	0	0	0	0	0
OIG	0	39	1	13	29	66	15	0	46	0	4	0	0	0
OSEC	0	0	0	0	2	8	0	0	0	0	0	0	0	0
REE	0	3	6	7	5	20	0	0	0	0	0	0	0	0
RMA	0	2	6	4	5	21	18	0	6	0	1	0	0	0
RD	0	2	0	172	53	61	0	0	4	0	0	0	0	0
TOTAL	0	103	48	515	335	1600	116	1	788	8	17	3	0	10

VI. APPEALS OF INITIAL DENIALS

	Appeals Received	Appeals Processed	Appeals Upheld	Appeals Partly Reversed	Appeals Completely reversed	(b)(1) Basis for Withholding	(b)(2) Basis for Withholding	(b)(3) Basis for Withholding I	(b)(4) Basis for Withholding
AMS	8	4	2	0	1	0	0	0	1
APHIS	33	0	0	0	0	0	0	0	0
ASCR	9	7	4	2	0	0	0	0	0
DA	1	1	1	0	0	0	0	0	0
FAS	0	1	0	0	0	0	0	0	0
FNCS	6	3	2	1	0	0	1	0	0
FSA	33	34	3	17	8	0	3	0	1
FS	45	28	1	5	4	0	0	0	0
FSIS	9	14	4	3	0	0	2	0	1
GIPSA	2	2	1	1	0	0	0	0	0
NAD	0	0	0	0	0	0	0	0	0
NRCS	3	0	0	0	0	0	0	0	0
OBPA	0	0	0	0	0	0	0	0	0
OCFO	0	0	0	0	0	0	0	0	0
OCIO	0	0	0	0	0	0	0	0	0
OGC	5	3	2	0	0	0	0	0	0
OIG	9	13	5	6	1	0	2	0	0
OSEC	2	2	0	0	0	0	0	0	0
REE	4	4	2	1	1	0	0	0	0
RMA	3	2	0	0	0	0	0	0	0
RD	23	7	1	0	1	0	0	0	0
TOTAL	195	125	28	36	16	0	8	0	3

VI. APPEALS OF INITIAL DENIALS, CONTINUED

	(b)(5) Basis used to Withhold	(b)(6) Basis used to Withhold	(b)(7)(A) Basis used to Withhold	(b)(7)(B) Basis used to Withhold	(b)(7)(C) Basis used to Withhold	(b)(7)(D) Basis used to Withhold	(b)(7)(E) Basis used to Withhold	(b)(7)(F) Basis used to Withhold	(b)(8) Basis used to Withhold	(b)(9) Basis used to Withhold
AMS	0	1	1	0	0	0	0	0	0	0
APHIS	0	0	0	0	0	0	0	0	0	0
ASCR	1	4	1	0	3	0	0	0	0	0
DA	0	1	0	0	0	0	0	0	0	0
FAS	0	0	0	0	0	0	0	0	0	0
FNCS	1	2	1	1	2	0	2	0	0	0
FSA	4	23	0	0	3	0	0	0	0	0
FS	5	2	0	0	1	0	0	0	0	0
FSIS	2	4	1	0	2	0	0	0	0	0
GIPSA	1	0	0	0	1	0	0	0	0	0
NAD	0	0	0	0	0	0	0	0	0	0
NRCS	0	0	0	0	0	0	0	0	0	0
OBPA	0	0	0	0	0	0	0	0	0	0
OCFO	0	0	0	0	0	0	0	0	0	0
OCIO	0	0	0	0	0	0	0	0	0	0
OGC	2	0	0	0	0	0	0	0	0	0
OIG	2	3	3	0	3	0	0	0	0	0
OSEC	0	0	0	0	0	0	0	0	0	0
REE	0	1	0	0	0	0	0	0	0	0
RMA	0	0	0	0	0	0	0	0	0	0
RD	0	0	0	0	0	0	0	0	0	0
TOTAL	18	41	7	1	15	0	2	0	0	0

VI APPEALS OF INITIAL DENIALS, CONTINUED

	Other Reasons for non-disclosure	No records	Referred elsewhere	Request withdrawn	Fee-related reason	Records not reasonably described	Not a proper FOIA request	Not an agency record	Duplicate request	Other
AMS	1	1	0	0	0	0	0	0	0	0
APHIS	0	0	0	0	0	0	0	0	0	0
ASCR	1	1	0	0	0	0	0	0	0	0
DA	0	0	0	0	0	0	0	0	0	0
FAS	1	1	0	0	0	0	0	0	0	0
FNCS	0	0	0	0	0	0	0	0	0	0
FSA	6	0	2	1	1	0	0	1	0	1
FS	18	7	0	3	3	0	1	0	0	4
FSIS	7	0	0	5	1	0	0	0	0	1
GIPSA	0	0	0	0	0	0	0	0	0	0
NAD	0	0	0	0	0	0	0	0	0	0
NRCS	0	0	0	0	0	0	0	0	0	0
OBPA	0	0	0	0	0	0	0	0	0	0
OCFO	0	0	0	0	0	0	0	0	0	0
OCIO	0	0	0	0	0	0	0	0	0	0
OGC	1	1	0	0	0	0	0	0	0	0
OIG	1	0	0	1	0	0	0	0	0	0
OSEC	2	2	0	0	0	0	0	0	0	0
REE	0	0	0	0	0	0	0	0	0	0
RMA	2	0	0	2	0	0	0	0	0	0
RD	5	2	0	3	0	0	0	0	0	0
TOTAL	45	15	2	15	5	0	1	1	0	6

VII. COMPLIANCE WITH TIME LIMITS/STATUS OF PENDING REQUESTS

A. Median Processing Time for Requests Processed During the Year

	Simple Requests		Complex Requests		Requests Accorded Expedited Processing	
	Number of Requests Processed	Median Number of days to Process	Number of Requests Processed	Median Number of days to Process	Number of Requests Processed	Median Number of days to Process
AMS	108	37	0	0	0	0
APHIS	983	28	96	331	22	111
ASCR	0	0	52	21	0	0
DA	70	21	0	0	0	0
FAS	39	19	0	0	0	0
FNCS	136	9	0	0	0	0
FSA	24052	2	504	8	17	1
FS	1926	11	1110	35	0	0
FSIS	384	81	5	58	0	0
GIPSA	147	5	5	39	0	0
NAD	32	11	0	0	0	0
NRCS	288	15	20	30	14	4
OBPA	5	2	0	0	0	0
OCFO	2	10	12	8	0	0
OCIO	2	45	3	70	0	0
OGC	29	22	0	0	0	0
OIG	149	18	20	78	4	3
OSEC	71	11	0	0	0	0
REE	0	0	204	15	0	0
RMA	72	20	27	30	0	0
RD	0	0	1041	9	0	0
TOTAL	28495		3099		57	

B. STATUS OF PENDING REQUESTS

Component	Number Of Requests Pending As Of the End of the Fiscal Year	Median Number of Days Pending
AMS	18	21
APHIS	895	276
ASCR	6	63
DA	14	53
FAS	6	57
FNCS	3	18
FSA	231	7
FS	265	21
FSIS	140	81
GIPSA	0	0
NAD	0	0
NRCS	15	8
OBPA	0	0
OCFO	0	0
OCIO	0	0
OGC	11	187
OIG	22	59
OSEC	6	7
REE	7	15
RMA	1	22
RD	43	15
TOTAL	1683	

VIII. Comparisons with Previous Years (Optional)

Improve Timeliness

Reduce Backlog

Provide Training

Expedited Processing

IX. COSTS/FOIA STAFFING

	Staffing Levels			Total Costs (Including Staff and All Resources)		
	Number of Full Time Personnel	Number of Personnel with Part-time or occasional FOIA duties (in total workyears)	Total Number of Personnel (in workyears)	FOIA Processing (Including appeals) (Estimated)	Litigation-related Activities (Estimated)	Total
AMS	1	1.6	2.6	181,887.00	0	181,887.00
APHIS	19	0	19	1,531,098.00	0	1,531,098.00
ASCR	1	0	1	72,589.50	0	72,589.50
DA	0	.25	.25	27,500.00	0	27,500.00
FAS	0	2	2	160,000.00	0	160,000.00
FNCS	1	4.375	5.375	336,302.00	0	336,302.00
FSA	12	36.1	48.1	1,975,253.00	15,600	1,990,853.00
FS	22	21	43	2,658,389.85	32,814.72	2,691,204.57
FSIS	6	.65	6.65	608,521.00	0	608,521.00
GIPSA	0	1.10	1.10	83,962.00	0	83,962.00
NAD	0	.33	.33	6500.00	0	6500.00
NRCS	1	18	19	148,854	\$1000	149,854
OBPA	0	.10	.10	9000.00	0	9000.00
OCFO	0	.10	.10	9,860.87	0	9,860.87
OCIO	0	.1	.1	10,000.00	0	10,000.00
OGC	0	5.5	5.5	600,000	350,000	950,000
OIG	2	2.18	4.18	351,830.00	1522	353,352.00
OSEC	1	0	1	128,757.00	0	128,757.00
REE	1	.5	1.5	157,211.00	0	157,211.00
RMA	1	.26	1.26	122,289.53	0	122,289.53
RD	4	3.75	7.75	490,560.02	0	490,560.02
TOTAL	72	97.895	169.895	\$9,670,364.77	\$400,936.72	\$10,071,301.49

X. FEES

	Total Fees Collected	Percentage of Total Costs
TOTAL	\$107,454.50	0.01067%

SECTION XII. REPORT ON EXECUTIVE ORDER 13,392 IMPLEMENTATION

A. USDA submitted a revised FOIA Improvement Plan on October 26, 2006. In that plan USDA revised the format and noted items that had been completed from the time of the original submission in June 2006. Three agency components – the National Appeals Division, the Office of the Chief Financial Officer, and the Office of the General Counsel – did not create FOIA Improvement Plans because each has a small FOIA program.

Authority and responsibility for the FOIA is delegated to 21 component agencies within USDA. Below, each component agency reports on its implementation of Executive Order 13,392, “Improving Agency Disclosure of Information.”

Agricultural Marketing Service (AMS)

B. Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.

AMS has achieved the goals and milestones established in its FOIA Improvement Plan and remains committed to an efficient and effective FOIA program.

C. Identification and discussion of any deficiency in meeting plan milestones.

Not applicable

D. Additional narrative statement regarding other executive order-related activities (optional).

Not applicable

E. Concise descriptions of FOIA exemptions.

The nine exemptions to the FOIA authorize Federal agencies to withhold information covering: (1) classified national defense and foreign relations information; (2) internal agency rules and practices; (3) information that is prohibited from disclosure by another Federal law; (4) trade secrets and other confidential business information; (5) inter-agency or intra-agency communications that are protected by legal privileges; (6) information involving matters of personal privacy; (7) records or information compiled for law enforcement purposes, to the extent that the production of those records (a) could reasonably be expected to interfere with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (d) could reasonably be expected to disclose the identity of a confidential source, (e) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (f) could

reasonably be expected to endanger the life or physical safety of any individual; (8) information relating to the supervision

F. Additional Statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	May 30 October 18 October 18 October 23 October 30 October 31 November 27 December 6 December 11

2. Consultations

a. AMS does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending Consultations Received from Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. Agency Improvement Plan (in current form).

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

The APHIS FOIA office reached three milestones of the four milestones contained in its FOIA Improvement Plan. These three milestones were completed within each of the anticipated timeframes.

The APHIS FOIA office continues to review records for posting on the web proactively and to contact program offices regarding production of responsive records for review by the FOIA staff.

A new FOIA tracking and redacting system has been purchased. It will be installed by September 30, 2008.

In addition, the APHIS FOIA office has filled a permanent administrative position to provide administrative support to the FOIA staff, which allows the FOIA specialists more time to process requests and appeals. Finally, the APHIS FOIA office was able to close two longstanding lawsuits which affected the time the staff could devote to processing requests and appeals.

- C. *Identification and discussion of any deficiency in meeting plan milestones (if applicable).*
1. The FOIA Improvement Plan area to which the deficient milestone relates is backlog reduction/elimination.
 2. The deficient milestone is to close 20% more cases than were received in 2007. The deficiency resulted because litigation duties related to two cases reduced the time available to process FOIA request and appeals. Although APHIS did not meet the exact terms of the goal, there was an overall reduction in the backlog of 14%.
 3. Steps taken to correct the deficiency include that the APHIS FOIA office conducted a process improvement analysis regarding the entire FOIA process in June 2007. This included analyzing workflow and organizational structure to identify ways to improve efficiency and reduce backlog. On September 30, 2007, APHIS installed a new electronic tracking system. That system will allow each specialist to search and track requests in a more expeditious fashion. This, in turn, allows more time for document review and analysis and responding to FOIA requests. In addition, the new FOIA tracking system will also provide a letter generation function, which will allow the FOIA staff more time to work on document review and analysis.
 4. Future steps include that APHIS will perform initial searches in its database or previously released records for all new incoming requests regarding specific or frequently requested topics. In addition, a database search will be conducted for all pending requests that have requested the same subject or topic within a request that is closed out within the database. This will allow APHIS to respond to requests in a timely manner using multi-track

processing. These steps will be instituted by July 31, 2008.

D. *Additional narrative statement regarding other executive order-related activities (optional.)*

Not applicable

E. *Concise descriptions of FOIA exemptions.*

See section E of the AMS portion of this report, above.

F. *Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	April 3 July 17	Jan 17 Feb 14 May 10 May 18 May 18 May 30 May 31 June 18						

2. Consultations

APHIS does not have the ability to track consultations received, but will begin tracking consultations in 2008.

G. *Attachment: Agency Improvement Plan (in current form).*

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

ASSISTANT SECRETARY FOR CIVIL RIGHTS (ASCR)

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

As reported in the 2006 annual report and the Updated Status report, ASCR has met the goals and milestones established in its FOIA Improvement Plan. ASCRA remains committed to an effective and efficient FOIA program.

C. *Identification and discussion of any deficiency in meeting plan milestones (if applicable).*

Not applicable

D. *Additional narrative statement regarding other executive order-related activities (optional).*

Not applicable

E. *Concise descriptions of FOIA exemptions.*

See section E of the AMS portion of this report, above.

F. *Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	May 23 May 30 May 30 Sept 4 Nov 1 Nov 1

2. Consultations

a. Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY 2007	Consultations Received From Other Agencies That Were Processed by Your Agency During FY 2007 (includes those received prior to FY 2007)	Consultations Received From Other Agencies That Were Pending at Your Agency as of October 1, 2007 (includes those received prior to FY 2007)
0	0	0

b. Ten Oldest Pending Consultations Received from Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007

Consults Received	0	0	0	0	0	0	0	0	0
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G. Agency Improvement Plan (in current form).

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

DEPARTMENTAL ADMINISTRATION (DA)

B. Report on agency implementation of its plan, including its performance meeting milestones, with respect to each improvement area.

DA has met the established goals and milestones in the improvement plan as reported in the 2006 Annual Report, the Updated Status Report, and this report.. The improved business approach of identifying specific persons to handle the FOIA requests for their areas has facilitated the tracking process from initiation to closure. The previously reported backlog of 29 was reduced 81% by June 30, 2007. Departmental Administration has only one request greater than 3 months as of January 8, 2008.

C. Identification and discussion of any deficiency in meeting plan milestones.

Not Applicable

D. Additional narrative statements regarding other executive order-related activities (optional).

Not Applicable

E. Concise descriptions of FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	Oct 3 Oct 5 Nov 1 Nov 5

									Dec 13 Dec 17 Dec 18
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2. Consultations

a. DA does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending Consultation Received from Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. Agency Improvement Plan (current form).

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

FARM SERVICE AGENCY (FSA)

B. *Report on agency implementation of its plan including its performance in meeting milestones, with respect to each improvement area.*

In accordance with Department of Justice (DOJ) directives and guidance, the Farm Service Agency (FSA) has successfully implemented the vast majority of the goals established by its 2006 Freedom of Information Act (FOIA) Improvement Plan. In 2007, FSA has made met objectives in the following four areas: 1) Training; 2) Website Improvement; 3) Improvement of Agency’s FOIA Guide (2-Info); and, 4) FOIA Tracking Software. More specific detail on the actions FSA has taken with respect to each milestone of the 2006 Improvement Plan is discussed below.

Training of FOIA staff and program staff was an area that was scheduled to be completed by 9/30/07. The overall goal of training was to improve FSA’s FOIA operation and this goal was met by the scheduled deadline; however, the fluid nature of the FOIA program requires training to remain an ongoing activity.

The first step under the training objective was for FSA to identify all newly appointed STO FOIA Officers by 12/31/06, and that was completed by the scheduled date. This process continues as new FOIA Officers are appointed throughout the Agency. Once those STO FOIA Officers are identified they are briefed on FSA FOIA policy (located in Handbook 2-INFO), USDA FOIA regulations (located in 7 CFR) and Department of Justice (DOJ) FOIA Guide

(located at <http://www.usdoj.gov/oip/foi-act.htm>); each newly appointed STO FOIA Officer is assigned a mentor (a more experienced STO FOIA Officer) with whom they can discuss FOIA requests and processing issues; each also receives a complete FSA FOIA contact list to enable peer-to-peer contact as well as to provide contacts for the general public.

The second step under the training objective was to discuss and determine if centralization of FSA's FOIA operation was feasible, cost effective, and beneficial to the public. Discussions regarding reorganization of the Agency (National, State, and County FOIA operations) were conducted by Agency Executive Management by the scheduled date of 3/31/07. It was determined there is a practical necessity for FSA to maintain its current decentralized FOIA program for the foreseeable future. This decision is based upon the fact that FSA-to-public interaction has historically focused on the County Offices (located in roughly 2300 locations throughout the country); budgetary constraints precluded centralization and increased FOIA staffing; and, precedence and existing regulations designate the County Office as the record holder of a wide variety of official Agency records.

The third step under the training objective was to contact each of the seven program areas and raise awareness about the importance of FOIA in order to enhance the coordination between our National FOIA Office and our program area offices. This goal was completed by the scheduled date of 3/31/07 with FSA's Executive Management raising the awareness of the importance of FOIA to all program areas, which has increased both the efficiency and effectiveness of the coordination between FOIA processing and program specialists across all levels of the Agency.

The fourth step under the training objective was to insure that all FSA employees, either processing or retrieving responsive records were trained to perform necessary FOIA duties. Although FSA did not complete this step in total by the scheduled date of 9/30/07, in June FSA's staff in the National FOIA Office did attend the 2007 FOIA training series, sponsored by the American Society of Access Professionals. Additionally, FSA conducted two sessions devoted to FOIA processing and related topics in July 2007 during its Administrative Officers/State Executive Directors national training conference. Since that time, FSA has implemented other forms of training such as bi-weekly training Question and Answer teleconferences for State FOIA Officers, which was instituted in September 2007 by the FSA FOIA Officer. These conference calls provide a forum for FSA FOIA personnel to address questions and concerns about critical/key FOIA issues.

The improvement of FSA's FOIA website was scheduled to be completed by 12/30/07. The goal of this effort was to improve the existing FOIA website and that goal was met by the scheduled deadline; however, there are further improvements that are ongoing.

The first step under the website improvement objective was to review FSA's FOIA webpage to ensure ease of use by the public in initiating FOIA requests and to allow for enhanced communication between the public and the FOIA staff. FSA completed this goal by the scheduled date of 11/15/06 through two particular efforts. First, in order to provide greater ease for the public in initiating FOIA requests, FSA revised its FOIA webpage to reflect the similar content contained in the USDA FOIA webpage which is based on DOJ guidance for FOIA websites. Secondly, to address the goal of enhancing the communication between the public and FSA's FOIA staff, the FOIA website was updated to include current personnel contact information. Ongoing updates to FSA FOIA personnel contact listing will continue as staffing changes.

The second step under the website improvement objective was to provide requesters a description of Agency records by reviewing existing FOIA web pages and providing a link to FSA's System of Records as published in the Federal Register. This goal was not met by the scheduled date of 3/31/07.

The third step under the website improvement objective was to review and determine what additional disclosures under subsection (a)(2) could be placed on the FOIA webpage with links to appropriate FSA program pages. This goal was completed by the scheduled date of 12/31/07 as FSA has begun to undertake periodic reviews of frequently-requested Agency information. Where appropriate, FSA uses the results of the reviews to determine when frequently-requested information can be posted to the public website. This open posting of information will reduce the need for the public to submit FOIA requests when seeking certain types of Agency information.

A major improvement and revision of FSA's FOIA Guide (2-INFO) is scheduled to be completed by 3/31/08. The goal of this effort is to update 2-INFO to reflect the most recent amendments to FOIA and the Agency's policies surrounding FOIA. The final draft is on schedule to be completed by the 3/31/08 target date.

The first step under our 2-INFO improvement objective was to draft a revised version of 2-INFO by 9/30/07. This goal was not met by the scheduled deadline of 9/30/07.

The second step under our 2-INFO improvement objective was to distribute a draft of 2-INFO for review. This goal was not met by the scheduled deadline of 12/31/07.

A final decision regarding the purchase or development of FOIA tracking software for FSA was completed by the scheduled date of 9/30/07. The goal of this effort was to determine the most cost effective way to ensure the quality of FSA's annual report and allow for more oversight of FSA's decentralized FOIA process.

The first step under the FOIA tracking software objective was to determine, after discussions with FSA's web/IT personnel, whether the current database used in the National FOIA Office could be upgraded and expanded to meet the larger needs of the Agency's FOIA operation. This was scheduled to be completed by 12/31/06; as indicated in the 2006 report those discussions were ongoing. The discussions were completed in June, and it was determined that the current database used in the National FOIA Office would not be a sufficient solution for the entire Agency.

The second step under the FOIA tracking software objective was to contact and review several private software packages as a possible option for deployment as an Agency wide application. The scheduled deadline to review and share these commercial off the shelf (COTS) FOIA packages with FSA Management was 3/31/07, and FSA did so. In June 2007, cost/benefit assessments and feasibility studies were undertaken as the Agency reviewed information from PrivaSoft and other companies that offer FOIA tracking and redacting systems.

The third step under the FOIA tracking software objective was to implement a final decision regarding an Agency wide FOIA tracking application by 9/30/07. After FSA participated in government-wide discussions on information technology solutions (to facilitate compliance with the EO and general FOIA administration and processing) hosted by the DOJ, consideration was given to the DOJ recommendation of utilizing a COTS software package solution for managing FOIA processing. However, the decision was made (after a thorough review indicated that a standardized solution did not meet the unique FOIA needs of FSA) to leverage existing internal USDA resources to create (vs. purchase) an Agency-wide FOIA tracking system by the target date.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

I.

1. The FOIA Improvement Plan area to which the deficient milestone relates is training.
2. The deficient milestone is that all FSA employees, either processing or retrieving responsive records were trained to perform necessary FOIA functions by September 30, 2007. Higher priorities intervened as indicated in the Government Accountability Office audit reports for 2005 and 2006; those priorities diverted efforts from this milestone.
3. Steps taken to correct the deficiency include implementation of bi-weekly question and answer training teleconferences for State FOIA Officers in September 2007.

4. FSA plans to take the following steps to further its goal of training all FSA employees that handle FOIA. First, a more comprehensive FOIA training schedule has been drafted for FY2008. Plans for additional FOIA training include sessions for State FOIA officers, District Directors (March 2008), as well as specific training for the new FSA FOIA tracking software (to be deployed in FY2008). Secondly, a PowerPoint presentation outlining general FOIA information and background training for employees was finalized. It has yet to be distributed through AgLearn, but the target release date is June 1, 2008.

II.

1. The FOIA Improvement Plan area to which the deficient milestone relates is FOIA website improvement.
2. The deficient milestone is to provide requesters a description of Agency records by providing a link to FSA systems of records as published in the Federal Register by March 31, 2007.
3. FSA has distributed through its intranet site approved FOIA file layouts for use by State and County offices handling FOIA. FSA has taken no steps regarding posting the link because the higher priorities intervened as indicated in the Government Accountability Office audit reports for 2005 and 2006; those priorities diverted efforts from this milestone.
4. FSA plans to continue efforts to establish the link and have it on the FOIA website by December 31, 2008, and to post descriptions of agency records by December 31, 2008.

III.

1. The FOIA Improvement Plan area to which the deficient milestone relates is improvement of the FSA FOIA guide.
2. The deficient milestones are to draft a revision of INFO-2 by September 30, 2007, and to distribute the draft for review by December 31, 2007.
3. Currently FSA is revising INFO-2. The task has become more complex because other published guidance that was inconsistent was discovered; the revision will remedy this condition.
4. FSA plans to continue the revision and have the revision reviewed and published To FSA employees and posted on the FOIA website by March 31, 2008, the original goal date.

D. *Additional narrative statement regarding other executive order-related activities (optional).*

Executive Order (EO) 13392 clearly underscored the importance of FOIA operations by requiring additional rigor in the fulfillment of FOIA requests, as well as providing more transparency through reporting on how well the Government performs its statutory duties. A complete assessment and analysis of the required program changes is being conducted and FSA is prepared to implement any and all changes required by the new legislation.

For the past year and a half, executive management attention to FOIA and increased scrutiny of FSA FOIA operations has led to several observations. Dated handbook guidance, insufficient training, and inadequate procedures led to overstated reporting of the actual number of FOIA cases. In addition, certain FOIA exemptions were not always well-understood and accurate documentation of the timeliness of case fulfillment was not always properly completed by those processing cases. As a result, changes are under way to improve these areas, focusing first on those issues that can be remedied most quickly, such as email communications from the FOIA Officer, interim notices to Field staff, regularly-scheduled teleconferences to address FOIA processing questions, and training on FOIA at National meetings and training events.

While there is still room for further improvement, several accomplishments do give evidence of the progress made by FSA.

One finding by the Government Accountability Office (GAO) was that FSA could not adequately document or track requests with the current methods of FOIA processing. There has been substantial involvement by several levels within the Agency to identify requirements for FOIA tracking, delivery, and reporting within FSA.

The FSA FOIA Task Force (which is comprised of personnel from multiple areas of FSA, including State offices, and representation from county offices, information technology specialists, and subject matter experts) has invested numerous production hours to refine the software specifications.

Given that FOIA is a collateral duty in the vast majority of FSA offices, ease of use for processing and simplicity for the end user (i.e., the FOIA processor at the county office) were of the utmost importance in the design of the FOIA tracking system. Also, the need to capture the basic processing information required to generate necessary reports for FOIA managers, Agency management, DOJ, and GAO did serve as a guiding principle during software development activities.

Given the increased responsibilities within the FOIA program and the increased responsibilities of the FSA National FOIA Officer, the Agency is taking action to upgrade the presently vacant FSA FOIA Officer position from a GS-13 to a GS-14.

Review and revision of the current FSA FOIA Officer position description is completed. The job announcement is being prepared for posting.

FSA is at the forefront of developing and deploying an application for FOIA tracking that utilizes existing components and licenses to maximize existing resources. The goal is to develop the best solution possible (more functional, efficient, and systematic) to facilitate the improvement of FSA FOIA request fulfillment processes. The need for an effective solution which ensures proper accountability and preserves a high level of service to the public, while meeting reporting requirements and aides the quick training of new personnel performing FOIA functions is vitally important to FSA.

COTS software solutions, which were recommended by DOJ, were not practical for FSA for a number of reasons. First, the complexity and capability of most COTS FOIA solutions exceeded the needs of a person who may only process one or two FOIA cases per month. The software packages are designed more for those whose fulltime responsibilities are dedicated to processing FOIA cases. There would also be a significant cost (without a verified corresponding return on investment) for COTS FOIA software licensing, implementation, and ongoing maintenance. What is more, given that FSA-to-public interaction has historically focused on the County Offices (located in more than 2300 locations throughout the country) precedence and existing regulations have given the County Office jurisdiction over a wide variety of official Agency records. As such, there is a practical necessity for FSA to maintain its current decentralized FOIA program for the foreseeable future.

FY2007 FOIA numbers will represent a new baseline for FSA FOIA requests. As improvements are implemented, FY2008 will represent an even more accurate tracking of FOIA activity throughout FSA’s decentralized service delivery structure.

E. Concise descriptions of FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional statistics.

1. Ten oldest pending requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	July 10 Sept 30 June 16	0	0	Mar 16 July 27 Oct 31	Feb 26 Mar 23 Mar 27 May 15

2. Consultations

a. FSA does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending consultations

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. Agency improvement plan (in current form).

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

FOREIGN AGRICULTURAL SERVICE (FAS)

B. Report on agency implementation of its plan, including its performance meeting milestones, with respect to each improvement area.

FAS focused its FOIA Improvement Plan in three areas: proactive disclosure of information; forms of communications with Foreign Agricultural Service requesters; and process by which necessary cooperation is obtained from necessary personnel. The agency met its goals and continues to use the new processes and procedures established. FAS is committed to an effective and efficient FOIA Program.

C. Identification and discussion of any deficiency in meeting plan milestones.

Not Applicable

E. Concise descriptions of FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	Jan 4 Oct 11	May 23 July 11 July 12

2. Consultations

a. FAS does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending Consultation Received from Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. Agency Improvement Plan (current form).

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

FOOD AND NUTRITION SERVICE (FNS)

B. Report on agency implementation of its plan including its performance in meeting milestones, with respect to each improvement area.

As reported in the 2006 annual report and the Updated Status report, FNS has met the goals and milestones established in its FOIA Improvement Plan. FNS remains alert to the status of its backlog and reports that it has had no backlogged requests for the past six month period. FNS remains committed to an effective and efficient FOIA program.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

Not applicable

D. Additional narrative statement regarding other executive order-related activities (optional)

Not applicable

E. Concise description of the FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional Statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	Dec 12 Dec 13

2. Consultations

a. Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY07	Consultations Received From Other Agencies That Were Processed by Your Agency During FY07 (includes those received prior to FY07)	Consultations Received From Other Agencies That Were Pending at Your Agency as of October 1, 2007 (includes those received prior to FY07)
0	0	0

b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency Improvement Plan (in current form).*

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

FOOD SAFETY AND INSPECTION SERVICE (FSIS)

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

Through many hours of hard work and with the concerted effort of multiple individuals, FSIS was able to meet the goals and milestones of its FOIA Improvement Plan. Upon completing an in-depth review of our FOIA program, with an emphasis toward finding areas for improvement, we determined that four

specific areas warranted attention. For each of these four areas a methodology for improvement was created and milestones were set in which to see these improvements achieved.

For 2007, the three areas that had goals and milestones for completion: (1) Automated tracking capabilities; (2) Backlog reduction/elimination; and (3) Recycling of improvement information gleaned from FOIA Requester Service Centers.

The automated tracking capabilities improvement was necessary to enhance FSIS' automated FOIA system (E-FOIA). A contract for a new FOIA software program that fully met our requirements was awarded on July 23, 2007, and became effective immediately. To further improve our FOIA tracking capabilities, FSIS is routing FOIA packages through respective Program Offices for clearance using the Enterprise Content Module (ECM) system. This feature shows, in real time, the exact office and person who currently has a FOIA case for review. The stages of achieving this milestone began in summer 2006, and were fully realized on July 23, 2007, when the contract was awarded.

The third goal related to backlog reduction/elimination. As shown in the FSIS FOIA Improvement Plan, we had a backlog of 147 cases on June 30, 2006. As stated in that Plan, our goal was to reduce that backlog by 10 cases a month from June 2006, through December 2006, and quarterly by 15 cases thereafter. We were to continue reducing that backlog of 147 cases down to 49 cases by December 30, 2007, and to ten or below after December 2007. As of December 30, 2007, only 10 of those 147 backlog cases are still open. In addition to achieving this milestone, we also have continued processing hundreds of new FOIA requests received since June 30, 2006. As of December 31, 2007, our backlog consists of 103 FOIA cases and 6 appeals. This accomplishment is especially notable when considering that, during the period in question, FSIS had a nearly 100% turnover in FOIA personnel, and its FOIA tracking software was unreliable and inadequate.

To recycle improvement information gleaned from FOIA Requester Service Centers FSIS includes an entry titled "We Welcome Your Feedback" on our Internet FOIA Web site: <http://www.fsis.usda.gov/FOIA/index.asp>. On this site, we state that "we are dedicated to processing FOIA requests in an efficient and effective manner." We also solicit requesters' feedback concerning their "experience as well as suggestions for improvements." This customer-feedback feature was first posted on our Web site on January 10, 2007. While we have not received any specific improvement-recommendations or comments from this site, we still monitor it on a weekly basis.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

Not applicable

D. *Additional narrative statement regarding other executive order-related activities (optional).*

Not applicable

E. *Concise descriptions of FOIA exemptions.*

See section E of the AMS portion of this report, above.

F. *Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	Feb 8 Nov 1 Dec 14	Feb 13 Feb 15 Feb 15 Feb 15 Feb 17 Feb 17 Apr 24	

2. Consultations

a. FSIS does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending Consultation Received from Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency FOIA Improvement Plan.*

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

FOREST SERVICE (FS)

B. *Report on agency implementation of its plan including its performance in meeting milestones, with respect to each improvement area.*

FS has met the majority of the goals and milestones for 2007 in its FOIA Improvement Plan. The FS met its goal to revise, coordinate and post on the Web its FOIA Reference Guide by March 31, 2007.

The agency reviewed its FOIA headquarters Web site and updated as necessary by April of 2006. In addition, we assigned one FOIA Analyst to review each Regional FOIA Web site to ensure compliance. We also reminded the FOIA coordinators to update their Web site during in our bi-monthly telephone conferences. Some of the Regional Web sites were reviewed and updated, as required, by the end of the second quarter. Other Regional coordinators reviewed and updated, if necessary, their Web site by the end of the third quarter.

The FS continues to save time using “prompt responses” for acknowledging requests, appeals, unperfected requests, for determinations related to expedited processing, and notifying requesters of appeals that are forwarded for legal review.

In order to keep all FOIA coordinators better informed, FS continued to hold bi-monthly telephone conferences to identify and share common problems and solutions to those problems. The participants receive draft agendas via e-mail. The participants are encouraged to suggest additional topics for discussion and to call with questions on the FOIA program.

Finally, in addition to the recorded bi-monthly telephone conferences during which much informal training is conducted, the agency hosted a national conference that included several FOIA-specific informational/training workshops. The Regional FOIA Coordinators also conducted regular training sessions with their Forest FOIA Coordinators.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

1. The FOIA Improvement Plan area to which the deficient milestone relates is the purchase of an electronic tracking system.
2. The deficient milestone is implementation of a system by September 30, 2007. The deficiency arose because an initial technical acquisition request was rejected in July 2007.
3. FS has evaluated a number of products, and submitted a technical acquisition request to purchase and install a commercial off-the-shelf Web-based tracking and redacting system in December 2006. In September 2007, FS submitted a second technical acquisition request for an alternate commercial off-the-shelf Web based tracking and redacting system.

4. The FOIA and IT staff will continue to work closely together to evaluate this alternate system and other in-house systems as viable options. FS intends to purchase a system by December 31, 2008.

D. Additional narrative statement regarding other executive order-related activities (optional).

Not applicable

E. Concise descriptions of FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	Feb 21 Aug 3 Sept 21 Nov 13	April 26 May 17 July 9 July 23 Aug 22 Aug. 27

2. Consultations

- a. FS does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending Consultation Received from Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. Agency improvement plan (in current form).

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION (GIPSA)

- B. Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

In 2007, GIPSA worked on the two areas chosen for improvement and has now completed those two goals; however, the Agency did not meet the target completion dates. Nonetheless, GIPSA is responsive and provides excellent service in administering its FOIA program and remains committed to efficient and effective FOIA program.

C. *Identification and discussion of any deficiency in meeting plan milestones (if applicable).*

I.

1. The FOIA Improvement Plan area to which the deficient milestone relates is to improve the FOIA Reference Guide and Directive.
2. The deficient milestones are to review reference guide and directive by December 2006; draft new reference guide and directive by March 2007; to circulate revised directive to GIPSA management for input and concurrence by May 2007; and to post new reference guide and directive by June 2007. These milestones were missed because the number of requests GIPSA received increased significantly during FY 2007.
3. GIPSA completed its revision of the FOIA Reference Guide, titled FOIA Overview, in October 2007 and posted the document on the Agency's FOIA web site on October 23, 2007. GIPSA re-wrote FOIA Directive 1470.1 and posted the document to the Agency FOIA web site December 10, 2007.
4. No additional remedial steps are necessary; the goal has been completed.

II.

1. FOIA Improvement Plan area to which the deficient milestone relates is proactive disclosure of information.
2. The deficient milestones are to review the GIPSA FOIA log and the information currently on the GIPSA FOIA website to determine if the website should provide other frequently requested records that are not already posted by January 2007; to notify GIPSA management if the determination is made that additional information should be posted to the website by April 2007; and to post additional information to website based on GIPSA management decision by September 2007. These milestones were missed because the number of requests GIPSA received increased significantly during FY 2007.
3. Steps taken to correct the deficiency include: GIPSA identified when reviewing the FOIA log and requests received that requesters were seeking registrant listings, tariff schedules, and bond documents on a daily basis. These requests resulted in the number of requests received to increase significantly during FY 2007. On June 26, 2007, GIPSA decided not to post such records to the FOIA

website until the effort to modernization the system is completed.

4. In FY 2007, GIPSA began the process of re-engineering its business identification databases referred to as Packers and Stockyards Automated Systems. GIPSA anticipates completion of the initial phases in early FY 2008. Completion of the first phases will enable GIPSA to begin posting additional records to its web site by December 2008.

D. Additional narrative statement regarding other executive order-related activities (optional).

During FY 2007, GIPSA undertook unplanned proactive disclosure actions. To benefit requesters, on June 14, 2007, GIPSA added a Frequent FOIA Requests link to its E-FOIA web page to post Official Agency Fee Schedules and Exporter Directories. On November 6, 2007, to aid requesters in understanding how a FOIA request is processed in GIPSA, we posted a FOIA Process Flowchart to the GIPSA FOIA web site. Additionally, on July 2, 2007, GIPSA posted its FOIA Logs for Fiscal Years 2002 – 2007 to its Frequent FOIA Requests web page.

E. Concise descriptions of FOIA exemptions.
See section E of the AMS portion of this report, above.

F. Additional Statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	0

2. Consultations

a. Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY07	Consultations Received From Other Agencies That Were Processed by Your Agency During FY07 (includes those received prior to FY07)	Consultations Received From Other Agencies That Were Pending at Your Agency as of October 1, 2007 (includes those received prior to FY07)

0	0	0
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b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency improvement plan (in current form).*

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

NATIONAL APPEALS DIVISION (NAD)

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

NAD did not create FOIA Improvement Plans because it has a small FOIA program. Nonetheless, NAD is committed to an efficient and effective FOIA program.

C. *Identification and discussion of any deficiency in meeting plan milestones (if applicable).*

Not applicable

D. *Additional narrative statement regarding other executive order-related activities (optional).*

Not applicable

E. *Concise description of the FOIA exemptions.*

See section E of the AMS portion of this report, above.

F. *Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007

Requests	0	0	0	0	0	0	0	0
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2. Consultations

a. Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY07	Consultations Received From Other Agencies That Were Processed by Your Agency During FY07 (includes those received prior to FY07)	Consultations Received From Other Agencies That Were Pending at Your Agency as of October 1, 2007 (includes those received prior to FY07)
0	0	0

b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency improvement plan (in current form).*

Not applicable

NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

A. *Description of supplementation/modification of agency improvement plan.*

In July 2007, the Natural Resources Conservation Service (NRCS) revised its FOIA Improvement Plan to combine two proposed improvement areas, expedited processing and automated tracking, that had the same outcome and to clarify and make more specific the steps required to achieve all goals. NRCS has implemented its tracking system on the national and the state level. NRCS has successfully met all improvement area plans.

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

NRCS has successfully met the milestones for 10 improvement areas. These improvement areas are: affirmative disclosure under subsection (a)(2); proactive disclosure of information; automated tracking capabilities; electronic FOIA-automated processing; multi-track processing; troubleshooting existing problems with the existing tracking system; backlog/reduction elimination; politeness/courtesy improvement; additional training needed; and recycling of improvement information gleaned from FOIA Requester Service Centers. NRCS has met each area of improvement by working with the agency's IT staff, gathered information from state FOIA Officers, conducted quarterly teleconferences, and consulted other agencies regarding their FOIA operation. NRCS followed each step listed in the Improvement Plan to achieve the goal.

NRCS is still working to meet its 2008 improvement areas. These improvement areas are: overall FOIA website improvement; improvement of NRCS' FOIA reference guide; forms of communication with requesters; process by which necessary cooperation is obtained from agency "program personnel"; and contracting out/hiring of contract employees. NRCS has begun the necessary steps to achieve these goals, such as working with the IT staff and developing draft documents to be presented to agency personnel.

NRCS continues to guard against the development of any large backlog by prompt processing of requests. Currently, NRCS has a very small backlog of four items.

NRCS' most noteworthy accomplishment was combining its improvement areas related to expedited service and to automated tracking capabilities because both areas had the same goal of developing a uniform national and state tracking system. NRCS provided training on the tracking system to state personnel through teleconferences. All states and the national office are currently using the tracking system.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

Not applicable

D. Additional narrative statement regarding other executive order-related activities (optional).

E. Concise description of the FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional Statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	0

2. Consultations

a. Number of Consultations Received, Processed and Pending

Consultations Received From Other Agencies During FY 2007	Consultations Received From Other Agencies That Were Processed by NRCS During FY 07 (includes those received prior to FY07)	Consultations Received From Other Agencies That Were Pending at NRCS As of October 1, 2007, (includes those received prior to FY07)
0	0	0

b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency improvement plan (in current form).*

See http://usda.gov/da/foia/NRCS_REVISIED_PLAN.pdf
http://www.usda.gov/da/foia/NRCS_REVISIED_PLAN.pdf

OFFICE OF BUDGET AND PROGRAM ANALYSIS (OPBA)

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

As reported in the 2006 annual report, OBPA has met the goals and milestones established in its FOIA Improvement Plan. OBPA remains committed to an effective and efficient FOIA program.

C. *Identification and discussion of any deficiency in meeting plan milestones (if applicable).*

Not applicable

D. *Additional narrative statement regarding other executive order-related activities (optional).*

Not applicable

E. Concise description of the FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional Statistics

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	0

2. Consultations

a. OBPA does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending Consultation Received from Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. Agency improvement plan (in current form).

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

OFFICE OF THE CHIEF FINANCIAL OFFICER (OCFO)

B. Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.

OCFO did not create FOIA Improvement Plans because it has a small FOIA program. Nonetheless, OCFO is committed to an efficient and effective FOIA program.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

Not applicable

D. *Additional narrative statement regarding other executive order-related activities (optional).*

Not applicable

E. *Concise description of the FOIA exemptions.*

See section E of the AMS portion of this report, above.

F. *Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	Nov 7

2. Consultations

a. Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY07	Consultations Received From Other Agencies That Were Processed by Your Agency During FY07 (includes those received prior to FY07)	Consultations Received From Other Agencies That Were Pending at Your Agency as of October 1, 2007 (includes those received prior to FY07)
0	0	0

b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency improvement plan (in current form).*

Not applicable

OFFICE OF THE CHIEF INFORMATION OFFICER (OCIO)

B. Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.

OCIO continues to work to meet the goal of its FOIA Improvement Plan by continuing to work with the Office of the Executive Secretariat to utilize the ECMM software. Currently, another USDA agency is testing an automated FOIA tracking and monitoring system based on the ECMM document management software. Based on the results of testing, OCIO Cyber Security plans to utilize the system to track and monitor OCIO FOIA requests.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

Not applicable.

D. Additional narrative statement regarding other executive order-related activities (optional).

Not applicable.

E. Concise description of the FOIA exemptions

See section E of the AMS portion of this report, above.

F. Additional Statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	Nov 7

2. Consultations

a. Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY07	Consultations Received From Other Agencies That Were Processed by Your Agency During	Consultations Received From Other Agencies That Were Pending at Your Agency as of

	FY07 (includes those received prior to FY07)	October 1, 2007 (includes those received prior to FY07)
0	0	0

b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency improvement plan (in current form).*

Not applicable

OFFICE OF THE GENERAL COUNSEL (OGC)

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

OGC did not create a FOIA Improvement Plan because it has a small FOIA program. Nonetheless, OGC is committed to an efficient and effective FOIA program.

C. *Identification and discussion of any deficiency in meeting plan milestones (if applicable).*

Not applicable.

D. *Additional narrative statement regarding other executive order-related activities (optional).*

Not applicable.

E. *Concise description of the FOIA exemptions.*

See section E of the AMS portion of this report, above.

F. *Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	Feb 21 May 30 Aug 16 Oct 3 Oct 23 Oct 31

2. Consultations

a. OGC does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending Consultations Received from Other Agencies

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0

G. Agency improvement plan (in current form).

Not applicable

OFFICE OF THE INSPECTOR GENERAL (OIG)

B. Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.

OIG has met the goals and milestones established in its FOIA Improvement Plan. OIG reduced the backlog of initial requests at calendar year end to 19. As our goal number was 30, we surpassed this goal. We were able to achieve this by employing a contract employee for six months and a summer intern assisted on certain FOIA requests. OIG managers and employees devoted additional work hours to FOIA activities.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

Not applicable.

D. Additional narrative statement regarding other executive order-related activities (optional).

OIG made improvements to the FOIA website by adding the FOIA Service Center and Public Liaison phone numbers. Additionally, we added a new section on frequently requested records.

E. Concise description of the FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional Statistics.

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	May 3 Sep 12	Jan 4 Mar 1 May 18 Jul 3 Jul 12 Jul 16 Aug 20 Aug 30

2. Consultations

a. Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY07	Consultations Received From Other Agencies That Were Processed by Your Agency During FY07 (includes those received prior to FY07)	Consultations Received From Other Agencies That Were Pending at Your Agency as of October 1, 2007 (includes those received prior to FY07)
0	5	0

b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007

Consults Received	0	0	0	0	0	0	0	0	0
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G. Agency improvement plan (in current form).

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

OFFICE OF THE SECRETARY (OSEC)

B. Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.

OSEC has been successful in meeting one of its two remaining goals and milestones established in its FOIA Improvement Plan. As to the goal of purchasing an electronic tracking and redaction system, OSEC previously reported the purchase of the system. The system was installed in June 2007 and personnel were trained in June 2007; the system has been in use since that time.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

1. FOIA Improvement Plan area to which the deficient milestones relate is to revise USDA FOIA regulations.
2. The deficient milestones are to submit the revised regulation for review by June 30, 2007, to put the revised regulation into the formal USDA signature process by September 1, 2007, and to publish the regulations by September 30, 2007.
3. The draft regulation was completed by May 30, 2007; however, in error the regulation was put into informal review instead of formal review. It was put into formal review in August 2007. Anticipation of amendments to FOIA further delayed review and publication.
4. OSEC will review the revision in light of the recently enacted FOIA amendments and guidance provided by department of Justice. OSEC will further revise the regulation, if necessary, by September 30, 2008, and publish the revised regulations by December 31, 2008.

D. Additional narrative statement regarding other executive order-related activities (optional).

Not applicable

E. *Concise description of the FOIA exemptions.*

See section E of the AMS portion of this report, above.

F. *Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	Dec 27 Dec 28

2. Consultations

a. OSEC does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten oldest pending consultations received from other agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency improvement plan (in current form).*

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

RESEARCH, EDUCATION, AND ECONOMICS (REE)

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

REE has met all of its milestones with respect to each of the following improvement areas: REE FOIA website, customer relations, acknowledging requests, increasing communications, and establishing an electronic FOIA Request form. REE's most noteworthy accomplishment is improving customer relations. For example, increasing communications with requesters on the status of their FOIA requests, and establishing an electronic means for customers to submit FOIA requests.

C. *Identification and discussion of any deficiency in meeting plan milestones (if applicable).*

Not applicable.

D. Additional narrative statement regarding other executive order-related activities (optional).

Not applicable.

E. Concise description of the FOIA exemptions.

See section E of the AMS portion of this report, above.

F. Additional Statistics

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	Dec 17 Dec 20

2. Consultations

a. Number of Consultations Received, Processed, and Pending

Consultations Received From Other Agencies During FY07	Consultations Received From Other Agencies That Were Processed by Your Agency During FY07 (includes those received prior to FY07)	Consultations Received From Other Agencies That Were Pending at Your Agency as of October 1, 2007 (includes those received prior to FY07)
0	0	0

b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency improvement plan (in current form).*

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

RISK MANAGEMENT AGENCY (RMA)

B. *Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

RMA established seven goals and has accomplished all seven goals and associated milestones addressed in the FOIA Improvement Plan. The establishment of the seven goals has helped to deliver a more public friendly and efficient FOIA operational program. For example, RMA's FOIA Request Service Center and component liaison received no complaints pertaining to discourteous services. Throughout the reporting requirement RMA's FOIA Office received much praise from requesters for the courtesy and timeliness in responding to requests. Achieving the goal relating to politeness/courtesy further improved the Service Center's customer service quality standards.

RMA also completed the goal related to "Automated Tracking Capabilities." New fields were added to the FOIA Tracking System to improve the reporting requirements. The tracking system is now available to RMA staff office personnel that assist with the FOIA program.

RMA enhanced and redesigned the FOIA website to provide guidance in submitting FOIA/PA requests. The website now informs requesters that they can contact the FOIA Office through several communication modes: telephone, facsimile, e-mail, and directly through the public website. RMA now receives more e-FOIA requests than requests via postal mail. The public is afforded the opportunity to make their FOIA requests through the venue that is most convenient for them.

The recently published Agency's FOIA Guide has been a useful and successful operational and management tool. RMA's FOIA Office developed new standard operating procedures (FOIA Manual) that focus on processing complex requests, decisions on fee waivers, expedited processing, performing searches within offices, reviewing responsive records, and certifying/documenting these steps; and for separating the releasable from withheld FOIA records at the time of initial processing. The FOIA Manual has been posted for reference.

C. *Identification and discussion of any deficiency in meeting plan milestones (if applicable).*

Not applicable.

D. *Additional narrative statement regarding other executive order-related activities (optional).*

Not applicable.

E. *Concise description of the FOIA exemptions.*

See section E of the AMS portion of this report, above.

F. *Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	Oct 01 Oct 03 Oct 04 Oct 10 Oct 16

2. Consultations.

a. RMA does not have the ability to track consultations received, but will begin tracking consultations in 2008.

b. Ten Oldest Pending Consultations Received From Other Agencies

Calendar Year	1999	2000	2001	2002	2003	2004	2005	2006	2007
Consults Received	0	0	0	0	0	0	0	0	0

G. *Agency improvement plan (in current form).*

See http://www.usda.gov/da/foia/Agency_Planning_Doc_Full_Text.pdf

RURAL DEVELOPMENT (RD)

A. *Description of supplementation/modification of agency improvement plan (if applicable).*

Not applicable.

- B. Report on agency implementation of its plan, including its performance in meeting milestones, with respect to each improvement area.*

Rural Development met its two remaining goals and milestones in fiscal year 2007.

The backlog reduction/elimination goal was to reduce the number of days requests are pending. The FOIA unit implemented a new procedure to follow up with agency program specialists when responsive documents were not furnished in a timely manner. During Fiscal Year (FY) 2007, the median number of days a request was pending decreased by three. This was completed timely on December 9, 2007.

The politeness/courtesy goal was to reduce the number of complaints from requesters by investigating their causes. Rural Development received no complaints. This was completed timely on January 31, 2007.

- C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).*

Not applicable.

- D. Additional narrative statement regarding other executive order-related activities (optional).*

Not applicable.

- E. Concise description of the FOIA exemptions.*

See section E of the AMS portion of this report, above.

- F. Additional Statistics.*

1. Ten Oldest Pending FOIA Requests

Calendar Year	2000	2001	2002	2003	2004	2005	2006	2007
Requests	0	0	0	0	0	0	0	July 25 Sept 5 Sept 14 Sept 17 Sept 20 Sept 27

