

**Farm Credit Administration
Freedom of Information Act Annual Report
FY 2007**

I. Basic Information Regarding Report

- A. Name, title, address, and telephone number of person(s) to be contacted with questions about the report.

Bob Taylor, Freedom of Information Act Officer
Farm Credit Administration
Office of General Counsel
1501 Farm Credit Drive
McLean, VA 22102-5090
703-883-4129

Jane Virga, Senior Counsel
Farm Credit Administration
Office of General Counsel
1501 Farm Credit Drive
McLean, VA 22102-5090
703-883-4071

- B. Electronic address for report on the World Wide Web.

<http://www.fca.gov>

- C. How to obtain a copy of the report in paper form.

Contact Bob Taylor or Jane Virga at the above address.

II. How to Make a FOIA Request

A FOIA request must be in writing, clearly marked "FOIA Request," and addressed to the Freedom of Information Act Officer. Requests may be sent by mail, facsimile (703-790-0052), or electronic means (*FOIAOfficer@fca.gov*).

III. Definitions of Terms and Acronyms Used in the Report

- A. Agency-specific acronyms or other terms.

Farm Credit Administration (FCA or Agency)

B. Basic terms, expressed in common terminology.

1. FOIA/PA request – 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; such requests are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)
2. Initial Request – a request to a federal agency for access to records under the Freedom of Information Act.
3. Appeal – a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other FOIA determination such as a matter pertaining to fees.
4. Processed Request or Appeal – a request or appeal for which an agency has taken a final action on the request or the appeal in all respects.
5. Multi-track processing – a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and 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 (see below).
6. Expedited processing – an agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.
7. 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.
8. 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.
9. Grant – an agency decision to disclose all records in full in response to a FOIA request.
10. Partial grant – an agency decision to disclose a record in part 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 to withhold others in whole or in part.

11. Denial – an agency decision not to release any part of 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 for some procedural reason (such as because no record is located in response to a FOIA request).
12. Time limits – the time period in the Freedom of Information Act for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a “perfected” FOIA request).
13. “Perfected” request – a FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.
14. Exemption 3 statute – a separate federal statute prohibiting the disclosure of a certain type of information authorizing its withholding under FOIA subsection (b)(3).
15. Median number – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
16. 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 is 8.

IV. Exemption 3 Statutes

- A. List of Exemption 3 statutes relied on agency during current fiscal year.

None

1. Brief description of type(s) of information withheld under each statute.

N/A

2. Statement of whether a court has upheld the use of each statute. If so, then cite example.

N/A

V. Initial FOIA/PA Access Requests

A. Number of initial requests.

1. Number of requests pending as of end of preceding fiscal year 2
2. Number of requests received during current fiscal year 38
3. Number of requests processed during current fiscal year 38
4. Number of requests pending as of end of current fiscal year 2

B. Disposition of initial requests.

1. Number of total grants 17
2. Number of partial grants 9
3. Number of denials 2
 - a. number of times each FOIA exemption used
 - (1) Exemption 1 0
 - (2) Exemption 2 0
 - (3) Exemption 3 0
 - (4) Exemption 4 1
 - (5) Exemption 5 6
 - (6) Exemption 6 4
 - (7) Exemption 7(A) 0
 - (8) Exemption 7(B) 0
 - (9) Exemption 7(C) 0
 - (10) Exemption 7(D) 0
 - (11) Exemption 7(E) 0
 - (12) Exemption 7(F) 0
 - (13) Exemption 8 6

(14) Exemption 9 0

4. Other reasons for nondisclosure (total) 10

a. no records 7

b. referrals 0

c. request withdrawn 1

d. fee-related reason 1

e. records not reasonably described 0

f. not a proper FOIA request for some other reason 1

g. not an agency record 0

h. duplicate request 0

i. other (specify) 0

VI. Appeals of Initial Denials of FOIA/PA Requests

A. Number of appeals.

1. Number of appeals received during fiscal year 3

2. Number of appeals processed during fiscal year 3

B. Disposition of appeals.

1. Number completely upheld 1

2. Number partially reversed 1

3. Number completely reversed 0

a. number of times each FOIA exemption used

(1) Exemption 1 0

(2) Exemption 2 0

(3) Exemption 3 0

(4) Exemption 4 0

(5) Exemption 5 1

(6) Exemption 6 0

(7) Exemption 7(A) 0

(8) Exemption 7(B) 0

(9) Exemption 7(C) 0

(10) Exemption 7(D) 0

(11) Exemption 7(E) 0

(12) Exemption 7(F) 0

(13) Exemption 8 1

(14) Exemption 9 0

4. Other reasons for nondisclosure (total) 1

a. no records 0

b. referrals 0

c. request withdrawn 0

d. fee-related reason 1

e. records not reasonably described 0

f. not a proper FOIA request for some other reason 0

g. not an agency record 0

h. duplicate request 0

i. other (specify) 0

VII. Compliance with Time Limits/Status of Pending Requests

A. Median processing time for requests processed during the year.

1. Simple requests (if multiple tracks used).

a. number of requests processed N/A

b. median number of days to process N/A

2. Complex requests (specify for any and all tracks used).

a. number of requests processed 38

b. median number of days to process 9

3. Requests accorded expedited processing.

a. number of requests processed 0

b. median number of days to process N/A

B. Status of pending requests.

1. Number of requests pending as of end of current fiscal year 2

2. Median number of days that such requests were pending as of that date 9

VIII. Comparisons with Previous Year(s) (Optional)

A. Comparison of numbers of requests received _____

B. Comparison of requests processed _____

C. Comparison of median numbers of days requests were pending as of end of
fy _____

D. Other statistics significant to agency: The FCA received no requests for expedited processing; therefore we processed no expedited requests.

E. Other narrative statements describing agency efforts to improve timeliness of FOIA performance and to make records available to the public (e.g., backlog-reduction efforts; specification of average number of hours per processed request; training activities; public availability of new categories of records).

The FCA has processed all FOIA requests within the statutory deadline.

IX. Costs/FOIA Staffing

A. Staffing levels.

1. Number of full-time FOIA personnel 0
2. Number of personnel with part-time or occasional FOIA duties (in total work- years) .23
3. Total number of personnel (in work-years) .23

B. Total costs (including staff and all resources).

1. FOIA processing (including appeals) \$35,251
2. Litigation-related activities (estimated) 0
3. Total costs \$35,251
4. Comparison with previous year(s) (including percentage of change) (optional) _____

C. Statement of additional resources needed for FOIA compliance (optional) none needed

X. Fees

- A. Total amount of fees collected by agency for processing requests \$2055.38
- B. Percentage of total costs 6%

XI. [FOIA Regulations](#) (Including Fee Schedule)

See attached.

XII. Report on FOIA Executive Order Implementation

A. Description of supplementation/modification of agency improvement plan

Not applicable.

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

In the FCA's FOIA Report for 2006, we reported full compliance with meeting our milestones and goals. Again, for 2007 we report full compliance with meeting our goals and milestones. As a result of the Agency's top-to-bottom review of the FOIA program, as mandated by Executive order, we have strengthened our FOIA processing through enhanced oversight and outreach. We will continue to strive to ensure that the FCA continues to comply with all aspects of the FOIA, including the new amendments in the Openness Promotes Effectiveness in our National Government Act of 2007. The FCA was not required to submit an Updated Status Report for August 1, 2007, as we were in full compliance with the Executive order and have processed all FOIA requests in accordance with the statute.

We discuss below each of the goals identified in our improvement plan and our accomplishments.

Procedures Manual

We have created a Procedures Manual, which contains the steps for responding to FOIA requests.

Customer Service

We continue to monitor FOIA staff performance to ensure that FOIA requesters are always treated politely and courteously. The Chief FOIA Officer has day-to-day contact with the FOIA staff and is able to ascertain that all FOIA requesters are answered promptly and with courtesy and politeness.

Intra-Agency Cooperation

The FOIA staff continues to receive excellent intra-Agency cooperation.

FOIA Training

FOIA staff has attended outside training and the FOIA Officer continues to receive on-the-job training from more experienced staff. Legal Counsel to the FOIA Officer continues to provide training to all Agency staff, including FCA examiners, on an ongoing basis. Additionally, we continue to ensure that new Agency staff receives FOIA training as part of employee orientation. It is our understanding that Agency staff has found the training to be both relevant and useful. FOIA training will be ongoing in the next fiscal year.

Customer Feedback

To date, we have not received any complaints from FOIA requesters.

Semi-Annual Review of the FOIA Homepage

Our FOIA homepage has undergone a top-to-bottom revision to make it more customer-friendly and useful. The information is relevant, timely, functional (the links worked), and legally compliant (all required affirmative disclosures were

posted). We will continue to review the FOIA homepage on a semi-annual schedule.

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 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 of financial institutions; and (9) geological information on wells.

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

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

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. Attachment: [Agency Improvement Plan](#) (in current form)

Attach a copy of the current version of your agency's FOIA Improvement Plan.