

## RMA 2009 FOIA Annual Report

### RISK MANAGEMENT AGENCY

#### IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon
7 U.S.C § 1502(c) FCIC Crop Insurance Act Section 502	Personal nformation provided by the producer (policy info., yield data, etc.)	None	
			6

#### V. FOIA REQUESTS

##### A. Received, Processed, and Pending FOIA Requests

Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
7	92	89	10

**B. (1) Disposition of FOIA Requests – All Processed Requests**

<b>Number of Full Grants</b>	<b>Number of Partial Grants/ Partial Denials</b>	<b>Number of Full Denials Based on Exemptions</b>	<b>No Records</b>	<b>All Records Referred to Another Component or Agency</b>	<b>Request Withdrawn</b>	<b>Fee-Related Reason</b>	<b>Records not Reasonably Described</b>	<b>Improper FOIA Request for Other Reason</b>	<b>Not Agency Record</b>	<b>Duplicate Request</b>	<b>Other *Explain in chart below</b>
37	17	7	3	10	11	0	0	2	2	0	0

**TOTAL 89**

**B (2) Disposition of FOIA Requests – “Other” Reasons for Full Denials**

<b>Description of “Other” Reasons for Denials from Chart B (1) &amp; Number of Times Those Reasons Were Relied upon</b>	<b>TOTAL</b>
	0

0

**B. (3) Disposition of FOIA Requests – Number of Times Exemptions Applied**

<b>Ex. 1</b>	<b>Ex. 2</b>	<b>Ex. 3</b>	<b>Ex. 4</b>	<b>Ex. 5</b>	<b>Ex. 6</b>	<b>Ex. 7(A)</b>	<b>Ex. 7(B)</b>	<b>Ex. 7(C)</b>	<b>Ex. 7(D)</b>	<b>Ex. 7(E)</b>	<b>Ex. 7(F)</b>	<b>Ex. 8</b>	<b>Ex. 9</b>
<b>0</b>	<b>3</b>	<b>6</b>	<b>5</b>	<b>2</b>	<b>12</b>	<b>9</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

**VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA**

**REQUESTS**

**A. Received, Processed, and Pending Administrative Appeals**

<b>Appeals Pending as of Start of Fiscal Year</b>	<b>Number of Appeals Received in Fiscal Year</b>	<b>Number of Appeals Processed in Fiscal Year</b>	<b>Number of Appeals Pending as of End of Fiscal Year</b>
<b>2</b>	<b>2</b>	<b>1</b>	<b>3</b>

**B. Disposition of Administrative Appeals – All Processed Appeals**

<b>Number Affirmed on Appeal</b>	<b>Number Partially Affirmed &amp; Partially Reversed/Remanded on Appeal</b>	<b>Number Completely Reversed/Remanded on Appeal</b>	<b>Number of Appeals Closed for Other Reasons</b>	<b>TOTAL</b>
<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>

**C. (1) Reasons for Denial on Appeal – Number of Times Exemptions Applied**

Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
0	0	1	0	0	0	0	0	0	0	0	0	0	0

**C. (2) Reasons for Denial on Appeal – Reasons Other than Exemptions**

No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**C. (3) Reasons for denial on Appeal – “Other” Reasons from Section VI, C(2) Chart**

Description of “Other” Reasons for Denial on Appeal from Chart C (2) & Number of Times Those Reasons Were Relied upon	TOTAL
	0
	0

**C. (4) Response time for Administrative Appeals**

*Median Number	#Average Number	Lowest Number	Highest Number
of Days	<del>88</del> Days	of Days	of Days
887	887	0	887

**C. (5) Ten Oldest Pending Administrative Appeals**

	<sup>th</sup> Oldest	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	<sup>th</sup>	<sup>th</sup>	<sup>rd</sup>	<sup>nd</sup>	Oldest
Date					5	4	3	5/7/09	1/21/09	12/28/06
Number of Days Pending								130	206	638

**VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS**

**A. Processed Requests – Response Time for All Processed Perfected Requests**

SIMPLE				COMPLEX				EXPEDITED PROCESSING			
*Median Number of Days	#Average Number of Days	Lowest Number of Days	Highest Number of Days	*Median Number of Days	#Average Number of Days	Lowest Number of Days	Highest Number of Days	*Median Number of Days	#Average Number of Days	Lowest Number of Days	Highest Number of Days
8	9 558	1	37	28	32 768	10	103	N/A			

**B. Processed Requests – Response Time for Perfected Requests in Which Information Was Granted**

SIMPLE				COMPLEX				EXPEDITED PROCESSING			
*Median Number of Days	#Average Number of Days	Lowest Number of Days	Highest Number of Days	*Median Number of Days	#Average Number of Days	Lowest Number of Days	Highest Number of Days	*Median Number of Days	#Average Number of Days	Lowest Number of Days	Highest Number of Days
10	12 216	2	25	27	32 576	10	103	N/A			

**C. Processed Requests – Response Time in Day Increments**

Simple Requests

1-20 Days	21- 40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
60	1	0	0	0	0	0	0	0	0	0	0	0	67

Complex Requests

1-20 Days	21- 40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
2	18	1	0	0	1	0	0	0	0	0	0	0	22

Requests Granted Expedited Service

1-20 Days	21- 40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
N/A													

D. Pending Requests – All Pending Perfected Requests

Number Pending SIMPLE	*Median Number of Days	#Average Number of Days	Number Pending COMPLEX	*Median Number of Days	#Average Number of Days	Number Pending EXPEDITED PROCESSING	*Median Number of Days	#Average Number of Days
4	15	16 256	6	32	35 210	N/A		

E. Pending requests – Ten Oldest Pending Perfected Requests

	<sup>th</sup> Oldest	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	<sup>th</sup>	<sup>th</sup>	<sup>rd</sup>	<sup>nd</sup>	Oldest
Date	9/21	9/28	9/29	9/29	9/13	9/24	9/01	9/22	8/15	8/17
Number of Days Pending	12	15	16	16	16	20	30	34	51	62

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

A. Requests for Expedited Processing

Number Granted	Number Denied	*Median Number of Days to Adjudicate	#Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
N/A				

**B. Requests for Fee Waiver**

<b>Number Granted</b>	<b>Number Denied</b>	<b>*Median Number of Days to Adjudicate</b>	<b>#Average Number of Days to Adjudicate</b>
<b>1</b>	<b>0</b>	<b>15</b>	15 15

**IX. FOIA PERSONNEL AND COSTS**

<b>PERSONNEL</b>			<b>COSTS</b>		
<b>Number of “Full-Time FOIA Employees”</b>	<b>Number of “Equivalent Full-Time FOIA Employees”</b>	<b>Total Number of “Full-Time FOIA Staff” (The sum of Columns 1 &amp; 2)</b>	<b>Processing Costs (At initial request and appeal levels)</b>	<b>Litigation-Related Costs</b>	<b>Total Costs</b>
1	.5	1.5	\$146,645.48		\$146,645.48

**X. FEES COLLECTED FOR PROCESSING**

0

<b>Total Amount of Fees Collected</b>	<b>Percentage of Total Costs</b>
\$2,060.61	.014051

**XI – Nothing Here**

**XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS**

**A. Backlogs of FOIA Requests and Administrative Appeals**

<b>Number of Backlogged Requests as of End of Fiscal Year</b>	<b>Number of Backlogged Appeals as of End of Fiscal Year</b>

**B. Consultations on FOIA Requests – Received, Processed, and Pending Consultations**

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<b>Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of Start of the Fiscal Year</b>	<b>Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year</b>	<b>Number of Consultations Received from Other Agencies that Were <u>Processed</u> by Your Agency During the Fiscal Year</b>	<b>Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of End of the Fiscal Year</b>

**C. Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies**

<b>0</b>	<b>10<sup>th</sup> Oldest</b>	<b>9<sup>th</sup></b>	<b>8<sup>th</sup></b>	<b>7<sup>th</sup></b>	<b>6<sup>th</sup></b>	<b>5<sup>th</sup></b>	<b>4<sup>th</sup></b>	<b>3<sup>th</sup></b>	<b>2<sup>nd</sup></b>	<b>1<sup>st</sup> Oldest</b>
<b>Date</b>					5	4	3	2		
<b>Number of Days Pending</b>	0	0	0	0	0	0	0	0	0	0

0

**D. Comparison of Number of Requests from Previous and Current Annual Report – Requests Received, Processed, and Backlogged**

<b>NUMBER OF REQUESTS RECEIVED</b>		<b>NUMBER OF REQUESTS PROCESSED</b>	
<b>Number Received During Fiscal Year from Last Year's Annual Report</b>	<b>Number Received During Fiscal Year from Current Annual Report</b>	<b>Number Processed During Fiscal Year from Last Year's Annual Report</b>	<b>Number Processed During Fiscal Year from Current Annual Report</b>

<sup>114</sup> Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	<sup>92</sup> Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report	<sup>108</sup> 89
0	0	

**E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report – Appeals Received, Processed, and**

**Backlogged**

<b>NUMBER OF APPEALS RECEIVED</b>		<b>NUMBER OF APPEALS PROCESSED</b>	
<b>Number Received During Fiscal Year from Last Year's Annual Report</b>	<b>Number Received During Fiscal Year from Current Annual Report</b>	<b>Number Processed During Fiscal Year from Last Year's Annual Report</b>	<b>Number Processed During Fiscal Year from Current Annual Report</b>
1	2		1

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Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
2	3

**F. Discussion of Other FOIA Activities (Optional)**

The disposition of partial grants reflected in chart B. (1) are due to denial of third party information pertaining to privacy and investigative requests. RMA processes more privacy information regarding individual agricultural producers compared to Agency program information. Fraudulent farm practices in the program require complex compliance investigations and as a result generate requests pertaining to compliance cases which often have third party information needing redacting.

\* = 1) enter the median number; 2) provide a separate electronic spreadsheet with the relevant numbers entered and the median calculated electronically

# = 1) provide the average in the top portion of the box; 2) multiply the average days by the number of requests and enter the result in the bottom portion of the box.