

APHIS
FY 2007 Annual FOIA Report

Sections I. Basic Information, II. How to Make a FOIA Request, and III. Definitions of Terms, will be completed by the Office of the Assistant Secretary for Administration.

IV. Exemption 3 Statutes

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

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

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

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

V. Initial FOIA/PA Access Requests

A. Number of Initial Requests: *(include all access requests, whether first party or third party)*
(NOTE: The total of Lines 1 and 2, minus Line 3, should equal Line 4.)

1. Number of requests pending at end of FY 06	_____954_____
2. Number of requests received during FY 07	_____1042_____
3. Number of requests processed during FY 07	_____1101_____
4. Number of requests pending at end of FY 07	_____895_____

B. Disposition of Initial Requests: *(NOTE: The total of Lines 1, 2, 3, and 4 should equal the number of requests processed shown in Line 3 of Part A.)*

1. Number of total grants	_____123_____
2. Number of partial grants	_____738_____
3. Number of denials	_____24_____
a. Number of times each FOIA exemption used: <i>(count each exemption once per request)</i>	

(1) Exemption 1	_____0_____
(2) Exemption 2	_____17_____
(3) Exemption 3	_____10_____
(4) Exemption 4	_____81_____
(5) Exemption 5	_____66_____
(6) Exemption 6	_____585_____
(7) Exemption 7(A)	_____29_____
(8) Exemption 7(B)	_____0_____

- (9) Exemption 7(C) 517
- (10) Exemption 7(D) 1
- (11) Exemption 7(E) 1
- (12) Exemption 7(F) 0
- (13) Exemption 8 0
- (14) Exemption 9 0

- 4. Other reasons for nondisclosure: (total) 216
 - a. No records 147
 - b. Referred elsewhere (See Note) 11
 - c. Request withdrawn 20
 - d. Fee-related reason 0
 - e. Records not reasonably described 0
 - f. Not a proper FOIA request for some reason 0
 - g. Not an agency record 0
 - h. Duplicate request 0
 - i. Other (specify) 38

(Note: Do not count requests referred within your agency in this category, it pertains only to requests that are referred outside of your agency)

VI. APPEALS OF INITIAL DENIALS OF FOIA/PA REQUESTS (includes all access requests, whether first-party or third-party).

A. Number of Appeals:

- 1. Number of appeals received during FY 07 33
- 2. Number of appeals processed during FY 07 0

B. Disposition of Appeals:

- 1. Number completely upheld 0
- 2. Number partially reversed 0
- 3. Number completely reversed 0

a. Number of times each FOIA exemption used: *(count each exemption once per appeal)*

- (1) Exemption 1 0
- (2) Exemption 2 0
- (3) Exemption 3 0
- (4) Exemption 4 0
- (5) Exemption 5 0
- (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 0
- (14) Exemption 9 0

4. Other reasons for nondisclosure (total): 0
 - a. No records 0
 - b. Referred elsewhere 0
 - c. Request withdrawn 0
 - d. Fee-related reason 0
 - e. Records not reasonably described 0
 - f. Not a proper FOIA request for some 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: *(Example for calculation of median: Given 7 requests completed during the fiscal year, aged 10, 25, 35, 65, 75, 80, and 400 days from date of perfection to date of completion, the total number of requests completed during the fiscal year would be 7 and the median age of the completed requests would be 65 days.)*

1. Simple requests (if multiple tracks used)
 - a. Number of requests processed 983
 - b. Median number of days to process 28
2. Complex requests (specify for any and all tracks used)
 - a. Number of requests processed 96
 - b. Median number of days to process 331
3. Requests accorded expedited processing
 - a. Number of requests processed 22
 - b. Median number of days to process 111

(NOTE: The number of requests listed in the different tracks must equal the number of requests processed from section A, Line 3.)

B. Status of Pending Requests: *(Agencies using multiple tracks may provide numbers for each track as well as totals.)*

1. Number of requests pending at end of FY 07 895
2. Median number of days requests were pending at end of FY 07 276

VIII. COMPARISONS WITH PREVIOUS YEAR(S) (Optional)

E. Describe Agency Efforts To:

1. Improve timeliness: Clerical assistance is provided to FOIA staff to process requests

2. Reduce backlog: Several requests were clarified or narrowed after contacting requesters and APHIS has purchased an automated tracking system
3. Provide training: Staff attended available FOIA training and conferences
4. Add new categories of records: N/A

IX. COSTS/FOIA STAFFING.

A. Staffing Levels:

1. Number of full-time FOIA personnel 19.0
2. Number of personnel with part-time or occasional FOIA duties (in work-years) 0
3. Total number of personnel (Work-years) 19.0

B. Total Costs: (include staff and all resources) (Note: Use +20% for overhead.)

1. FOIA processing (including appeals) 1,531,098
2. Litigation-related activities (estimated) 0
3. Total costs 1,531,098
4. Comparison with previous year(s) (optional) 0

C. Statement of additional resources needed for FOIA compliance (optional).

X. FEES: (includes charges for search, review, document duplication, and any other direct costs permitted under agency regulations.)

- A. Total amount of fees collected for processing requests 0
- B. Percentage of total costs 0

XI. FOIA REGULATIONS: (including Fee Schedule): 7 CFR Part 1, Subpart A