

U. S. DEPARTMENT OF AGRICULTURE
Freedom of Information Act Annual Report FY 2020

I. BASIC INFORMATION REGARDING REPORT

For questions concerning this report please contact **Alexis R. Graves**, Director, Office of Information Affairs, 1400 Independence Avenue, South Building, Room 4035, Washington DC 20250-0706, telephone number (202) 690-3318, email USDAFOIA@usda.gov.

This report is available at <http://www.usda.gov/da/foia.htm>. You may obtain a paper copy of this report by visiting the USDA website or by contacting the Departmental FOIA Officer using the information above.

II. MAKING A FOIA REQUEST

Before submitting FOIA requests, we encourage you to review USDA's website. USDA routinely posts information so you may find what you are looking for is already posted.

You should also keep in mind that because we have a decentralized FOIA program, each FOIA agency or staff office is independently handling and processing its requests. Therefore, before emailing or mailing your request, you should try to determine whether it is likely that the agency or staff office will have the records you are seeking. The names, addresses, and telephone numbers of all FOIA agencies or staff offices that receive FOIA requests are available at:

<http://www.dm.usda.gov/foia/poc.htm>.

If you are unsure about which FOIA agency or staff office will have responsive records, submit your request to the Office of Information Affairs using the above information. Requesters will be notified when their requests are routed. This notification will include the FOIA agency or staff office likely to have responsive records in addition to the point(s) of contact.

A FOIA request can be made for any agency record. This does not mean however, that the USDA will disclose every record sought. There are statutory exemptions that authorize the withholding of agency records in part or full. For additional information regarding USDA's FOIA processing procedures and regulations, please visit: <http://www.dm.usda.gov/foia/poc.htm>.

III. Agency Component Abbreviations

Component Abbreviation	Component Name
AMS	Agricultural Marketing Service
APHIS	Animal and Plant Health Inspection Service
DA	Departmental Administration
FAS	Foreign Agricultural Service
FNS	Food and Nutrition Service
FS	Forest Service
FSA	Farm Service Agency
FSIS	Food Safety and Inspection Service
NRCS	Natural Resources Conservation Service
OASCR	Office of the Assistant Secretary for Civil Rights
OBPA	Office of Budget & Program Analysis
OCFO	Office of the Chief Financial Officer
OGC	Office of the General Counsel
OHA	Office of Hearings and Appeals

OIG	Office of the Inspector General
OSEC	Office of the Secretary
RD	Rural Development
REE	Research, Education, and Economics
RMA	Risk Management Agency

IV. Exemption 3 Statutes

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
16 U.S.C. § 470hh	Information pertaining to the nature and location of certain archaeological resources.	Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03- 5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004); Starkey v. U.S. Dep't of the Interior, 238 F. Supp. 2d 1188, 1193-94 (S.D. Cal.	FS	33	33

		2002).			
41 U.S.C. § 4702 (formerly at 41 U.S.C. § 253b(m)(1))	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts.	Sinkerfield v. HUD, No. 10-885, 2012 U.S. Dist. Lexis 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); Hornbostel V. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	APHIS	9	15
			DA	4	
			FAS	1	
			OSEC	1	

7 U.S.C. § 1502(c)(1)	Certain information furnished by a producer under the Federal Crop Insurance Act.	Bush v. U.S. Dep't of Agric., No. 16-4128, 2017 WL 3568672, at *7 (N.D. Iowa Aug. 17, 2017).	FSA	10	17
			RMA	7	
7 U.S.C. § 8791(b)(2)	"[I]nformation provided by an agricultural producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself, in order to participate in programs of the Department" or "geospatial information...maintained by the Secretary about agricultural land or operations."	Cent. Platte Nat. Res. Dist. V. U.S. Dep't of Agric., 643 F.3d 1142, 1147-48 (8th Cir. 2011); Ctr. for Biological Diversity v. USDA, 626 F.3d 1113, 1118 (9th Cir. 2010); Zanoni v. USDA, 605 F. Supp. 2d 230, 237-38 (D.D.C. 2009).	AMS	13	287
			APHIS	30	
			FSA	200	
			NRCS	44	
5 U.S.C. § 574(j)	Dispute resolution communications.	N/A	AMS	2	2

7 U.S.C. § 2276(a)(2)	"[I]nformation furnished under a provision of law referred to in subsection (d) of this section...unless such information has been transformed into a statistical or aggregate form that does not allow the identification."	Strunk v. U.S. Dept. of Interior, 752 F. Supp. 2d 39, 44-45 (D.D.C. 2010).	AMS	3	34
			FNS	28	
			REE	3	
15 U.S.C. § 638(k)(4)	Information contained within a Small Business Innovative Research (SBIR) and Small Business Technology Transfer (STTR) program evaluation databases	N/A	REE	3	3
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Fund for Constitutional Gov't v. Nat'l Archives & Records Serv., 656 F.2d 856, 867-68 (D.C. Cir. 1981); Durham v. U.S. Atty.	OIG	1	1

		Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).			
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V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS

Agency / Component	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
AMS	59	299	290	68
APHIS	1233	1193	1810	616
DA	226	133	194	165
FAS	41	52	59	34
FNS	170	821	342	649
FS	638	1763	1613	788
FSA	4080	16827	17043	3864
FSIS	283	585	577	291
OHA	6	58	64	0
NRCS	26	154	163	17
OASCR	17	38	39	16
OBPA	11	10	19	2
OCFO	13	38	50	1
OGC	22	37	36	23
OIG	102	87	112	77

OSEC	48	179	128	99
RD	97	405	403	99
REE	59	108	126	41
RMA	13	23	35	1
AGENCY OVERALL	7144	22810	23103	6851

After reviewing its database, the USDA updated the number of requests pending at the start of the Fiscal Year for the following components: RD, OSEC, OGC, OCFO, NRCS, OHA, FSIS, FSA, FS, DA, APHIS.

V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
AMS	96	95	8	47	2	23	1	1	4	4	2	7	290
APHIS	266	768	13	225	7	459	1	4	2	28	30	7	1810
DA	24	77	7	32	2	35	0	3	1	1	9	3	194
FAS	10	12	2	6	1	16	0	3	1	0	8	0	59
FNS	29	189	29	19	0	48	5	1	1	5	11	5	342
FS	649	526	43	155	31	139	2	9	8	7	27	17	1613
FSA	16353	275	117	94	40	100	14	8	8	4	21	9	17043
FSIS	123	221	8	106	6	64	0	0	2	1	44	2	577
OHA	8	35	2	5	0	5	0	2	3	0	3	1	64
NRCS	34	69	8	17	2	11	0	0	4	6	9	3	163
OASCR	8	13	4	5	1	2	0	2	2	0	2	0	39
OBPA	1	5	0	2	3	1	0	2	2	0	3	0	19
OCFO	13	5	0	14	0	2	0	4	6	0	6	0	50
OGC	2	12	0	9	3	1	0	2	2	1	4	0	36

OIG	4	29	24	25	0	22	1	0	3	1	3	0	112
OSEC	10	54	3	28	2	13	0	4	2	0	10	2	128
RD	145	126	11	48	2	50	4	0	7	1	9	0	403
REE	22	33	5	16	3	28	0	3	2	1	5	8	126
RMA	3	4	5	8	0	5	0	2	1	1	4	2	35
AGENCY OVERALL	17800	2548	289	861	105	1024	28	50	61	61	210	66	23103

V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS BASED ON REASONS OTHER THAN EXEMPTIONS"

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
AMS	Directed Requester to Publicly Available Information	7	7
APHIS	Directed Requester to Publicly Available Information	7	7
DA	Directed Requester to Publicly Available Information	3	3
FAS	N/A	0	0
FNS	Directed Requester to Publicly Available Information	5	5
FS	Directed Requester to Publicly Available Information	17	17
	N/A	0	
FSA	Directed Requester to Publicly Available Information	9	9
FSIS	Directed Requester to Publicly Available Information	2	2

OHA	Directed Requester to Publicly Available Information	1	1
NRCS	Directed Requester to Publicly Available Information	3	3
OASCR	N/A	0	0
OBPA	N/A	0	0
OCFO	N/A	0	0
OGC	N/A	0	0
OIG	N/A	0	0
OSEC	Directed Requester to Publicly Available Information	2	2
RD	N/A	0	0
REE	Directed Requester to Publicly Available Information	8	8
RMA	Directed Requester to Publicly Available Information	2	2
	N/A	0	
AGENCY OVERALL			66

V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED

Agency / Component	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
AMS	0	0	18	67	29	79	5	0	15	4	0	0	0	0
APHIS	0	1	39	167	100	753	9	0	510	88	14	68	0	0
DA	0	0	4	14	34	72	0	0	5	0	0	0	0	0
FAS	0	0	1	5	6	10	0	0	1	0	0	0	0	0
FNS	0	2	28	32	155	210	1	1	176	12	150	0	0	0
FS	0	6	33	153	201	425	27	3	105	3	25	38	0	4
FSA	0	6	210	32	44	242	5	1	4	2	2	1	1	0
FSIS	0	2	0	147	27	183	6	1	30	2	1	0	0	0
OHA	0	0	0	0	1	35	0	0	9	0	0	0	0	0
NRCS	0	2	44	18	13	54	1	0	0	0	0	0	0	0
OASCR	0	0	0	0	6	16	0	0	4	0	0	0	0	0
OBPA	0	0	0	0	5	5	0	0	0	0	0	0	0	0
OCFO	0	0	0	0	0	5	0	0	0	0	0	0	0	0
OGC	0	0	0	1	11	9	0	0	0	0	0	0	0	0
OIG	0	0	1	2	4	27	12	0	28	0	3	0	0	0
OSEC	0	0	1	8	30	51	0	0	3	0	0	1	0	0
RD	0	0	0	87	17	113	0	0	1	0	0	0	0	0

REE	0	0	6	8	16	32	0	0	1	0	0	0	0	0
RMA	0	0	7	2	2	2	1	0	1	0	0	0	0	0
AGENCY OVERALL	0	19	392	743	701	2323	67	6	893	111	195	108	1	4

VIA. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
AMS	10	4	11	3
APHIS	37	27	44	20
DA	8	8	6	10
FAS	0	1	0	1
FNS	909	220	465	664
FS	41	39	5	75
FSA	22	25	19	28
FSIS	7	18	18	7
OHA	0	0	0	0
NRCS	0	0	0	0
OASCR	3	3	1	5
OBPA	1	0	1	0
OCFO	1	0	1	0
OGC	0	5	2	3

OIG	0	6	6	0
OSEC	2	0	2	0
RD	2	5	3	4
REE	4	1	1	4
RMA	9	0	7	2
AGENCY OVERALL	1056	362	592	826

After reviewing its database, USDA updated the number of appeals pending at the start of the Fiscal Year for the following components: FSA and FNS.

VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS

Agency / Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
AMS	4	4	2	1	11
APHIS	10	8	4	22	44
DA	2	2	0	2	6
FAS	0	0	0	0	0
FNS	95	278	3	89	465
FS	0	0	0	5	5
FSA	5	3	5	6	19
FSIS	4	4	4	6	18
OHA	0	0	0	0	0
NRCS	0	0	0	0	0
OBPA	1	0	0	0	1
OCFO	1	0	0	0	1
OGC	1	1	0	0	2
OIG	3	2	1	0	6
OSEC	0	1	0	1	2

RD	1	0	0	2	3
REE	0	0	1	0	1
RMA	0	1	0	6	7
OASCR	1	0	0	0	1
AGENCY OVERALL	128	304	20	140	592

REE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RMA	0	0	0	0	1	1	0	0	0	0	0	0	0	0
AGENCY OVERALL	7	0	33	17	301	388	7	4	358	37	292	2	0	0

OGC	0	0	0	0	0	0	0	0	0	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0
OSEC	0	0	0	0	0	0	0	0	0	0	1
RD	0	0	1	0	0	0	0	0	0	0	1
REE	0	0	0	0	0	0	0	0	0	0	0
RMA	0	0	3	0	0	0	0	0	0	0	3
AGENCY OVERALL	3	1	40	0	1	1	1	3	0	1	90

VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
AMS	Unable to Locate or Contact the Requester	1	1
APHIS	Unable to Locate or Contact the Requester	1	5
	Moot	4	
DA	Unable to Locate or Contact the Requester	2	2
FAS	N/A	0	0
FNS	Unable to Locate or Contact the Requester	68	72
	Untimely	4	
FS	Untimely	1	1
FSA	Moot	1	1
FSIS	Moot	3	3
OHA	N/A	0	0

NRCS	N/A	0	0
OASCR	N/A	0	0
OBPA	N/A	0	0
OCFO	N/A	0	0
OGC	N/A	0	0
OIG	N/A	0	0
OSEC	Unable to Locate or Contact the Requester	1	1
RD	Unable to Locate or Contact the Requester	1	1
REE	N/A	0	0
RMA	Moot	3	3
AGENCY OVERALL			90

VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
AMS	266	289.64	51	688
APHIS	208.5	426.98	3	1925
DA	316.5	446.5	28	1613
FAS	N/A	N/A	N/A	N/A
FNS	687	726.2	<1	1829
FS	37	162.6	5	533
FSA	60	154.74	3	642
FSIS	82	148.72	10	474
OHA	N/A	N/A	N/A	N/A
NRCS	N/A	N/A	N/A	N/A
OASCR	249	249	249	249
OBPA	370	370	370	370
OCFO	N/A	N/A	N/A	N/A
OGC	56	56	38	74
OIG	17.5	16.67	11	20
OSEC	1227.5	1227.5	555	1900

RD	12	27.33	12	58
REE	362	362	362	362
RMA	1706	1653.29	921	2280
AGENCY OVERALL	661	649.86	<1	2280

OSEC	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
RD	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-01-17	2019-06-19
	Number of Days Pending	0	0	0	0	0	0	0	0	178	322
REE	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	2020-04-01	2019-05-09	2019-04-15	2018-10-19
	Number of Days Pending	0	0	0	0	0	0	127	350	368	468
RMA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2015-05-11	2014-04-30
	Number of Days Pending	0	0	0	0	0	0	0	0	1350	1608
AGENCY OVERALL	Date of Appeal	2017-12-19	2017-06-02	2017-04-27	2017-04-07	2017-04-04	2016-07-13	2015-07-01	2015-05-11	2014-04-30	2014-03-17
	Number of Days Pending	696	833	858	872	875	1055	1314	1350	1608	1640

VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Agency / Component	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
AMS	10	23.35	<1	609	53	111.91	<1	684	N/A	N/A	N/A	N/A
APHIS	103.5	155.96	<1	1655	359.5	481.06	2	1465	546	546	192	900
DA	39	107.26	<1	753	201.5	274.58	3	949	62	93.67	51	168
FAS	35	87.48	<1	549	365	352.65	1	868	637	646.67	546	757
FNS	14	96.38	<1	1145	778	549.67	71	817	N/A	N/A	N/A	N/A
FS	16	50.63	<1	1519	29	106.59	<1	1139	5.5	5	<1	9
FSA	<1	10.3	<1	1675	9	43.61	<1	1133	<1	1.07	<1	13
FSIS	26	49.27	<1	333	213.5	217.01	<1	695	21	31.86	4	87
OHA	9	45.17	<1	1453	524	723	13	1549	N/A	N/A	N/A	N/A
NRCS	15	35.68	<1	620	134	286.33	10	715	17	17	17	17
OASCR	77.5	105.75	<1	351	148	170.33	64	299	N/A	N/A	N/A	N/A
OBPA	37	124	4	447	374.5	380.75	238	536	N/A	N/A	N/A	N/A
OCFO	30	151.14	<1	1281	53	513.67	28	1460	N/A	N/A	N/A	N/A
OGC	41	107.27	<1	772	409	355.83	1	710	N/A	N/A	N/A	N/A

OIG	19	31.8	2	198	429.5	610.8	5	2022	N/A	N/A	N/A	N/A
OSEC	26	48.16	<1	233	192	317.62	<1	762	N/A	N/A	N/A	N/A
RD	24	44.05	<1	344	21	42.35	<1	420	N/A	N/A	N/A	N/A
REE	39	92.24	<1	415	133	226.89	1	649	N/A	N/A	N/A	N/A
RMA	10.5	56.58	<1	315	260	212.38	<1	353	N/A	N/A	N/A	N/A
AGENCY OVERALL	<1	27.92	<1	1675	40	168.05	<1	2022	8	105.53	<1	900

VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED

Agency / Component	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
AMS	12	25.74	<1	609	56	122.9	11	684	N/A	N/A	N/A	N/A
APHIS	87.5	166.41	2	1655	354	474.63	5	1465	546	546	192	900
DA	53	113.85	6	753	204	246.24	13	724	N/A	N/A	N/A	N/A
FAS	39.5	89.67	6	263	192	282.25	53	698	591.5	591.5	546	637
FNS	13	35.9	<1	1145	73.5	73.5	71	76	N/A	N/A	N/A	N/A
FS	18	49.58	<1	1519	32	107.83	<1	960	5.5	5	<1	9
FSA	<1	9.92	<1	1675	10	37.42	<1	1133	<1	1.08	<1	13
FSIS	40	61.78	5	333	223	231.6	5	695	27	33.67	4	87
OHA	8	13.73	<1	104	13.5	13.5	13	14	N/A	N/A	N/A	N/A
NRCS	19	45.18	<1	620	134	286.33	10	715	17	17	17	17
OASCR	95.5	120.35	7	351	299	299	299	299	N/A	N/A	N/A	N/A
OBPA	165.5	199.25	19	447	483.5	483.5	431	536	N/A	N/A	N/A	N/A
OCFO	45	140.29	1	705	28	28	28	28	N/A	N/A	N/A	N/A
OGC	63	118.09	<1	297	328	311.33	4	602	N/A	N/A	N/A	N/A
OIG	16	35	2	178	221	370.2	5	1782	N/A	N/A	N/A	N/A

OSEC	35	58.25	<1	233	115	148	39	352	N/A	N/A	N/A	N/A
RD	24	38.67	<1	247	21	39.23	1	277	N/A	N/A	N/A	N/A
REE	40	101.96	2	409	110.5	202.13	24	649	N/A	N/A	N/A	N/A
RMA	11.5	10	2	15	326	325.33	297	353	N/A	N/A	N/A	N/A
AGENCY OVERALL	<1	20.79	<1	1675	40	148.54	<1	1782	4	90.29	<1	900

VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<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
AMS	135	26	12	6	5	1	1	1	1	0	0	0	1	189
APHIS	309	137	123	82	117	81	43	255	191	28	51	20	137	1574
DA	58	10	14	5	5	4	3	4	6	3	7	6	10	135
FAS	11	5	4	1	2	0	0	0	0	0	4	1	1	29
FNS	220	25	10	6	1	2	2	3	2	1	15	10	31	328
FS	663	168	51	21	14	12	5	6	8	1	15	28	35	1027
FSA	15515	188	282	86	29	25	29	25	18	32	60	6	147	16442
FSIS	148	51	39	20	19	8	10	5	5	1	12	4	0	322
OHA	41	6	0	3	0	3	0	0	0	0	0	0	1	54
NRCS	98	21	13	12	0	1	1	2	0	0	6	0	1	155
OASCR	7	3	3	3	2	1	1	2	5	1	2	2	0	32
OBPA	4	2	1	0	0	0	0	1	0	1	0	0	2	11
OCFO	15	8	5	0	0	0	1	0	0	0	1	2	5	37
OGC	10	3	2	3	0	1	0	0	1	1	4	0	1	26
OIG	22	9	3	0	1	0	0	0	1	1	0	0	0	37
OSEC	39	16	10	8	8	3	3	1	1	2	2	0	0	93

RD	72	33	15	9	8	8	3	2	1	2	2	1	0	156
REE	42	11	6	6	4	3	5	1	2	2	13	4	3	102
RMA	16	1	1	1	1	0	0	0	0	1	2	1	0	24
AGENCY OVERALL	17425	723	594	272	216	153	107	308	242	77	196	85	375	20773

VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<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
AMS	16	20	19	10	7	2	2	4	3	0	3	1	9	96
APHIS	10	7	7	8	8	8	9	7	4	4	29	19	108	228
DA	5	5	4	2	2	1	1	1	3	1	11	1	15	52
FAS	1	0	1	0	1	1	0	1	0	3	2	2	11	23
FNS	0	0	0	2	0	0	0	0	0	0	2	1	7	12
FS	209	117	45	22	18	13	12	10	10	3	30	27	49	565
FSA	401	81	28	8	8	3	3	0	2	2	11	18	11	576
FSIS	23	13	11	14	12	14	3	16	5	6	52	40	37	246
OHA	2	0	0	0	0	0	0	0	0	0	0	0	3	5
NRCS	1	0	0	0	0	0	1	0	0	0	0	0	1	3
OASCR	0	0	0	1	0	0	0	1	0	0	1	0	0	3
OBPA	0	0	0	0	0	0	0	0	0	0	1	1	2	4
OCFO	0	1	1	0	0	0	0	0	0	0	0	0	1	3
OGC	2	0	0	0	0	0	0	0	0	0	0	1	3	6
OIG	4	8	1	3	2	0	1	1	1	2	4	7	38	72
OSEC	1	2	3	2	1	4	1	0	0	1	1	2	11	29

RD	115	53	33	9	3	8	1	5	3	0	8	1	1	240
REE	3	1	1	2	1	1	1	0	0	0	3	2	4	19
RMA	2	0	0	0	0	0	0	0	0	0	4	2	0	8
AGENCY OVERALL	795	308	154	83	63	55	35	46	31	22	162	125	311	2190

RD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
REE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RMA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	21	4	1	1	1	0	0	0	1	1	0	0	4	34

VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS

Agency / Component	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
AMS	44	42.5	147	23	56	74	0	N/A	N/A
APHIS	576	154	281	36	234	371	1	371	371
DA	139	427	437	25	482	490	0	N/A	N/A
FAS	17	255	311	15	82	101	2	826	826
FNS	626	102	115	3	184	166	0	N/A	N/A
FS	374	159.5	197	361	166	205	1	245	245
FSA	60	23.5	82.63	26	23.5	83.62	0	N/A	N/A
FSIS	33	8	46	239	174	196	13	67	84
OHA	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
NRCS	16	25.5	79	1	9	9	0	N/A	N/A
OASCR	14	111	99	2	321.5	321	0	N/A	N/A
OBPA	2	217	217	0	N/A	N/A	0	N/A	N/A
OCFO	0	N/A	N/A	1	25	25	0	N/A	N/A
OGC	19	167	310	3	268	341	0	N/A	N/A

OIG	1	10	10	76	478	546	0	N/A	N/A
OSEC	81	108	150	12	112.5	245	5	103	88
RD	1	1	1	89	71	120	0	N/A	N/A
REE	31	133	174	10	568.5	571	0	N/A	N/A
RMA	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
AGENCY OVERALL	2034	123	203.18	922	167	232.97	22	105	175

	Receipt	01-28	01-18	12-18	12-17	11-07	10-25	10-25	10-15	07-12	05-07
	Number of Days Pending	422	427	447	448	473	482	482	490	555	601
FS	Date of Receipt	2017-12-13	2017-12-05	2017-07-10	2017-06-09	2017-05-17	2017-04-12	2017-04-03	2017-03-31	2016-08-03	2015-08-18
	Number of Days Pending	700	706	808	828	844	869	876	877	1040	1281
FSA	Date of Receipt	2020-06-09	2020-06-09	2020-03-20	2019-12-13	2019-09-13	2019-07-09	2019-04-10	2018-10-03	2018-01-30	2017-04-27
	Number of Days Pending	79	79	135	202	262	309	373	501	673	858
FSIS	Date of Receipt	2019-02-07	2019-02-07	2019-02-06	2019-01-28	2019-01-28	2019-01-28	2019-01-28	2019-01-28	2018-11-13	2018-07-20
	Number of Days Pending	414	414	415	422	422	422	422	422	470	549
OHA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
NRCS	Date of Receipt	2020-09-03	2020-08-27	2020-08-20	2020-08-06	2020-07-07	2020-05-18	2020-02-28	2020-01-28	2019-09-25	2019-02-13
	Number	18	23	28	38	60	94	150	172	254	410

	of Days Pending										
OASCR	Date of Receipt	2020-04-23	2020-04-23	2020-04-13	2020-04-07	2020-01-24	2020-01-23	2019-12-09	2019-11-05	2019-10-29	2019-02-11
	Number of Days Pending	111	111	119	123	174	175	204	226	231	412
OBPA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-23	2019-01-16
	Number of Days Pending	0	0	0	0	0	0	0	0	5	429
OCFO	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-08-25
	Number of Days Pending	0	0	0	0	0	0	0	0	0	25
OGC	Date of Receipt	2019-09-05	2019-08-01	2019-08-01	2018-11-27	2018-10-10	2018-07-11	2018-05-07	2017-12-22	2017-03-15	2015-06-18
	Number of Days Pending	268	292	292	461	493	556	601	693	889	1323
OIG	Date of Receipt	2017-01-04	2016-12-29	2016-04-27	2016-03-17	2016-03-11	2015-10-20	2015-08-14	2015-07-02	2015-04-06	2013-04-30
	Number of Days Pending	942	945	1114	1143	1147	1244	1289	1319	1381	1871

OSEC	Date of Receipt	2019-03-22	2019-03-08	2019-01-04	2018-10-15	2018-10-15	2018-10-10	2017-10-05	2017-09-29	2017-04-24	2017-04-10
	Number of Days Pending	384	394	437	490	490	493	746	750	861	871
RD	Date of Receipt	2019-08-07	2019-08-01	2019-07-16	2019-05-23	2019-05-10	2018-10-10	2019-04-04	2018-12-19	2018-12-14	2017-11-30
	Number of Days Pending	288	292	304	340	349	373	375	446	449	709
REE	Date of Receipt	2018-10-19	2018-10-05	2018-07-30	2018-07-30	2018-07-03	2018-06-12	2018-06-01	2018-04-17	2018-03-23	2017-12-15
	Number of Days Pending	486	495	543	543	561	576	583	615	632	698
RMA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date of Receipt	2015-08-18	2015-08-14	2015-07-02	2015-06-26	2015-06-18	2015-04-20	2015-04-06	2014-11-03	2014-10-06	2013-04-20
	Number of Days Pending	1281	1285	1310	1317	1323	1365	1378	1479	1498	1871

VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
AMS	0	11	89	83.18	4
APHIS	0	42	12.5	32.74	20
DA	2	4	52.5	66	1
FAS	0	2	30	30	0
FNS	0	10	<1	17.5	6
FS	4	13	4	103.88	13
FSA	16	240	<1	<1	251
FSIS	17	13	1	24.47	25
OHA	0	3	4	3	3
NRCS	2	0	9.5	9.5	1
OASCR	0	3	4	3	3
OBPA	0	0	N/A	N/A	N/A
OCFO	0	0	N/A	N/A	N/A
OGC	0	0	N/A	N/A	N/A

OIG	0	1	29	29	0
OSEC	5	6	2	3.73	10
RD	5	2	22	48	2
REE	0	4	0	.25	4
RMA	0	2	10	10	1
AGENCY OVERALL	51	356	0	23.5	344

VIII.B. Requests for Fee Waiver

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
AMS	27	0	40	92.1
APHIS	82	0	1	20.73
DA	5	0	39	63.2
FAS	2	0	1	1
FNS	2	0	2.5	2.5
FS	206	0	14	46.8
FSA	418	36	0	2.21
FSIS	305	0	0	10.32
OHA	0	0	N/A	N/A
NRCS	6	0	58.5	82
OASCR	0	0	N/A	N/A
OBPA	0	0	N/A	N/A
OCFO	0	0	N/A	N/A
OGC	3	0	170	123
OIG	0	0	N/A	N/A

OSEC	9	0	0	41.56
RD	5	0	33	44.8
REE	1	0	3	3
RMA	0	0	N/A	N/A
AGENCY OVERALL	1071	36	1	59.21

IX. FOIA Personnel and Costs

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
AMS	5	2.00	7.00	1024195.00	18600.00	1042795.00
APHIS	24	0.00	24.00	3999757.00	124783.10	4124540.10
DA	2	0.00	2.00	357000.00	52000.00	409000.00
FAS	1	0.25	1.25	184276.69	0.00	184276.69
FNS	3	1.00	4.00	1354189.94	354958.00	1709147.94
FS	16	23.95	39.95	2932974.00	154740.00	3087714.00
FSA	10	84.00	94.00	2447174.28	15276.54	2462450.82
FSIS	8	0.50	8.50	1407870.00	82089.62	1489959.62
OHA	1	1.00	2.00	47342.53	0.00	47342.53
NRCS	0	43.57	43.57	896881.83	7673.65	904555.48
OASCR	1	0.25	1.25	223457.92	0.00	223457.92
OBPA	0	0.50	0.50	224758.24	0.00	224758.24
OCFO	0	0.50	0.50	47403.09	0.00	47403.09

OGC	6	2.50	8.50	478862.31	624015.00	1102877.31
OIG	3	1.10	4.10	483443.69	57853.37	541297.06
OSEC	3	0.00	3.00	1000045.77	3333.00	1003378.77
RD	10	1.00	11.00	909365.00	0.00	909365.00
REE	1	0.25	1.25	195619.41	0.00	195619.41
RMA	1	0.00	1.00	1256.72	0.00	1256.72
AGENCY OVERALL	95	162.37	257.37	18215873.42	1495322.28	19711195.70

X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
AMS	0.00	0.0000
APHIS	110.50	0.0000
DA	0.00	0.0000
FAS	0.00	0.0000
FNS	19263.16	1.4200
FS	2846.00	0.1000
FSA	27747.45	1.1300
FSIS	20.00	0.0000
OHA	0.00	0.0000
NRCS	3134.16	0.3500
OASCR	0.00	0.0000
OBPA	0.00	0.0000
OCFO	0.00	0.0000
OGC	0.00	0.0000
OIG	0.00	0.0000

OSEC	0.00	0.0000
RD	5743.21	0.6300
REE	0.00	0.0000
RMA	0.00	0.0000
AGENCY OVERALL	58864.48	0.3200

XI.A. Number of Times Subsection (C) Used

Agency / Component	Number of Times Subsection Used
AMS	0
APHIS	0
DA	0
FAS	0
FNS	0
FS	0
FSA	0
FSIS	0
OHA	0
NRCS	0
OASCR	0
OBPA	0
OCFO	0
OGC	0
OIG	0
OSEC	0
RD	0

REE	0
RMA	0
AGENCY OVERALL	0

XI.B. Number of Subsection (A)(2) Postings

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
AMS	0	3953
APHIS	35	536
DA	6	0
FAS	0	0
FNS	7	14228
FS	12	14162
FSA	0	12394
FSIS	12	316
OHA	1	0
NRCS	0	42213
OASCR	0	0
OBPA	1	0
OCFO	0	0
OGC	5	0
OIG	0	84

OSEC	12	0
RD	0	1586
REE	2	0
RMA	0	3822
AGENCY OVERALL	93	93294

XII.A. Backlogs of FOIA Requests and Administrative Appeals

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
AMS	47	3
APHIS	559	20
DA	156	9
FAS	33	1
FNS	551	664
FS	621	71
FSA	39	25
FSIS	253	7
OHA	0	0
NRCS	8	0
OASCR	12	5
OBPA	1	0
OCFO	1	0
OGC	18	2
OIG	74	0

OSEC	78	0
RD	59	1
REE	36	4
RMA	0	2
AGENCY OVERALL	2546	814

XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
AMS	0	11	11	0
APHIS	7	27	27	7
DA	0	10	9	1
FAS	0	5	5	0
FNS	0	2	2	0
FS	7	42	41	8
FSA	2	16	15	3
FSIS	0	8	8	0
OHA	0	4	4	0
NRCS	0	0	0	0
OASCR	1	1	2	0
OBPA	0	3	3	0

OCFO	0	0	0	0
OGC	22	35	52	5
OIG	2	16	16	2
OSEC	1	17	17	1
RD	1	3	3	1
REE	1	6	7	0
RMA	0	0	0	0
AGENCY OVERALL	44	206	222	28

After reviewing its database, USDA adjusted the number of consults pending as of the start of the Fiscal Year for the following components: OGC and FSA.

XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY

Agency / Component		10th Oldest Consultation	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation
AMS	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
APHIS	Date	N/A	N/A	N/A	2020-09-28	2020-09-18	2020-08-12	2020-07-28	2019-12-05	2019-04-16	2019-02-17
	Number of Days	0	0	0	2	8	34	45	206	367	401
DA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-07-20
	Number of Days	0	0	0	0	0	0	0	0	0	51
FAS	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
FNS	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
FS	Date	N/A	N/A	2020-09-08	2020-09-04	2020-05-06	2020-04-15	2020-02-21	2020-02-18	2019-11-18	2019-04-10
	Number	0	0	16	17	102	117	155	158	218	371

	of Days										
FSA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-02-20	2013-01-25	2012-08-30
	Number of Days	0	0	0	0	0	0	0	157	1930	2029
FSIS	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
OHA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
NRCS	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
OASCR	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
OBPA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
OCFO	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
OGC	Date	N/A	N/A	N/A	N/A	N/A	2020-	2020-	2020-	2020-	2020-01-16

							08-04	06-25	06-11	01-16	
	Number of Days	0	0	0	0	0	40	67	77	179	179
OIG	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-06-10	2017-09-08
	Number of Days	0	0	0	0	0	0	0	0	80	770
OSEC	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-18
	Number of Days	0	0	0	0	0	0	0	0	0	8
RD	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-25
	Number of Days	0	0	0	0	0	0	0	0	0	3
REE	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
RMA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date	2020-06-10	2020-02-20	2019-12-05	2019-11-18	2019-04-16	2019-04-10	2019-02-27	2017-09-08	2013-01-25	2012-08-30
	Number of Days	80	157	206	218	367	371	401	770	1930	2029

XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED

Agency / Component	NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
AMS	287	299	319	290
APHIS	1375	1193	1291	1810
DA	375	133	302	194
FAS	41	52	21	59
FNS	829	821	811	342
FS	1894	1763	1772	1613
FSA	20081	16827	20161	17043
FSIS	559	585	438	577
OHA	186	58	196	64
NRCS	21	154	17	163
OASCR	48	38	32	39

OBPA	12	10	10	19
OCFO	48	38	64	50
OGC	88	37	89	36
OIG	374	87	363	112
OSEC	56	179	40	128
RD	136	405	116	403
REE	48	108	52	126
RMA	0	23	0	35
AGENCY OVERALL	26458	22810	26094	23103

GIPSA has been merged into AMS. AMS data for Last Year's Annual Report include GIPSA request(s).

**XI.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT --
BACKLOGGED REQUESTS**

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
AMS	38	47
APHIS	1134	559
DA	200	156
FAS	35	33
FNS	114	551
FS	456	621
FSA	158	39
FSIS	234	253
OHA	7	0
NRCS	14	8
OASCR	15	12
OBPA	9	1
OCFO	12	1

OGC	19	18
OIG	97	74
OSEC	35	78
RD	60	59
REE	51	36
RMA	12	0
AGENCY OVERALL	2700	2546

XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED

Agency / Component	NUMBER OF APPEALS RECEIVED		NUMBER OF APPEALS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
AMS	11	4	32	11
APHIS	54	27	102	44
DA	3	8	2	6
FAS	0	1	0	0
FNS	372	220	135	465
FS	38	39	38	5
FSA	1	25	3	19
FSIS	9	18	9	18
OHA	0	0	0	0
NRCS	0	0	3	0
OASCR	1	3	0	1
OBPA	2	0	1	1

OCFO	0	0	0	1
OGC	2	5	3	2
OIG	0	6	0	6
OSEC	0	0	1	2
RD	2	5	4	3
REE	4	1	0	1
RMA	0	0	1	7
AGENCY OVERALL	499	362	334	592

XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS

Agency / Component	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
AMS	8	3
APHIS	37	20
DA	8	9
FAS	0	1
FNS	885	664
FS	35	71
FSA	22	25
FSIS	7	7
OHA	0	0
NRCS	0	0
OASCR	3	5
OBPA	1	0
OCFO	0	0

OGC	0	2
OIG	0	0
OSEC	2	0
RD	1	1
REE	4	4
RMA	9	2
AGENCY OVERALL	1022	814