



**DEPARTMENT OF AGRICULTURE
FREEDOM OF INFORMATION ACT
ANNUAL REPORT
FOR
FISCAL YEAR 2011**

U. S. DEPARTMENT OF AGRICULTURE

Freedom of Information Act Annual Report FY 2011

I. Basic Information Regarding Report

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

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- B. Electronic link for access to the Report on the agency Web site:
<http://www.usda.gov/da/foia.htm>

- C. How to obtain a paper copy of this report:

Please contact Trina Porter at the aforementioned address.

II. Making a FOIA Request

- A. Names, addresses, and telephone numbers of all individual agency components that receive FOIA requests.

For the names, addresses, and telephone numbers, visit our Web site at
<http://www.usda.gov/da/foia.htm>.

- B. Brief description of why some requests are not granted and an overview of certain general categories of USDA records to which FOIA exemptions apply.

The United States Department of Agriculture (USDA) administers many, widely diverse programs. Most USDA records relate to program administration and program participants. USDA invokes the two privacy exemptions of the FOIA more than the rest of the exemptions combined.

III. Definitions of Terms and Acronyms Used in the Report:

- A. Mission Area, Agency and Staff Office acronyms are as follows:

AMS - Agricultural Marketing Service
APHIS - Animal and Plant Health Inspection Service
ASCR – Assistant Secretary for Civil Rights
DM - Departmental Management
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
NRCS - Natural Resources Conservation Service
OBPA - Office of Budget and Program Analysis
OCFO - Office of the Chief Financial Officer
OGC - Office of General Counsel
OIG - Office of the Inspector General
OSEC/OCIO - Office of the Secretary/Office of the Chief Information Officer
RD - Rural Development
REE - Research, Education and Economics
RMA - Risk Management Agency

B. Definitions of terms used in this report:

1. **Administrative Appeal** – a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
2. **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, 10, and 14, the average number is 9.
3. **Backlog** – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
4. **Component** – for agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
5. **Consultation** – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
6. **Exemption 3 Statute** – a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
7. **FOIA Request** – a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a “third-party” request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act,

such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “systems of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report.

Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- 8. Full Grant** – an agency decision to disclose all records in full in response to a FOIA request.
- 9. Full Denial** – an agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- 10. Median Number** – the middle, not average, number. For example, of 3, 10, and 14, the median number is 10.
- 11. 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 granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
 - a. Expedited Processing** – an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
 - b. Simple Request** – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
 - c. Complex Request** – a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- 12. Partial Grant/Partial Denial** – in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- 13. Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.

14. **Perfect Request** – a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
15. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
16. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
17. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).

C. Concise descriptions of the nine FOIA exemptions:

1. **Exemption 1:** classified national defense and foreign relations information
2. **Exemption 2:** internal agency rules and practices
3. **Exemption 3:** information that is prohibited from disclosure by another federal law
4. **Exemption 4:** trade secrets and other confidential business information
5. **Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges
6. **Exemption 6:** information involving matters of personal privacy
7. **Exemption 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. **Exemption 8:** information relating to the supervision of financial institutions
9. **Exemption 9:** geological information on wells

IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
<p>7 U.S.C. §136i-1</p>	<p>Information in connection with the location and the use of pesticides</p>	<p><i>Doe v. Veneman</i>, 380 F.3d 807, 818 (5th Cir. 2004)</p>	AMS		<p>1</p>
			APHIS	1	
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA		
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
			OSEC/OCIO		
REE					
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
7 U.S.C. §1502 (c)	Personal information in connection with policy holders; yield data	None	AMS		11
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA	2	
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
			OSEC/OCIO		
REE					
RMA	9				
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
7 U.S.C. §2011-2036 (Food Stamp Act)	Names and other personally identifiable information of SNAP (Food Stamps) recipients and firms participating in program	None	AMS		36
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS	36	
			FSA		
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
OSEC/OCIO					
REE					
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
7 U.S.C. §2276(a)(2) (Food Security Act of 1985)	Respondents' identity and unaggregated survey data	<i>Strunk v. U.S. Dept. of Interior</i> , 752 F.Supp 2d, 39, 44	AMS		2
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA	1	
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
			OSEC/OCIO		
REE	1				
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
7 U.S.C. §7411-7425	Confidential communication	None	AMS	1	1
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA		
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
			OSEC/OCIO		
REE					
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
15 U.S.C. §3710(a)(c) (Federal Technology Transfer Act)	Trade secrets or commercial or financial information that pertain to cooperative research and development agreements for the purpose of technological and industrial innovation	<i>Pub Citizen's Health Research Group v. NIH</i> , 209 F Supp 2d 37, 43, 51 (DDC 2002; <i>DeLorme Pub Co. Inc. v. NOAA</i> , 917 F Supp 867, 871-72 (D. Me 1996), appeal dismissed per stipulation, No 96-1601 (1 st Cir. July 8, 1996).	AMS		3
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA		
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
OIG					
OSEC/OCIO					
REE	3				
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
16 U.S.C. §470 (h)(h) (Archeological Resources Protection Act of 1979)	Archaeological site maps, cultural resources and historic sites	<u>Hornbostel v. U.S. Dep't of the Interior</u> , 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).	AMS		14
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA		
			FS	14	
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
OSEC/OCIO					
REE					
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
16 U.S.C. §470 w-3	Archaeological site maps, cultural resources and historic sites	None.	AMS		14
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA		
			FS	14	
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
OSEC/OCIO					
REE					
RMA					
RD					

	Type of		Number of Times	Total
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Statute	Information Withheld	Case Citation	Relied upon per Component		Number of Times Relied upon by Agency
35 U.S.C. §122 (Patent Act)	Information in connection with the application of patents	<i>Irons & Sears v. Dann</i> , 606 F2d 1215, 1219-21 (DC Cir. 1979)	AMS		1
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA		
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
OSEC/OCIO					
REE	1				
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
35 U.S.C. §205	Information in connection with a patent prior to the filing of an application	None.	AMS		1
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA		
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
			OSEC/OCIO		
REE	1				
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
41 U.S.C. §253 (b)(m)(1)	Confidential commercial information including contract proposals	<i>Hornbostel v. Dept of the Interior</i> , 305 F.Supp 2d 21 (D.D.C. 2003)	AMS		15
			APHIS	1	
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA	5	
			FS	9	
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
			OSEC/OCIO		
REE					
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
42 U.S.C. §1320 d-6(a) (Health Insurance Portability and Accountability Act of 1976 HIPPA)	Patient medical files	None.	AMS		1
			APHIS		
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA		
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS		
			OBPA		
			OCFO		
			OGC		
			OIG		
			OSEC/OCIO	1	
REE					
RMA					
RD					

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
7 U.S.C. §8791A(2)(a), Food, Conservation and Energy Act of 2008	Information provided by an agriculture producer or owner of agricultural land in connection with participation in a USDA program and concerning agricultural operations, farming or conservation practices or the land itself; information contained in any type of USDA geospatial information system where producer provided information about agricultural land or operations	<i>Ctr. for Biological Diversity v. USDA</i> , 626 F. 3d 1113, 1118 (9 th Cir. 2010); <i>Zanoni v. USDA</i> , 605 F.Supp. 2d 230, 237-381 (D.D.C. 2009)	AMS	1	385
			APHIS	7	
			ASCR		
			DA		
			FAS		
			FNCS		
			FSA	295	
			FS		
			FSIS		
			GIPSA		
			NAD		
			NRCS	73	
			OBPA		
			OCFO		
			OGC		
OIG					
OSEC					
REE					
RMA	9				
RD					

V. FOIA REQUEST

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
AMS	11	121	116	16
APHIS	264	884	982	166
ASCR	0	69	67	2
DM	6	79	80	5
FAS	4	42	45	1
FNCS	22	252	239	35
FSA	161	17,076	16,948	289
FS	299	2,450	2,385	333
FSIS	268	294	375	218
GIPSA	4	46	49	1
NAD	1	8	8	1
NRCS	3	301	298	6
OBPA	0	16	16	0
OCFO	0	37	37	0
OGC	10	30	28	12
OIG	8	135	136	7
OSEC/OCIO	26	89	52	63
REE	14	165	176	3
RMA	13	112	117	8
RD	107	859	785	181
USDA OVERALL	1,221*	23,065	22,939	1,347

***Any inconsistencies in the number of requests pending at the start of FY2010, and the number reported as pending at the end of FY2010 is due to the migration of data into our new electronic FOIA tracking system.**

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

	Number of Full Grants	Number of Partial Grants/ Partial Denials	Number of Full Denials Based on Exemptions	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	
AMS	17	60	2	16	4	8	6	1	1	1	0	0	116
APHIS	175	473	36	160	39	51	9	25	2	0	12	0	982
ASCR	12	17	8	16	9	0	1	0	0	4	0	0	67
DM	58	13	0	2	4	1	0	1	0	1	0	0	80
FAS	23	6	0	5	1	1	6	2	0	1	0	0	45
FNCS	59	101	6	45	16	6	0	1	3	0	2	0	239
FSA	15,243	400	205	450	400	50	98	26	10	13	28	25	16,948
FS	1,298	524	55	258	41	65	13	4	69	5	36	17	2,385
FSIS	59	144	8	58	0	70	1	1	2	10	15	7	375
GIPSA	9	8	13	14	0	0	0	0	0	0	0	5	49
NAD	2	0	0	0	0	0	0	1	0	5	0	0	8
NRCS	130	69	73	15	9	1	1	0	0	0	0	0	298
OBPA	6	1	0	88	0	1	0	0	0	0	0	0	16
OCFO	2	0	0	5	0	0	0	0	0	0	0	0	7
OGC	5	5	4	8	1	2	0	0	0	0	0	3	28
OIG	15	38	17	34	3	3	2	0	3	1	0	20	136
OSEC/OCIO	14	15	0	10	0	5	1	3	1	3	0	0	52
REE	103	29	1	8	22	3	1	4	0	3	0	2	176
RMA	35	30	25	19	5	0	1	0	2	0	0	0	117
RD	475	139	23	54	38	33	3	1	11	3	5	0	785
USDA OVERALL	17,470	2,072	476	1,185	592	300	143	70	104	50	98	79	22,909

B. (2) Disposition of FOIA Requests – “Other” Reasons for “Full Denials Based on Reasons Other than Exemptions” from Section V, B(1) Chart

Component	Description of “Other” Reasons for Denials from Chart B (1) & Number of Times Those Reasons Were Relied upon	Number of Time “Other” reason was relied upon	TOTAL
AMS	N/A	0	0
APHIS	N/A	0	0
ASCR	N/A	0	0
DM	NA	0	0
FAS	N/A	0	0
FNCS	N/A	0	0
FSA	Glomar	4	25
	Requester referred to public website	11	
	Records not available in format requested	7	
	Requester failed to provide adequate mailing address	1	
	Closed due to litigation	2	
FS	No response from the requester		17
FSIS	No authorization to release records	7	7
GIPSA	Administratively closed	3	5
	Not a proper FOIA request	2	
NAD	N/A	0	0
NRCS	N/A	0	0
OBPA	N/A	0	0
OCFO	N/A	0	0
OGC	Request relates to litigation; administratively closed	2	3
	Records referred from another agency but were non-responsive	1	
OIG	Glomar	13	20
	No authorization to release records	7	
OSEC/OCIO	N/A	0	0
REE	Not a proper FOIA request		2
RMA	N/A	0	0
RD	N/A	0	0
USDA OVERALL			79

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

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	2	30	15	42	3	0	2	1	2	0	0	0
APHIS	0	30	9	78	53	428	90	0	215	0	3	17	0	0
ASCR	0	0	0	0	7	23	1	0	12	0	0	0	0	0
DM	0	0	0	5	0	8	0	0	0	0	0	0	0	0
FAS	0	0	0	6	0	0	0	0	0	0	0	0	0	0
FNCS	0	4	36	17	2	55	4	0	51	10	36	7	0	0
FSA	7	7	303	17	34	327	6	1	4	1	0	0	0	0
FS	0	54	31	80	110	305	23	6	95	1	21	3	0	1
FSIS	0	0	0	75	0	130	10	0	115	0	0	0	0	0
GIPSA	0	1	0	6	2	6	9	0	3	1	1	0	0	0
NAD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NRCS	0	1	73	0	0	26	0	0	0	0	0	0	0	0
OBPA	0	0	0	0	1	0	0	0	0	0	0	0	0	0
OCFO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OGC	0	0	0	1	9	1	0	0	0	0	0	0	0	0
OIG	0	3	0	4	19	39	17	0	30	0	2	1	2	0
OSEC/OCIO	0	5	1	2	3	15	0	0	5	0	0	0	0	1
REE	0	2	5	12	1	22	0	0	0	0	0	0	0	0
RMA	0	3	14	2	4	23	37	0	1	0	1	0	0	0
RD	0	2	0	52	35	108	15	0	27	0	4	0	0	0
USDA Overall	7	110	474	387	295	1,558	215	7	560	14	69	28	2	1

VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

A. Received, Processed, and Pending Administrative Appeals

Component	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	7	7	6	8
APHIS	57	24	11	70
ASCR	0	3	3	0
DM	0	1	1	0
FAS	0	0	0	0
FNCS	7	35	30	12
FSA	3	31	29	5
FS	27	52	54	25
FSIS	5	1	1	5
GIPSA	0	2	1	1
NAD	1	0	0	1
NRCS	2	15	15	2
OBPA	0	0	0	0
OCFO	0	0	0	0
OGC	3	1	3	1
OIG	6	13	12	7
OSEC/OCIO	2	3	2	3
REE	0	2	2	0
RMA	2	12	1	13
RD	15	23	21	17
USDA OVERALL	137*	225	192	170

***FSA – The number of appeals pending at the end of FY2010 was reported as 4 and any inconsistencies in the number of appeals pending as of the start of Fiscal Year 2011 and the number of appeals pending at the end of Fiscal Year 2010 is due to the migration of data into our new electronic tracking system.**

B. Disposition of Administrative Appeals – All Processed Appeals

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	0	2	3	1	6
APHIS	2	1	0	8	11
ASCR	2	0	1	0	3
DM	1	0	0	0	1
FAS	0	0	0	0	0
FNCS	17	7	0	6	30
FSA	7	12	5	5	29
FS	10	15	2	27	54
FSIS	0	0	0	1	1
GIPSA	0	0	0	1	1
NAD	0	0	0	0	0
NRCS	11	2	0	2	15
OBPA	0	0	0	0	0
OCFO	0	0	0	0	0
OGC	1	1	0	1	3
OIG	5	3	2	2	12
OSEC/OCIO	0	0	0	2	2
REE	1	0	2	1	4
RMA	1	0	0	0	1
RD	5	8	4	4	21
USDA OVERALL	63	51	18	60	192

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

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	0	1	1	1	1	0	0	0	0	0	0	0
APHIS	0	1	1	0	1	1	1	0	1	0	0	0	0	0
ASCR	0	0	0	0	2	2	0	0	2	0	0	0	0	0
DM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FAS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FNCS	0	1	1	0	1	5	1	0	12	0	14	0	0	0
FSA	0	0	4	0	7	9	1	0	2	0	0	0	0	0
FS	0	3	1	1	8	12	1	0	6	0	1	0	0	0
FSIS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GIPSA	0	0	0	1	0	0	0	0	0	0	0	0	0	0
NAD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NRCS	0	0	15	4	0	0	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	0	0	0	0	0	0	0	0	0
OGC	0	0	0	0	2	1	0	0	0	0	0	0	0	0
OIG	0	1	0	0	4	5	1	2	4	0	0	1	0	0
OSEC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
REE	0	0	1	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
RD	0	0	0	1	3	3	0	0	0	0	0	0	0	0
USDA OVERALL	0	6	23	10	29	39	6	2	27	0	15	0	0	0

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

Component	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
AMS	0	0	1	0	0	0	0	0	0	0	0
APHIS	0	0	8	0	0	0	0	0	0	0	0
ASCR	0	0	0	0	0	0	0	0	0	0	0
DM	0	0	0	0	0	0	0	0	0	0	0
FAS	0	0	0	0	0	0	0	0	0	0	0
FNCS	2	0	2	0	0	0	0	0	1	0	1
FSA	5	0	1	0	0	1	0	0	0	0	3
FS	5	0	3	0	0	1	0	3	7	0	0
FSIS	0	0	1	0	0	0	0	0	0	0	0
GIPSA	0	0	0	0	0	0	0	0	0	0	1
NAD	0	0	0	0	0	0	0	0	0	0	0
NRCS	0	0	0	2	0	0	0	0	0	0	2
OBPA	0	0	0	0	0	0	0	0	0	0	0
OCFO	0	0	0	0	0	0	0	0	0	0	0
OGC	0	0	1	0	0	0	0	0	0	0	0
OIG	0	0	0	2	0	0	0	0	0	0	0
OSEC	0	0	2	0	0	0	0	0	0	0	0
REE	0	0	0	0	0	0	0	0	0	0	0
RMA	0	0	0	0	0	0	0	0	0	0	0
RD	2	0	5	2	0	0	0	0	0	0	0
USDA OVERALL	14	0	24	6	0	2	0	3	8	0	7

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

Component	Description of “Other” Reasons for Denial on Appeal from Chart C (2)	Number of times “Other” Reason was Relied Upon	Component TOTAL
AMS	N/A	0	0
		0	
APHIS	N/A	0	0
		0	
		0	
ASCR	N/A	0	0
DM	N/A	0	0
FAS	N/A	0	0
FNCS	Request received from NLRB; as a federal agency with the authority to conduct investigations the request for records should not have been processed as a FOIA	1	1
FSA	Untimely appeal (received by FSA after final date to file appeal)	2	3
	Not ripe for appeal (initial request not processed according to FSA’s Public regulations and policies, and returned to the record-holding office for additional processing.	1	
FS	N/A	0	0
FSIS	N/A	0	0
GIPSA	Requester withdrew appeal	1	1
NAD	N/A	0	0
NRCS	Requester not willing to pay processing fees	2	2
OBPA	N/A	0	0
OCFO	N/A	0	0
OGC	N/A	0	0
OIG	N/A	0	0
OSEC	N/A	0	0
REE	N/A	0	0
RMA	N/A	0	0
RD	N/A	0	0
USDA Overall			7

C. (4) Response time for Administrative Appeals

Component	*Median Number of Days	#Average Number of Days	Lowest Number of Days	Highest Number of Days
AMS	179.00	194.00	46.00	398.00
APHIS	982.00	1,078.27	17.00	1,796.00
ASCR	15.00	17.33	15.00	22.00
DM	0.00	0.00	1.00	0.00
FAS	0.00	0.00	0.00	0.00
FNCS	100.50	159.27	17.00	784.00
FSA	26.00	41.00	1.00	172.00
FS	53.25	94.78	1.00	1,646.00
FSIS	0.00	0.00	0.00	0.00
GIPSA	43.00	43.00	43.00	0.00
NAD	0.00	0.00	0.00	0.00
NRCS	20.00	20.00	1.00	45.00
OBPA	0.00	0.00	0.00	0.00
OCFO	0.00	0.00	0.00	0.00
OGC	251.00	342.00	23.00	747.00
OIG	50.00	100.00	21.00	306.00
OSEC	1.00	1.00	1.00	1.00
REE	97.00	97.00	16.00	177.00
RMA	21.00	21.00	21.00	1,796.00
RD	151.00	323.00	5.00	1,373.00
USDA Overall	23.50	126.58	0.00	1,796

C. (5) Ten Oldest Pending Administrative Appeals

		10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
AMS	Date	N/A	N/A	2011-09-07	2011-08-16	2011-06-21	2011-06-27	2010-11-10	2009-10-16	2008-11-20	2008-09-26
	Number of Days Pending	0	0	17	24	70	108	222	486	713	750
APHIS	Date	2006-11-17	2006-11-17	2006-07-28	2005-11-14	2005-08-17	2005-05-24	2004-08-12	2003-10-27	2003-08-01	2003-07-31
	Number of Days Pending	1222	1222	1405	1476	1538	1595	1790	1990	2049	2050
ASCR	Date	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
DM	Date	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
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 Pending	0	0	0	0	0	0	0	0	0	0
FNCS	Date	2011-09-12	2011-09-12	2011-09-12	2011-07-28	2011-04 -15	2011-04-13	2011-02-23	2011-01-04	2010-06-09	2009-12-22
	Number of Days Pending	14	14	14	45	117	119	154	188	331	443
FSA	Date	N/A	N/A	N/A	N/A	N/A	2011-09-26	2011-09-23	2011-09-06	2011-06-27	2002-04-22
	Number of Days Pending	0	0	0	0	0	4	5	18	69	2464
FS	Date	2010-11-10	2010-11-08	2010-08-09	2010-04-20	2010-04-12	2009-12-15	2009-06-18	2009-05-27	2008-08-07	2004-09-07
	Number of Days Pending	223	225	288	365	371	451	574	590	790	1773
FSIS	Date	N/A	N/A	N/A	N/A	N/A	2010-11-10	2010-04-10	2010-04-10	2010-04-10	2009-03-06
	Number of Days Pending	0	0	0	0	0	222	365	366	375	582
GIPSA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-08-10
	Number of Days Pending	0	0	0	0	0	0	0	0	0	36
NAD	Date	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	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-08-21
	Number of Days Pending	0	0	0	0	0	0	0	0	0	55
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 Pending	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 Pending	0	0	0	0	0	0	0	0	0	0

		10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
OGC	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2008-04-28
	Number of Days Pending	0	0	0	0	0	0	0	0	0	586
OIG	Date	N/A	N/A	N/A	2011-06-27	2011-05-17	2011-03-21	2011-02-02	2011-01-24	2011-01-24	2010-10-20
	Number of Days Pending	0	0	0	67	95	136	168	175	175	238
OSEC	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-05-23	2010-07-21	2010-07-21
	Number of Days Pending	0	0	0	0	0	0	0	109	168	168
REE	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2010-11-17	2010-10-21
	Number of Days Pending	0	0	0	0	0	0	0	0	16	177
RMA	Date	2011-09-08	2011-09-07	2011-09-01	2011-09-01	2011-08-25	2011-08-24	2011-08-18	2011-08-18	2011-08-11	2011-03-17
	Number of Days Pending	15	16	20	20	24	25	29	29	33	142
RD	Date	2011-03-31	2011-03-29	2011-03-23	2011-01-13	2010-12-13	2010-10-01	2010-07-10	2009-07-01	2009-10-09	2009-08-04
	Number of Days Pending	132	134	146	175	210	261	313	327	516	564
USDA Overall	Date	2006-02-28	2005-11-14	2005-08-17	2005-05-24	2004-09-07	2004-08-12	2003-10-27	2003-08-01	2003-07-31	2001-04-22
	Number of Days Pending	1405	1476	1536	1595	1773	1790	1990	2049	2050	2464

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
AMS	18	17	1	83	39	50	10	304	0	0	0	0
APHIS	20	49.16	<1	729	320	350.06	<1	1027	19	38.67	3	94
ASCR	9.5	11.68	<1	36	32	32	32	32	0	0	0	0
DM	20	33	1	103	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0
FAS	11	11.5	0.1	31	20	38.2	19	69	0	0	0	0
FNCS	17	25.88	1	361	28.5	33.5	6	86	N/A	N/A	65	65
FSA	1	1	0	165	2	16	0	347	2	2	1	5
FS	15	23.92	0	590	25.5	45.25	0	352	3	6.14	1	24
FSIS	30	60	1	543	167	229.96	0	848	0	0	0	0
GIPSA	8	12	1	52	74	60	14	91	0	0	0	0
NAD	7	8	1	17	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
NRCS	15	12	1	20	20	22	1	55	0	0	0	0
OBPA	1	0.83	0	5	7	0.332	7	15	N/A	N/A	N/A	N/A
OCFO	7	7	1	16	N/A	N/A	N/A	242	N/A	N/A	N/A	N/A
OGC	6	64	0	969	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
OIG	16	22	2	305	20	47	1	N/A	0	0	0	0
OSEC/OCIO	10	11.5	1	28	29	50.6	4	242	8	8.3	2	15
REE	0	0	0	0	13	13	1	45	17	17.5	17	18
RMA	12	14	1	1	51	59	5	470	N/A	N/A	N/A	N/A
RD	N/A	N/A	N/A	N/A	N/A	60	3	364	N/A	N/A	N/A	N/A
USDA OVERALL	10.5	18.6235	0	969	20	55.3451	0	1027	0	3.6305	0	94

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
AMS	22	22	3	75	39	46	26	74	0	0	0	0
APHIS	22	55.74	<1	729	273	349.48	12	1027	48.5	48.5	3	94
ASCR	14	14.14	<1	34	32	32	32	0	0	0	0	0
DM	19	29	1	91	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FAS	11	11.6	0.1	31	20	38.2	38.2	69	0	0	0	0
FNCS	19	31.07	1	361	30	38.77	38.77	86	N/A	N/A	65	65
FSA	1	1	0	220	11	22	22	439	2	2	1	5
FS	15	20.21	0	303	28	48.37	48.37	326	3	6.14	1	24
FSIS	29	92	1	416	121.85	205	205	848	0	0	0	0
GIPSA	7	19	1	52	0	0	0	0	0	0	0	0
NAD	7	8	1	17	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
NRCS	5	5	1	23	15	14	1	26	0	0	0	0
OBPA	1	1	0	1	11	11	7	15	0	0	0	0
OCFO	0	5	1	8	0	0	0	0	0	0	0	0
OGC	7	12	0	37	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
OIG	16	17	3	28	20	47	1	489	0	0	0	0
OSEC/OCIO	8.5	10.3	1	28	60	70;3	4	242	8	8.3	2	15
REE	0	0	0	0	13	13	1	45	45	17.5	17	18
RMA	19	19	5	51	30	91	6	470	N/A	N/A	N/A	N/A
RD	N/A	N/A	N/A	N/A	14	18	3	46	N/A	N/A	N/A	N/A
USDA OVERALL	9.75	18.653	0	729	17	57.206	0	1027	0	4.1222	0	94

C. Processed Requests – Response Time in Day Increments

Simple Requests														
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	66	24	4	1	1	0	0	0	0	0	0	0	0	96
APHIS	433	199	62	37	18	14	13	7	4	5	26	8	16	842
ASCR	1	53	10	0	0	0	0	0	0	0	0	0	0	66
DM	43	10	7	10	9	1	0	0	1	4	1	1	0	86
FAS	29	3	0	0	0	0	2	0	0	0	0	0	0	32
FNCS	141	50	17	5	6	1	1	1	0	0	2	2	0	226
FSA	12,445	22	6	3	0	0	0	2	3	2	0	0	0	12,481
FS	1,359	337	85	36	16	18	8	5	6	3	19	4	6	1,902
FSIS	30	17	28	5	12	7	3	9	8	6	3	4	3	135
GIPSA	31	5	1	0	0	0	0	0	0	0	0	0	0	37
NAD	7	0	0	0	0	0	0	0	0	0	0	0	0	7
NRCS	204	0	0	0	0	0	0	0	0	0	0	0	0	204
OBPA	13	0	0	0	0	0	0	0	0	0	0	0	0	13
OCFO	7	0	0	0	0	0	0	0	0	0	0	0	0	7
OGC	22	4	0	0	0	0	0	0	0	0	0	0	0	28
OIG	59	29	7	1	0	0	0	0	0	0	0	0	0	98
OSEC/OCIO	25	2	0	0	0	0	0	0	0	0	0	0	0	27
REE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RMA	73	23	1	0	0	0	0	0	0	0	0	0	0	76
RD	429	59	22	10	3	0	0	0	0	0	0	0	0	535
USDA OVERALL	15,419	837	250	108	65	41	31	24	24	18	55	20	27	16,919

Complex Requests														
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	6	7	0	4	0	1	1	0	0	0	0	1	0	20
APHIS	5	7	12	7	8	6	5	4	1	2	9	14	57	137
ASCR	0	0	1	1	0	0	0	0	0	0	0	0	0	1
DM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FAS	3	0	0	2	0	0	0	0	0	0	0	0	0	5
FNCS	4	5	2	0	1	0	0	0	0	0	0	0	0	12
FSA	405	86	24	2	5	2	1	1	4	1	4	1	1	537
FS	180	146	48	28	17	16	12	6	7	5	8	3	0	476
FSIS	2	1	0	0	27	15	11	14	26	60	36	30	18	240
GIPSA	1	2	2	2	4	0	0	0	0	0	0	0	0	11
NAD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NRCS	49	48	0	0	0	0	0	0	0	0	0	0	0	97
OBPA	3	0	0	0	0	0	0	0	0	0	0	0	0	3
OCFO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OGC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OIG	19	11	2	2	0	1	0	0	1	0	0	1	1	38
OSEC/OCIO	7	5	3	1	0	2	1	0	1	0	1	0	0	21
REE	126	12	1	0	0	0	0	0	0	0	0	0	0	139
RMA	6	13	1	2	0	0	1	0	0	0	1	0	1	25
RD	88	36	21	23	10	6	5	1	14	9	14	14	4	245
USDA OVERALL	904	379	117	73	72	49	37	26	54	77	73	64	82	2,007

Requests Granted Expedited Service														
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	6	3	0	0	0	0	0	0	0	0	0	0	0	9
APHIS	2	0	0	0	1	0	0	0	0	0	0	0	0	3
ASCR	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FAS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FNCS	0	0	0	1	0	0	0	0	0	0	0	0	0	1
FSA	15	0	0	0	0	0	0	0	0	0	0	0	0	15
FS	6	1	0	0	0	0	0	0	0	0	0	0	0	7
FSIS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GIPSA	3	0	0	0	0	0	0	0	0	0	0	0	0	3
NAD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NRCS	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	0
OGC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OSEC/OCIO	4	0	0	0	0	0	0	0	0	0	0	0	0	4
REE	2	0	0	0	0	0	0	0	0	0	0	0	0	2
RMA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
USDA OVERALL	38	4	0	1	1	0	0	0	0	0	0	0	0	44

D. Pending Requests – All Pending Perfected Requests

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	4	8	7	12	40	60	0	0	0
APHIS	156	47	88	9	295	393	1	76	76
ASCR	2	5.5	5	0	0	0	0	0	0
DM	5	63	58	0	N/A	N/A	0	N/A	N/A
FAS	0	N/A	N/A	1	55	55	0	0	0
FNCS	31	13	33.09	4	26	33.25	0	N/A	N/A
FSA	1	10	1	22	7	11	0	0	0
FS	134	75	99.64	54	80	96.72	0	0	0
FSIS	70	64	205	148	162	234.12	0	0	0
GIPSA	0	0	0	1	38	38	0	0	0
NAD	0	0	0	0	0	0	0	0	0
NRCS	3	5	5	3	21	21	0	0	0
OBPA	0	0	0	0	0	0	0	0	0
OCFO	0	0	0	0	0	0	0	0	0
OGC	12	209	293	0	N/A	N/A	0	N/A	N/A
OIG	4	7	10	3	36	39	0	0	0
OSEC/OCIO	0	0	0	63	142	188.4	0	0	0
REE	0	0	0	3	4	10	0	0	0
RMA	3	4	9	5	19	113	0	N/A	N/A
RD	0	0	0	4	163	134	0	0	0
USDA OVERALL	425	5.25	45	332	32	71	1	0	3.8

E. Pending requests – Ten Oldest Pending Perfected Requests

		10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
AMS	Date	2011-09-22	2011-09-19	2011-09-19	2011-09-01	2011-08-10	2011-08-03	2011-06-20	2011-04-18	2011-03-23	2010-09-15
	Number of Days	9	9	20	20	35	40	71	115	133	261
APHIS	Date	2010-04-15	2010-04-09	2010-03-11	2010-03-01	2010-02-02	2009-12-23	2009-08-25	2009-01-28	2009-01-28	2007-05-22
	Number of Days	368	372	393	401	419	445	454	527	673	1095
ASCR	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-09-27	2011-09-20
	Number of Days	0	0	0	0	0	0	0	0	3	8
DM	Date	N/A	N/A	N/A	N/A	N/A	2011-08-03	2011-07-25	2011-07-05	2011-06-30	2011-06-21
	Number of Days	0	0	0	0	0	49	57	74	77	85
FAS	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-08-31
	Number of Days	0	0	0	0	0	0	0	0	0	55
FNCS	Date	2011-08-30	2011-08-30	2011-08-26	2011-08-23	2011-07-14	2011-06-24	2011-06-17	2011-06-09	2010-12-03	2010-10-12
	Number of Days	22	22	24	27	55	68	72	79	208	244
FSA	Date	2011-08-29	2011-08-29	2011-08-25	2011-08-25	2011-08-17	2011-08-17	2011-08-17	2011-07-27	2011-07-07	2011-06-02
	Number of Days	24	24	26	26	32	32	32	47	61	85
FS	Date	2010-11-30	2010-10-23	2010-10-18	2010-10-07	2010-09-16	2010-08-02	2010-06-16	2010-04-29	2010-01-20	2009-09-03
	Number of Days	242	243	246	253	274	293	327	378	429	520
FSIS	Date	2009-10-23	2009-10-20	2009-10-15	2009-10-09	2009-09-04	2009-07-01	2009-07-01	2009-04-14	2009-03-13	2009-02-18
	Number of Days	488	491	494	497	520	559	566	618	641	659
GIPSA	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
NAD	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	2011-09-29	2011-09-27	2011-09-26	2011-09-16	2011-09-05	2011-08-29
	Number of Days	0	0	0	0	1	3	4	10	15	23
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
	Date	2011-07-07	2011-05-07	2011-03-29	2010-12-28	2010-11-08	2010-07-26	2010-03-25	2009-11-24	2008-11-12	2008-03-05

		10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
OGC	Number of Days	60	126	130	192	226	298	383	465	723	898
OIG	Date	N/A	N/A	N/A	2011-09-27	2011-09-26	2011-09-16	2011-08-17	2011-08-17	2011-08-10	2011-07-21
	Number of Days	0	0	0	3	4	10	26	31	36	50
OSEC/OCIO	Date	2010-07-28	2010-07-28	2010-07-27	2010-07-21	2010-07-20	2010-07-20	2010-06-17	2010-02-16	2009-06-30	2008-05-06
	Number of Days	362	362	363	368	369	369	396	499	588	738
REE	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-09-27	2011-09-26	2011-08-26
	Number of Days	0	0	0	0	0	0	0	3	4	24
RMA	Date	N/A	N/A	2011-09-29	2011-09-26	2011-09-22	2011-09-13	2011-09-02	2011-08-30	2011-07-11	2009-11-16
	Number of Days	0	0	1	4	6	13	19	22	58	470
RD	Date	N/A	N/A	N/A	N/A	N/A	N/A	2011-06-20	2011-05-04	2011-04-06	2011-02-15
	Number of Days	0	0	0	0	0	0	75	119	134	192
192 USDA OVERALL	Date	2009-07-01	2009-06-30	2009-04-14	2009-03-13	2009-02-18	2009-01-28	2008-11-12	2008-05-06	2008-03-05	2007-05-22
	Number of Days	566	588	618	641	662	676	728	748	913	1118

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
AMS	9	0	18	19	30
APHIS	0	0	0	0	0
ASCR	0	0	0	0	0
DM	0	0	0	0	0
FAS	0	0	0	0	0
FNCS	1	0	0	0	0
FSA	15	457	1	1	482
FS	13	15	5	12.32	20
FSIS	0	5	0	1.2	5
GIPSA	1	0	0	1	0
NAD	0	0	0	0	0
NRCS	0	0	0	0	0
OBPA	0	0	0	0	0
OCFO	0	0	0	0	0
OGC	0	0	0	0	0
OIG	0	0	0	1	0
OSEC/OCIO	4	0	1	0	4
REE	2	0	10	10	2
RMA	0	0	0	0	0
RD	0	0	0	0	0
USDA OVERALL	45	472	0	2.276	516

B. Requests for Fee Waiver

	Number Granted	Number Denied	*Median Number of Days to Adjudicate	#Average Number of Days to Adjudicate
AMS	12	0	16	13
APHIS	13	0	42	255.85
ASCR	0	0	0	0
DM	0	0	0	0
FAS	0	0	0	0
FNCS	23	0	1	1
FSA	932	40	1	1
FS	242	15	1	7.8
FSIS	5	0	0	1.2
GIPSA	2	0	1	0
NAD	0	0	0	0
NRCS	1	0	1	1
OBPA	0	0	0	0
OCFO	0	0	0	0
OGC	0	0	0	0
OIG	0	0	0	0
OSEC/OCIO	7	1	1	1
REE	5	0	1	1
RMA	1	0	3	3
RD	0	0	0	0
USDA OVERALL	1,242	56	0	14.245

IX. FOIA PERSONNEL AND COSTS

	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff" (The sum of Columns 1 & 2)	Processing Costs (At initial request and appeal levels)	Litigation-Related Costs	Total Costs
AMS	1	4	5	\$472,740.00	\$0.00	\$472,740.00
APHIS	19	0	19	\$2,035,317.33	\$46,970.11	\$2,082,287.44
ASCR	1	0	1	\$0.00	\$0.00	\$0.00
DM	0	0.25	0.25	\$25,252.00	\$0.00	\$25,252.00
FAS	2	2	4	\$230,000.00	\$0.00	\$230,000.00
FNCS	2	4.375	6.375	\$408,068.00	\$0.00	\$408,068.00
FSA	16	186.48	202.48	\$3,817,405.00	\$7,800.00	\$3,825,205.00
FS	13	60	73	\$2,542,431.60	1,580.00	\$2,544,011.60
FSIS	3	0.5	3.5	\$543,802.00	\$300.00	\$544,102.00
GIPSA	1.5	0	1.5	\$149,000.00	\$0.00	\$149,000.00
NAD	1	0	1	\$155,896.00	\$0.00	\$155,896.00
NRCS	1	18	19	\$158,908.00	\$0.00	\$158,908.00
OBPA	0	0.1	0.1	\$10,090.00	\$0.00	\$10,090.00
OCFO	0	0.06	0.06	\$1,070.91	\$0.00	1,070.91
OGC	0	7.5	7.5	\$750,000.00	\$650,000.00	\$1,400,000.00
OIG	2	2	4	\$418,508.25	\$11,963.74	\$430,470.99
OSEC/OCIO	0	0	0	\$0.00	\$0.00	\$0.00
REE	0	2	2	\$144,869.00	\$0.00	\$144,869.00
RMA	0	1	1	\$154,720.24	\$0.00	\$154,720.24
RD	5	7.05	12.05	\$902,207.60	\$0.00	\$902,207.60
USDA OVERALL	67.5	295.315	362.815	\$12,920,285.93	\$718,612.85	\$13,638,898.78

X. FEES COLLECTED FOR PROCESSING

	Total Amount of Fees Collected	Percentage of Total Costs
AMS	\$9,810.79	2.08%
APHIS	\$0.00	0.00%
ASCR	\$0.00	0.00%
DM	\$0.00	0.00%
FAS	\$700.00	0.30%
FNCS	\$3,143.05	0.77%
FSA	\$51,169.00	1.34%
FS	\$15,437.00	0.61%
FSIS	\$1,550.80	0.25%
GIPSA	\$187.60	0.38%
NAD	\$0.00	0.00%
NRCS	\$702.00	0.44%
OBPA	\$0.00	0.00%
OCFO	\$0.00	0.00%
OGC	\$0.00	0.00%
OIG	\$309.20	0.07%
OSEC/OCIO	\$0.00	0.00%
REE	\$545.39	0.38%
RMA	\$5,541.65	3.58%
RD	\$0.00	0.00%
USDA OVERALL	\$87,358.08	0.68%

XI – FOIA REGULATIONS

<http://law.justia.com/cfr/title07/7-4.1.1.4.33.html>

XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

A. Backlogs of FOIA Requests and Administrative Appeals

Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
AMS	16	8
APHIS	36	68
ASCR	0	0
DM	5	0
FAS	1	0
FNCS	18	7
FSA	3	2
FS	125	14
FSIS	185	5
GIPSA	1	1
NAD	1	1
NRCS	0	0
OBPA	0	0
OCFO	0	0
OGC	10	1
OIG	3	7
OSIE/OCIO	59	2
REE	0	0
RMA	8	13
RD	179	18
USDA OVERALL	650	147

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

Component	Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of Start 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 Your Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of End of the Fiscal Year
AMS	0	0	0	0
APHIS	0	0	0	0
ASCR	0	0	0	0
DM	0	3	3	0
FAS	1	19	20	0
FNCS	0	0	0	0
FSA	1	32	32	1
FS	0	5	4	1
FSIS	0	0	0	0
GIPSA	2*	1	2	1
NAD	0	0	0	0
NRCS	0	0	0	0
OBPA	0	5	4	0
OCFO	0	0	0	0
OGC	0	0	0	0
OIG	0	1	1	0
OSEC/OCIO	0	5	5	0
REE	1*	3	4	0
RMA	0	0	0	0
RD	0	0	0	0
USDA OVERALL	5*	73	75	3

***Any inconsistencies in the number of consultations received from other agencies pending at the start of the Fiscal Year is due to the migration of data into our new electronic FOIA tracking system.**

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

Component		10 th Oldest	9 th	8 th	7 th	6 th	5 th	4 th	3 rd	2 nd	Oldest
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	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
ASCR	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
DM	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
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
FNCS	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
FSA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2008-09-03
	Number of Days	0	0	0	0	0	0	0	0	0	773
FS	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-09-29
	Number of Days	0	0	0	0	0	0	0	0	0	1
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
GIPSA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-09-27
	Number of Days	0	0	0	0	0	0	0	0	0	3
NAD	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
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	N/A	N/A	N/A	N/A	N/A

Component		10 th Oldest	9 th	8 th	7 th	6 th	5 th	4 th	3 rd	2 nd	Oldest
	Number of Days	0	0	0	0	0	0	0	0	0	0
OIG	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
OSEC/OCIO	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
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
RD	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
USDA OVERALL	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-09-29	2011-09-27	2008-09-03
	Number of Days	0	0	0	0	0	0	0	1	3	773

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

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	126	121	126	116
APHIS	711	884	905	982
ASCR	28	69	29	67
DM	63	79	65	80
FAS	30	42	27	45
FNCS	177	252	161	239
FSA	14,267	17,076	14,247	16,948
FS	2,794	2,450	2,664	2,385
FSIS	387	294	248	375
GIPSA	77	46	77	49
NAD	10	8	10	8
NRCS	476	301	473	298
OBPA	13	16	13	16
OCFO	0	37	0	37
OGC	24	30	25	28
OIG	121	135	140	136
OSEC/OCIO	83	89	75	52
REE	144	165	136	176
RMA	110	112	107	117
RD	750	859	703	785
USDA OVERALL	20,391*	23,065	20,231*	22,939*

***Any inconsistencies in the number of requests received, processed and backlogged during FY2010 and the number processed during FY2010 is due to the migration of data into our new electronic tracking system.**

D.2. Comparison of Backlogged Requests from Previous and Current Annual Report

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	11	16
APHIS	219	36
ASCR	0	0
DM	6	5
FAS	0	1
FNCS	11	18
FSA	12	3
FS	100	125
FSIS	254	185
GIPSA	4	1
NAD	1	1
NRCS	3	0
OBPA	0	0
OCFO	0	0
OGC	7	10
OIG	5	3
OSEC/OCIO	20	59
REE	0	0
RMA	13	8
RD	15	179
USDA OVERALL	681*	650

*** Any inconsistencies in the number of requests received, processed and backlogged during FY2010 is due to the migration of data into our new electronic tracking system**

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

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	12	7	18	6
APHIS	17	24	30	11
ASCR	0	3	0	3
DM	2	1	1	1
FAS	0	0	0	0
FNCS	16	35	13	30
FSA	32	31	35	29
FS	66	52	75	54
FSIS	0	1	0	1
GIPSA	1	2	1	1
NAD	1	0	0	0
NRCS	0	15	0	15
OBPA	0	0	0	0
OCFO	0	0	0	0
OGC	6	1	6	3
OIG	15	13	11	12
OSEC/OCIO	3	3	1	2
REE	2	2	4	2
RMA	1	12	2	1
RD	23	23	20	21
USDA OVERALL	197*	225	217*	192

*** Any inconsistencies in the number of appeals received, processed and backlogged during FY2010 is due to the migration of data into our new electronic tracking system.**

E.2. Comparison of Backlogged Administrative Appeals from Previous and Current Annual Report

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	7	8
APHIS	57	68
ASCR	0	0
DM	1	0
FAS	0	0
FNCS	7	7
FSA	2	2
FS	25	14
FSIS	5	5
GIPSA	0	1
NAD	1	1
NRCS	0	0
OBPA	0	0
OCFO	0	0
OGC	3	1
OIG	6	7
OSEC/OCIO	2	2
REE	0	0
RMA	2	13
RD	15	18
USDA OVERALL	133*	147

*** Any inconsistencies in the number of appeals received, processed and backlogged during FY2010 is due to the migration of data into our new electronic tracking system.**

F. Discussion of Other FOIA Activities (Optional)