

**Grain Inspection, Packers and Stockyards Administration  
FY 2006 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. GIPSA did not withhold any documents pursuant to Exemption 3.
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 05 \_\_\_\_\_10\_\_\_\_\_
2. Number of requests received during FY 06 \_\_\_\_\_112\_\_\_\_\_
3. Number of requests processed during FY 06 \_\_\_\_\_119\_\_\_\_\_
4. Number of requests pending at end of FY 06 \_\_\_\_\_3\_\_\_\_\_

**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 \_\_\_\_\_85\_\_\_\_\_
2. Number of partial grants \_\_\_\_\_21\_\_\_\_\_
3. Number of denials \_\_\_\_\_5\_\_\_\_\_
- a. Number of times each FOIA exemption used: *(count each exemption once per request)*
  - (1) Exemption 1 \_\_\_\_\_
  - (2) Exemption 2 \_\_\_\_\_
  - (3) Exemption 3 \_\_\_\_\_
  - (4) Exemption 4 \_\_\_\_\_11\_\_\_\_\_
  - (5) Exemption 5 \_\_\_\_\_10\_\_\_\_\_
  - (6) Exemption 6 \_\_\_\_\_7\_\_\_\_\_
  - (7) Exemption 7(A) \_\_\_\_\_4\_\_\_\_\_
  - (8) Exemption 7(B) \_\_\_\_\_2\_\_\_\_\_
  - (9) Exemption 7(C) \_\_\_\_\_5\_\_\_\_\_
  - (10) Exemption 7(D) \_\_\_\_\_1\_\_\_\_\_
  - (11) Exemption 7(E) \_\_\_\_\_
  - (12) Exemption 7(F) \_\_\_\_\_
  - (13) Exemption 8 \_\_\_\_\_

(14) Exemption 9 \_\_\_\_\_

4. Other reasons for nondisclosure: (total) \_\_\_ 8 \_\_\_\_\_
- a. No records \_\_\_ 7 \_\_\_\_\_
  - b. Referred elsewhere \_(See Note)\_\_\_\_\_
  - c. Request withdrawn \_\_\_ 1 \_\_\_\_\_
  - d. Fee-related reason \_\_\_\_\_
  - e. Records not reasonably described \_\_\_\_\_
  - f. Not a proper FOIA request for some reason \_\_\_\_\_
  - g. Not an agency record \_\_\_\_\_
  - h. Duplicate request \_\_\_\_\_
  - i. Other (specify) \_\_\_\_\_

*(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 06 \_\_\_ 2 \_\_\_\_\_
- 2. Number of appeals processed during FY 06 \_\_\_ 3 \_\_\_\_\_

**B. Disposition of Appeals:**

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

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

- (1) Exemption 1 \_\_\_\_\_
- (2) Exemption 2 \_\_\_ 1 \_\_\_\_\_
- (3) Exemption 3 \_\_\_\_\_
- (4) Exemption 4 \_\_\_ 1 \_\_\_\_\_
- (5) Exemption 5 \_\_\_\_\_
- (6) Exemption 6 \_\_\_ 1 \_\_\_\_\_
- (7) Exemption 7(A) \_\_\_\_\_
- (8) Exemption 7(B) \_\_\_\_\_
- (9) Exemption 7(C) \_\_\_\_\_
- (10) Exemption 7(D) \_\_\_\_\_
- (11) Exemption 7(E) \_\_\_\_\_
- (12) Exemption 7(F) \_\_\_\_\_
- (13) Exemption 8 \_\_\_\_\_
- (14) Exemption 9 \_\_\_\_\_

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

**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 \_\_\_\_119\_\_\_\_
  - b. Median number of days to process \_\_13\_\_\_\_\_
2. Complex requests (specify for any and all tracks used)
  - a. Number of requests processed \_\_\_\_0\_\_\_\_
  - b. Median number of days to process \_\_\_\_\_
3. Requests accorded expedited processing
  - a. Number of requests processed \_\_\_\_0\_\_\_\_
  - b. Median number of days to process \_\_\_\_\_

**(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 06 \_\_\_\_3\_\_\_\_\_
2. Median number of days requests were pending at end of FY 06 \_\_14\_\_

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

**E. Describe Agency Efforts To:**

1. Improve timeliness \_\_\_\_\_
2. Reduce backlog \_\_\_\_\_
3. Provide training \_\_\_\_\_
4. Add new categories of records \_\_\_\_\_

## IX. COSTS/FOIA STAFFING.

### A. Staffing Levels:

1. Number of full-time FOIA personnel 0
2. Number of personnel with part-time or occasional FOIA duties (in work-years) .45
3. Total number of personnel (Work-years) .45

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

1. FOIA processing (including appeals) \$56,500
2. Litigation-related activities (estimated) \_\_\_\_\_
3. Total costs \$56,500
4. Comparison with previous year(s) (optional) \_\_\_\_\_

### 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 \$2,488.70
- B. Percentage of total costs \_\_\_\_\_

**XI. FOIA REGULATIONS:** (including Fee Schedule): Section 800.8(d), Public Information—Requests for Records, of the regulations issued under the U.S. Grain Standards Act states requests for records shall be made in accordance with 7 CFR 1.6.

## XII. Report on FOIA Executive Order Implementation

A. Description of supplementation/modification of agency improvement plan. GIPSA did not modify its improvement plan.

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

- **Improvement of Agency's FOIA Reference Guide and Directive** – GIPSA has identified revisions that need to be made to its reference guide and directive. We believe this goal will be completed by the estimated target date of June 2007.
- **Proactive Disclosure of Information** – GIPSA has identified a record that is frequently requested which could be posted to GIPSA's FOIA website; however, senior management will make the final decision. We believe this goal will be completed by the estimated target date of September 2007.

GIPSA headquarters' was reorganized October 1, 2006, with the establishment of the Management Support Staff (MSS) which is comprised of a wide array of support services that were handled in various offices throughout the D.C. complex. FOIA processing and operations, which had been a collateral duty for one person from each of the two Agency program areas, is

now the responsibility of one individual in MSS who already is knowledgeable and proficient in FOIA laws, guidelines, and processing.

C. Identification and discussion of any deficiency in meeting plan milestones (if applicable).

D. Additional narrative statement regarding other executive order-related activities (optional).

E. Concise descriptions of FOIA exemptions. GIPSA has explained the FOIA exemptions in GIPSA Directive 1470.1. A link to the directive exists on GIPSA's website.

F. Additional statistics:

1. Time range of requests pending, by date of request (or, where applicable, by date of referral from another agency). At the end of FY 06, GIPSA had three requests pending response; however, responses were provided on all three during October 2006. As of the date of this report (January 2007), all requests received during FY 06 have been completed.

2. Time range of consultations pending with other agencies, by date of initial interagency communication. None

G. Attachment: Agency improvement plan (in current form). The following is GIPSA's FOIA Improvement Plan:

## **IMPROVEMENT AREA PLANS FOR GIPSA**

### **1. Improvement of Agency's FOIA Reference Guide and Directive**

Goal: Provide current and up to date information regarding GIPSA's FOIA program on the GIPSA website and Agency directive due to the Agency reorganization

Milestones:

- Review reference guide and directive (to be completed by December 2006)
- Draft new reference guide and directive (to be completed by March 2007)
- Circulate revised directive to GIPSA management for input and concurrence (to be completed by May 2007)
- Post new reference guide and directive (to be completed by June 2007)

Target Completion: June 2007

## **2. Proactive Disclosure of Information**

Goal: Consider posting additional records to GIPSA's website, such as P&SP registrant lists and other frequently requested records

Milestones:

- Review GIPSA's FOIA log and the information currently on GIPSA's FOIA website to determine if the website should provide other frequently requested records that are not already posted (to be completed by January 2007)
- Notify GIPSA management if the determination is made that additional information should be posted to the website (to be completed by April 2007)
- Post additional information to website based on GIPSA management decision (to be completed by September 2007)

Target Completion: September 2007