U.S. FOREST SERVICE
FY-2007 ANNUAL REPORT

IV. Exemption 3 Statutes

Statute/Rule	Type of Information Withheld	Case Citation
7 USC § 4901-4916 Watermelon Research and Promotion Act	List of watermelon growers and handlers	None
7 USC § 608(d)(2) Agricultural Marketing Act	Olive Handlers Information	None
7 USC § 499 (b) Perishable Agricultural Commodities Act	Names of individuals filing violations of the PACA	None
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	None
Rule 6(e) Federal Rules of Criminal Procedures – Grand Jury Material	Grand Jury-related information	Iglesias vs. CIA 525F. Supp 547.566 (DDC 1981)
35 USC § 209 Licensing of Patents	Detailed patent information	None
41 USC § 253(b) Technical Proposals of Contracts	Business/financial information	Hornbostel vs. Department of Interior 305F Supp 2d 21 (DDC 2003)
7 CFR § 272.1© Section 11(e)(8) – Food Stamp Act	Information obtained concerning administration or enforcement of the Food Stamp Act.	None
7 CFR § 2018(c)	Contents of applications or other information furnished by vendors in the Food Stamp Act business	None
16 USC § 470aa-mm Archaeological Resources Protection Act (1979)	Archaeological and Historic sites	None
Public Law 104-106, February 10, 1996: National Defense Authorization Act 1996	Technical Proposals submitted by unsuccessful contractors	None

Statute/Rule	Type of Information Withheld	Case Citation
16 USC § 470bb. National Historic Preservation Act of 1966	Location and nature of historic sites	None
7 U.S.C. 1502(c). FCIC Crop Insurance Act Section 502©	Personal information provided by the producer (policy info, yield data, etc.)	None
The Federal Cave Protection Act of 1988 (FCRPA)	Preserve caves	None

V. INITIAL FOIA/PA ACCESS REQUESTS

A. NUMBER OF INITIAL REQUESTS

	Number of Requests Pending As Of End of Preceding Year	Number of Requests Received in Current Year	Number of Requests Processed in Current Year	Number of Requests Pending as of End of Current Year
AMS				
APHIS				
DA				
FAS				
FNCS				
FSA				
FS	**291**	**3,010**	**3,036**	**265**
FSIS				
GIPSA				
NAD				
NRCS				
OBPA				
OCFO				
OCIO				
OCR				
OGC				
OIG				
OSEC				
REE				
RMA				
RD				
TOTAL				

V. INITIAL FOIA/PA ACCESS REQUESTS

B. DISPOSITION OF INITIAL REQUESTS

	Number of Total Grants	Number of Partial Grants	Number of Denials	No Records	Referrals	Request Withdrawn	Fee-related Reason	Records Not Reasonably Described	Not a Proper FOIA Request for Other Reason	Not an Agency Record	Duplicate Request	Other
AMS												
APHIS												
DA												
FAS												
FNCS												
FSA												
FS	**2,115**	366	218	147	35	47	47	19	15	13	11	**3**
FSIS												
GIPSA												
NAD												
NRCS												
OBPA												
OCFO												
OCIO												
OCR												
OGC												
OIG												
OSEC												
REE												
RMA												
RD												
TOTAL												

B. DISPOSITION OF INITIAL REQUESTS (Continued)

EXPLANATION OF DISPOSITION OF FOIA/PA INITIAL REQUESTS: OTHER REASONS FOR NONDISCLOSURE (COLUMN MARKED "OTHER")

Component	Number of Times	Reason(s)
AMS		
APHIS		
DA		
FAS		
FNCS		.
FSA		
FS	**2** **1 = 3**	**No Response from requester re: clarification.** **No authorization to release records received.**
FSIS		
GIPSA		
NAD		
NRCS		
OBPA		
OCFO		
OCIO		
OCR		
OGC		
OIG		
OSEC		
RD		
REE		
RMA		

B. DISPOSITION OF INITIAL REQUESTS (Continued)
EXEMPTIONS CLAIMED UNDER THE FREEDOM OF INFORMATION ACT

	(1)	(2)	(3)	(4)	(5)	(6)	(7) (A)	(7) (B)	(7) (C)	(7) (D)	(7) (E)	(7) (F)	(8)	(9)
AMS														
APHIS														
DA														
FAS														
FNCS														
FSA														
FS	**0**	**6**	**9**	**76**	**89**	**188**	**13**	**0**	**80**	**0**	**0**	**0**	**0**	**0**
FSIS														
GIPSA														
NAD														
NRCS														
OBPA														
OCFO														
OCIO														
OCR														
OGC														
OIG														
OSEC														
REE														
RMA														
RD														
TOTAL														

VI. APPEALS OF INITIAL DENIALS

	Appeals Received FY 2007	Appeals Processed FY 2007	Appeals Upheld	Appeals Partly Reversed	Appeals Completely reversed	(b)(1) Upheld on Appeal	(b)(2) Upheld on Appeal	(b)(3) Upheld on appeal	(b)(4) Upheld on Appeal
AMS									
APHIS									
DA									
FAS									
FNCS									
FSA									
FS	**45**	**28**	**1**	**5**	**4**	**0**	**0**	**0**	**0**
FSIS									
GIPSA									
NAD									
NRCS									
OBPA									
OCFO									
OCIO									
OCR									
OGC									
OIG									
OSEC									
REE									
RMA									
RD									
TOTAL									

VI. APPEALS OF INITIAL DENIALS, CONTINUED

	(b)(5) Upheld on Appeal	(b)(6) Upheld on Appeal	(b)(7)(A) Upheld on appeal	(b)(7)(B) Upheld on Appeal	(b)(7)(C) Upheld on Appeal	(b)(7)(D) Upheld on Appeal	(b)(7)(E) Upheld on appeal	(b)(7)(F) Upheld on Appeal	(b)(8) Upheld on Appeal	(b)(9) Upheld on Appeal
AMS										
APHIS										
DA										
FAS										
FNCS										
FSA										
FS	**5**	**2**	**0**	**0**	**1**	**0**	**0**	**0**	**0**	**0**
FSIS										
GIPSA										
NAD										
NRCS										
OBPA										
OCFO										
OCIO										
OCR										
OGC										
OIG										
OSEC										
REE										
RMA										
RD										
TOTAL										

VI. APPEALS OF INITIAL DENIALS, CONTINUED

	Other Reasons for non-disclosure	No records	Referred elsewhere	Appeal withdrawn	Fee-related reason	Records not reasonably described	Not a proper FOIA Appeal	Not an agency record	Duplicate appeal	Other
AMS										
APHIS										
DA										
FAS										
FNCS										
FSA										
FS	**18**	**7**	**0**	**3**	**3**	**0**	**1**	**0**	**0**	**4**
FSIS										
GIPSA										
NAD										
NRCS										
OBPA										
OCFO										
OCIO										
OCR										
OGC										
OIG										
OSEC										
REE										
RMA										
RD										
TOTAL										

VII. COMPLIANCE WITH TIME LIMITS/STATUS OF PENDING REQUESTS

A. Median Processing Time for Requests Processed During the Year

	Simple Requests		Complex Requests		Requests Accorded Expedited Processing	
	Number of Requests Processed	Median Number of days to Process	Number of Requests Processed	Median Number of days to Process	Number of Requests Processed	Median Number of days to Process
AMS						
APHIS						
DA						
FAS						
FNCS						
FSA						
FS	**1,926**	**11**	**1,110**	**35**	**0**	**0**
FSIS						
GIPSA						
NAD						
NRCS						
OBPA						
OCFO						
OCIO						
OCR						
OGC						
OIG						
OSEC						
REE						
RMA						
RD						
TOTAL						

B. STATUS OF PENDING REQUESTS

Component	Number Of Requests Pending As Of the End of the Fiscal Year	Median Number of Days Pending
AMS		
APHIS		
DA		
FAS		
FNCS		
FSA		
FS	**265**	**21**
FSIS		
GIPSA		
NAD		
NRCS		
OBPA		
OCFO		
OCIO		
OCR		
OGC		
OIG		
OSEC		
RD		
REE		
RMA		
TOTAL		

VIII. Comparisons with Previous Years

1. **Improve timeliness:**
    a. Regional FOIA Coordinators have been encouraged to designate informal back-up FOIA coordinators to ensure that work processes continue when the primary FOIA Coordinator is out of the office.
    b. Regional FOIA coordinators have been encouraged to directly contact requesters upon receipt of requests that are unclear, confusing, etc., so as to perfect the request(s).
    c. Regional FOIA Coordinators were alerted of the recent centralization of the HCM (formerly HR) functions from nation-wide locations to one main office in Albuquerque, New Mexico. This new one stop for FOIA request for personnel records where the records reside will enhance response time.
2. **Reduce backlog:**
    a. Headquarters and regional FOIA Service Centers continue to educate program subject matter experts and other program staff on the importance of producing records responsive to FOIA requests in a timely manner and conducting thorough and adequate searches, and documenting their efforts.
    b. Headquarters and region FOIA Service Centers have been encouraged to utilized off-site personnel to temporarily assist with reducing the backlog and at the same time receive hands-on training in a team environment.
3. **Provide training:**
    a. The Forest Service continues to encourage regional and Forest FOIA coordinators take FOIA training offered by the Department of Justice, American Society for Access Professionals, etc., especially online training, as applicable.
    b. The FOIA Forest Service Handbook, Chapter 10, was updated and published online in the first quarter of FY 07 (December 2006). We are now in the process of publishing two additional chapters on Appeals and the Annual Report processes. We expect to have these chapters published early in the first quarter 2008.
    c. In FY 2007, the Washington Office began the process of migrating online records to a new Web portal environment. This environment, which is much more user-friendly, will allow FS employees to easily locate FOIA reference material. In addition, the Web portal allows content authors to include starting and ending publication dates, which will eliminate the problem of outdated content.
    d. Regional FOIA Coordinators continue to provide regularly scheduled training for Forest FOIA Coordinators via Forest site visits or hands-on training in the region FOIA Service Center.
    e. In June 2007, the Forest Service hosted a national conference that included several FOIA-specific informational/training workshops on topics such as fees and fee waivers, and accident safety investigations.

IX. COSTS/FOIA STAFFING

	Staffing Levels			Total Costs (Including Staff and All Resources)		
	Number of Full Time Personnel	Number of Personnel with Part-time or occasional FOIA duties (in total workyears)	Total Number of Personnel (in workyears)	FOIA Processing (Including appeals) (Estimated)	Litigation-related Activities (Estimated)	Total
AMS						
APHIS						
DA						
FAS						
FNCS						
FSA						