

Chief FOIA Officer Report of the Farm Credit System Insurance Corporation

Chief FOIA Officer: Jane M. Virga

The Farm Credit System Insurance Corporation (Corporation) was established by the Agricultural Credit Act of 1987 as an independent U.S. Government controlled corporation. The Corporation's primary purpose is to ensure the timely payment of principal and interest on insured notes, bonds, and other obligations issued on behalf of Farm Credit System (System) banks. The Corporation is administered by a board of directors consisting of individuals who serve concurrently as the Farm Credit Administration (FCA) Board. The Chairperson of the Corporation's Board is elected by the other members and must not be the same person as the FCA Chairman. The Corporation administers the Farm Credit Insurance Fund (the Fund) and collects annual insurance premiums from System banks.

Despite its important mission, the Corporation has a staff of 11 employees. The Farm Credit Act of 1971, as amended (Act), directs the Corporation to use the personnel and resources of the FCA to the extent practicable so as to minimize duplication of efforts and reduce costs. Thus, the Corporation has delegated its duties under the Freedom of Information Act (FOIA) to the FCA.¹ The FCA administers the FOIA program for the Corporation jointly with its own program. At the Corporation's request, the FCA completed the Chief FOIA Officer Report to the DOJ pursuant to FOIA Guidelines. As the FOIA programs for the two agencies are administered jointly, this report is essentially the same as the report submitted by the FCA, except for the fact that the number of FOIA requests received by the Corporation is lower.

The Corporation strives to have an exemplary FOIA program, to process all FOIA requests within the statutory time frames, and to comply with all aspects of the FOIA. The basic FOIA staff for the Corporation is housed in the Office of General Counsel of the FCA. It comprises the Chief FOIA Officer and one FOIA Officer, both of whom are attorneys. The Corporation's Chief Financial Officer serves as the Corporation's FOIA Appeals Officer.

The Corporation receives only a small number of FOIA requests (usually less than 10 requests per year). Thus, the Corporation's FOIA staff is able to conduct records searches quickly, efficiently, and on time. The Corporation has no backlog.

The Corporation applies the presumption of openness. When there is a possibility of making a release under the foreseeable harm standard, if we determine that release would cause no harm to the Corporation or is not prohibited by law, we release the record whether or not an

¹ The FCA, which is housed adjacent to the FCSIC, is the safety and soundness regulator responsible for the examination, supervision, and regulation of each System institution. The FCA is an independent agency in the executive branch of the United States Government. The FCA derives its broad authorities from the Act; these include examination and enforcement authorities similar to those of commercial bank regulators.

exemption would have applied. During the reporting period, the Corporation received six requests and made two full releases (there were no records in three instances and one request was withdrawn). However, for the future, it would be difficult to determine our exact number of discretionary releases because we do not make an official determination as to whether an exemption would apply if a release is not likely to cause harm to the Corporation and is not prohibited by law. Instead, if it meets those two criteria, the release is made with no further analysis. Thus, there could be additional releases that would have qualified for an exemption without determining whether an exemption applied.

The Chief FOIA Officer and FOIA Officer maintain constant contact. A formal process on discretionary releases is not necessary due to the small size of the FOIA office. However, as long as a release would cause no harm to the Corporation and was not prohibited by law, the release would be made regardless of whether a FOIA exemption would have applied if tested.

As a matter of discretion during the reporting year we have made proactive disclosures. Corporation staff identifies records for proactive disclosures. Corporation management meet and discuss in detail the information that should be shared on the website. The Corporation regularly updates information on the website and adds additional pages of information that staff believe might be useful. Generally, whenever any updated information is posted to the Corporation website, the Corporation posts a notice of the update under "What's New" on the Corporation's homepage, along with a link to the updated information. In this way, regular visitors can easily find the most recent updates to the website.

We believe we have an effective system for responding to requests in a timely manner. In Fiscal Year 2016, We responded to all requests within 20 business days. We have not had any requests for expedited processing. The FOIA staff continuously assesses our processes to ensure that our FOIA system operates efficiently and effectively. For example, at the end of the fiscal year the FOIA Officer did an internal control review, which looked at internal policies and procedures, receipt of requests, response time, and rate and success of appeals. The review concluded that the FOIA Office complied with the law and that there was an efficient and effective program.

The Corporation ensures that the FOIA is administered in a "spirit of cooperation." We strive for good communication and good customer service when working with requesters. We communicate with requesters via their preferred methods: email, telephone, or mail. For instance, the FOIA Officer will contact a requester to narrow or clarify a request in order to respond in less than 20 business days, with documents fully responsive to the requester's needs, and without a fee. We find frequent, substantive, and effective communications when working through the processing of FOIA requests expedite processing and reduce miscommunications. We work with requesters to identify efficiencies in processing the request.