

FOIA ANSWERS – HOW TO OBTAINING PRODUCER INFORMATION:

TSPs often ask how to obtain producer information regarding EQIP contracts. NRCS may only provide producer contract information after the contract has been signed and approved. The following information is provided to answer some of the common questions asked about obtaining this information.

1. What information can be released to the public when a producer has signed an EQIP contract?

The NRCS Program Manual states that: “When a CPC applicant becomes a participant (the applicant and NRCS Approving Official have signed the CPC), additional information is available for release. The following information about CPC **participants may** be released through FOIA request:

- (i) Names
- (ii) Limited address—State, city, and/or county
- (iii) Conservation Program Contract (CPC) obligation amount”

2. Does the person requesting the information need to complete a FOIA request to obtain that information?

Yes. The NRCS Programs Manual indicates it must be through a FOIA request:

“The following information about CPC participants may be released *through FOIA request.*”

3. Are there any circumstances where an individual would not have to complete a FOIA?

None are described in the Manual.

4. What paperwork is needed to complete a FOIA request?

See: <http://www.usda.gov/da/foia.htm>

“Your request must be in writing. Indicate that you are making a request under the Freedom of Information Act, and address the request to:

USDA Natural Resources Conservation Service
Natural Resources Conservation Service
Attention: Roberta Moltzen
693 Federal Bldg
210 Walnut Street
Des Moines, IA 50309-2215

A request may only seek records that are in existence at the time that the FOIA request is received, and may not require that new records be created in response to the request. Identify the records you want as accurately as possible, with as much detail that would be helpful for locating the information:

- subject matter,
- date,
- place where the record was created,
- the person or office that created it,
- the present custodian of the record (the Field Office District Conservationist),
- etc.

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Provide your phone number and mailing address so that NRCS employees may contact you if needed (for clarification of your request, etc).

5. How long does it take to process a FOIA request?

See: http://www.nrcs.usda.gov/about/foia/408_42.html

“An office receiving a request for material which is readily available to the public should treat the request as a routine request rather than a request under FOIA even if it cites FOIA. The material should be provided to the requester *within the 20-day time limit.*”

Also see: http://www.nrcs.usda.gov/about/foia/408_43.html

HOWEVER, if the information cannot be found and assembled within the 20-day period, NRCS will notify the requestor how much more time will be needed.

NOTE: The NRCS website lists Demitrice Boozer as the Iowa NRCS FOIA contact but requests should be sent to Roberta Moltzen at Iowa NRCS.