

**POLICY ON CONFIDENTIALITY**  
**FOR NRCS/RCD INTERAGENCY DOCUMENTS REQUESTS**  
**Freedom of Information Requests (FOIA)**

Pursuant to the confidentiality guidelines and policies for cooperator/customer records of the Natural Resources Conservation Service of the U.S.D.A., the Resource Conservation District shall observe the following policies:

All requests for Freedom of Information Documents (FOIA) shall be referred to the District Manager, or if there is none, to the Chair and/or President of the District, and the resident NRCS District Conservationist prior to preparation of any response, to determine if the request is for shared records. If the requested records originate from NRCS and/or are their work product, the RCD shall send a letter to the requestor stating that the records are protected from the request due to an interagency records confidentiality exception.

Conservation district employees or officials, if the district has no employees, and USDA employees may use client records only for planning and participation in USDA or conservation district programs, including technical assistance. Divulging the contents of the record or the identity of the client to *any source* other than NRCS and the conservation district is considered obtaining a record under false pretenses and such inappropriate use of client records will be handled as a violation of the Privacy Act, 5 U.S.C. 552a.

We should strive to keep our client records in the strictest of confidence at all times. That is the very essence of NRCS' and RCDs' ability to fully and voluntarily engage clients to initiate and continue their voluntary good land stewardship practices.

NRCS releases information from client records only as required by law. Requests from anyone other than a conservation district for information from client records must be in the form of a written Freedom of Information Act request. Field NRCS employees who receive such requests must forward them to the FOIA Officer in the state office. District employees or officials who receive such requests should refer the requester to the NRCS district conservationist, the legal custodian of the records, *as soon as possible* due to State of California statutory time requirements to comply with such request

Any suspected inappropriate use of client records should be reported immediately to the FOIA Officer, who shall make any necessary reports to the Justice Department or others as required to initiate investigation.

For more guidance on this matter, refer to [http://www.info.usda.gov/nrcs\\_foia/gm/policy.htm](http://www.info.usda.gov/nrcs_foia/gm/policy.htm), NRCS, General Manual Part 408, SUBPART C - FREEDOM OF INFORMATION AND PRIVACY ACT, Subpart C - Right to Public Information.

Your strict adherence to these policies is required and appreciated. If you have any questions regarding the FOIA policy of NRCS please contact the California State NRCS FOIA officer. (Current acting FOIA Officer is Helen Flach, 530-792-5602).