



FSA forced to disclose detailed farm information

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by Peter Shinn

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On February 15th, by a two-to-one vote, the U.S. Court of Appeals for the District of Columbia court ruled USDA's Farm Service Agency (FSA) must, under the Freedom of Information Act (FOIA), provide its compliance database, its geospatial information system database and 11 other databases to Multi Ag Media, LLC, a publisher of dairy magazines and seller of custom lists to ag marketers. And Monday, April 28th, USDA delivered those databases.

An FSA press release described the databases as "complex and statistically detailed," allowing the revelation of "details of farming operations at specific geographic locations. Associate FSA Administrator Glen Keppy addressed the issue with members of the National Association of Farm Broadcasting who gathered at USDA headquarters Tuesday for their annual Washington Watch event. According to Keppy, the legal decision opens up a treasure-trove of data about any farmer who has participated in virtually any FSA program since 2005.

"So it's the information that when a farmer - when I go in and sign-up for various programs - the information that's on record with that program," Keppy said.

About the only thing the court decision allowed FSA to hold back from the databases is personally identifying information protected by the Privacy Act of 1974, things like Social Security numbers and names. But USDA Under Secretary for Farm and Foreign Ag Services Mark Keenum told Brownfield, which ag producer belongs to which file in the database won't be hard to figure out.

"These individuals that want this can take these identification farm numbers and can match it up to the property and can determine who this information is specifically attributed to," Keenum said. "You can get it down to the person and exactly what that person's doing."

Keenum and Keppy both expressed dismay at the outcome of the legal ruling. Keppy added that he's worried on both a professional and personal level.

"The Agency is very concerned and I as a farmer am very concerned," Keppy said. "When I go into the county or local [FSA] office, I expect some confidentiality."

The company that requested the information under the FOIA, Multi Ag Media, LLC, appears to want the information to more effectively target ag producers for its marketing efforts. The company, on one of its websites, bills one of its subsidiaries as "the nation's leading agricultural database marketing firm."

But now that USDA has been forced to disclose the FSA databases, there's

nothing that will keep anyone else from getting that information who wants it. And although the court's decision did not apply to any information gathered through the National Agricultural Statistics Service or National Animal Identification System, Keenum predicted Monday's release of FSA-related data would call into question by producers any future USDA assurances of confidentiality.

"It does cause, I think, some concern out there in the countryside in farmers in what's going to be protected and, you know, what's not going to be," Keenum said.

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