

IV. Exemption 3 Statutes

- A. List of Exemption 3 statutes relied on by component during reporting fiscal year.
N/A

Please answer by listing the information in the following chart format.

Statute/Rule	Type of Information Withheld	Case Citation
(List Exemption 3 statutes relied on.)	(Provide brief description of type of information withheld.)	(Cite court case that has upheld the statute. If not upheld, write "None.")

V. Initial FOIA/PA Access Requests

A. Number of initial requests.

Total of the numbers in Lines 1 and 2, minus the number in Line 3, should equal the number in Line 4. This should include all access requests, whether first-party or third-party.

- 1. Number of requests pending as of end of preceding fiscal year 1
- 2. Number of requests received during current fiscal year 194
- 3. Number of requests processed during current fiscal year 194
- 4. Number of requests pending as of end of current fiscal year 1
(Enter this number also in Line VII.B.1.)

B. Disposition of initial requests.

- 1. Number of total grants 6
- 2. Number of partial grants 34
- 3. Number of denials 26

a. number of times each FOIA exemption used
(counting each exemption once per request)

- (1) Exemption 1 0
- (2) Exemption 2 34
- (3) Exemption 3 0
- (4) Exemption 4 0
- (5) Exemption 5 1
- (6) Exemption 6 17
- (7) Exemption 7(A) 5
- (8) Exemption 7(B) 0
- (9) Exemption 7(C) 52
- (10) Exemption 7(D) 33
- (11) Exemption 7(E) 7
- (12) Exemption 7(F) 0

(13) Exemption 8 _____ 0 _____

(14) Exemption 9 _____ 0 _____

4. Other reasons for nondisclosure (total) _____ 128 _____

a. No records _____ 88 _____

b. Referrals _____ 4 _____

c. Request withdrawn _____ 1 _____

d. Fee-related reason _____ 0 _____

e. Records not reasonably described _____ 0 _____

f. Not a proper FOIA request for some other reason _____ 4 _____

g. Not an agency record _____ 0 _____

h. Duplicate request _____ 1 _____

i. Other (specify) Failure to reply 16

Failure to comply with requirements 10

Unable to locate 4

VII. Compliance with Time Limits/Status of Pending Requests

Using "working days," count days from the time at which a request is "perfected."

Separately report each track of a multi-track system, as well as an "expedited processing" track. A component may report any other type of request at its option.

A. Median processing time for requests processed during the year.

1. Simple requests (if multiple tracks used)

a. Number of requests processed 183

b. Median number of days to process 5

2. Complex requests (specify for any and all tracks used)

a. Number of requests processed 10

b. Median number of days to process 12

3. Requests accorded expedited processing

a. Number of requests processed 1

b. Median number of days to process 10

B. Status of pending requests.

Components using multiple tracks should provide numbers for each track, as well as totals.

1. Simple Requests (if multiple tracks used)

a. Number of requests pending as of end of current fiscal year 0

b. Median number of days to process 0

2. Complex requests (specify for any and all tracks used)

a. Number of requests pending as of end of current fiscal year 1

b. Median number of days to process 34

3. Requests accorded expedited processing

a. Number of requests pending as of end of current fiscal year 0

b. Median number of days to process 0

Examples for calculation of median:

Given 7 requests completed during the fiscal year, aged 10, 25, 35, 65, 75, 80, and 400 days from date of perfection to date of completion, the total number of requests completed during the fiscal year would be 7 and the median age of the completed requests would be 65 days.

If there were 6 pending cases aged 10, 20, 30, 50, 120, and 200 days from date of perfection to date of completion, the total number of requests completed would be 6 and the median age would be 40 days (the average of the 2 middle numbers).

VIII. Comparisons with Previous Year(s)

- A. (Will be handled at Departmentwide level.)
- B. (Will be handled at Departmentwide level.)
- C. (Will be handled at Departmentwide level.)
- D. Other statistics significant to component 0

In all cases, this must include the following:

Number of requests for expedited processing received 9
Number of requests for expedited processing granted 1

- E. Other narrative statements describing component efforts to improve timeliness of FOIA performance and to make records available to the public (e.g., backlog-reduction efforts; specification of average number of hours per processed request; training activities; public availability of new categories of records) Optional.

IX. Costs/FOIA Staffing

Components such as EOUSA, Tax, Civil, and OIP should be sure to include attorneys who handle FOIA litigation in court.

A. Staffing levels.

1. Number of full-time FOIA personnel 1
2. Number of personnel with part-time or occasional FOIA duties (in total work-years) .15
3. Total number of personnel (in work-years) 1.15

B. Total costs (including staff and all resources).

1. FOIA processing (including appeals) \$123,825
2. Litigation-related activities (estimated) \$ 11,000
3. Total costs \$134,825

X. Fees

Includes charges for search, review, document duplication, and any other direct cost permitted under agency regulations.

- A. Total amount of fees collected for processing requests 0

**In addition to personnel costs, this should include estimates for such items as photocopying, postage, data-processing services, and any items of overhead that are reasonably allocable to FOIA operations.*

***Provide best estimate in accordance with supplemental annual report guidance (Attachment F, second item, page 6). Also include such litigation-related activities as writing declarations, Vaughn Indices, briefs, and letters, as well as meetings, supervisory review sessions, depositions, court appearances, conferences, telephone calls, etc.*

Attachment F

Supplemental Guidance on Annual FOIA Reports.
<http://www.usdoj.gov/oip/foiapost/2001foiapost13.htm>