U.S. DEPARTMENT OF THE TREASURY

FREEDOM OF INFORMATION ACT ANNUAL REPORT
FOR THE DEPARTMENTAL OFFICES (TREASURY HEADQUARTERS)
FOR FISCAL YEAR 1998

CONTENTS

I. BASIC INFORMATION REGARDING REPORT.

This is the bureau FOIA report for Treasury Headquarters, known as the **Departmental Offices (DO)** of the Treasury Department. For purposes of administering the Freedom of Information Act (FOIA), the Department is divided into twelve bureaus, with DO as one of the bureaus. Each bureau is responsible for those records under its control. Other Treasury bureaus' FOIA data **are not** included here. The **combined** Department report can be accessed at Treasury's FOIA home page (**www.ustreas.gov/foia**) by clicking on the hyperlink "FOIA Report to the Attorney General." To access the **DO FOIA report**, click on the hyperlink "DO FOIA Report."

Please direct any questions you may have to:

Alana Johnson, Departmental Disclosure Officer, Office of Disclosure Services

Ph: 202/622-0930; Fax: 202/622-3895

Mail: FOIA Request, Room 1054-MT, Department of the Treasury, Washington, DC 20220

Paper copies of this report may be obtained by contacting the

office or by accessing the Treasury FOIA Home Page.

II. How To Make A FOIA Request for Departmental Offices records.

The Departmental Offices portion of Treasury's FOIA Reference Guide is available at www.ustreas.gov/foia/ by clicking on FOIA Public Guide, or by contacting the office, as described above.

II.A. Names, addresses and telephone numbers of all individual agency components and offices that receive FOIA requests.

Only the Office of Disclosure Services (see above) is designated by regulation to receive requests for DO records.

II.B. Brief description of Departmental Offices response-time ranges.

The response time ranges for DO were from 1 day to over 1,000 days. DO offices made a concerted effort in FY 98 to close older cases.

II.C. Brief description of why some requests are not granted.

The most common reasons DO could not grant access to records were (a) the records contained contractor confidential and proprietary commercial information, and (b) disclosure would constitute an invasion of personal privacy.

III. Definition of Terms.

Basic Terms Used in This Report

1. FOIA/PA request -- Freedom of Information Act/Privacy Act request. A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for records concerning oneself; such requests are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)

2. Initial Request -- a request to a federal agency for access to records under the Freedom of Information Act.

3. Appeal -- a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other FOIA determination such as a matter pertaining to fees.

4. Processed Request or Appeal -- a request or appeal for which an agency has taken a final action on the request or the appeal in all respects.

5. Multi-track processing -- a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first-out basis. A requester who has an urgent need for records may request expedited processing (see below).

6. Expedited processing -- an agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.

7. Simple request -- a FOIA request that an agency using multi-track processing places in its fastest (nonexpedited) track based on the volume and/or simplicity of records requested.

8. Complex request -- a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.

9. Grant -- an agency decision to disclose all records in full in response to a FOIA request.

10. Partial grant -- an agency decision to disclose a record in part in response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions; or a decision to disclose some records in their entireties, but to withhold others in whole or in part.

11. Denial -- an agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA request).

12. Time limits -- the time period in the Freedom of Information Act for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).

13. "Perfected" request -- a FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.

14. Exemption 3 statute -- a separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (b)(3).

15. Median number -- the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

16. Average number -- the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

IV. Exemption 3 statutes relied on by agency during current fiscal year.

Statute	Information Withheld	Upheld
26 U.S.C. 6103	Taxpayer/1040 Info	*Church of Scientology v. IRS*, 484 U.S. 9 (1987)

V. Initial FOIA/PA Access Requests.
   A. Number of initial requests.

The data reported below and for all remaining sections reflect requests received in DO/Disclosure Services as well as those received directly in the Office of Tax Policy as a result of a court settlement agreement. This agreement requires the Office of Tax Policy to release certain incoming and outgoing correspondence on a weekly basis to news services that have agreed to pay copying costs. Those releases are included in the numbers below.

     1. Number of requests pending as of end of preceding fiscal year: 618
     2. Number of requests received during current fiscal year: 2,052
     3. Number of requests processed during current fiscal year: 1,775
     4. Number of requests pending as of end of current fiscal year: 895

   B. Disposition of initial requests.
     1. Total grants: 1,052
     2. Partial grants: 181
     3. Denials: 39

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

(b)(1) __4__	(b)(6) __60__	(b)(7)(E) __4__
(b)(2) __16__	(b)(7)(A) __3__	(b)(7)(F) __3__
(b)(3) __94__	(b)(7)(B) __1__	(b)(8) __4__
(b)(4) __34__	(b)(7)(C) __5__	(b)(9) __0__
(b)(5) __54__	(b)(7)(D) __0__	

4. Other reasons for nondisclosure (total): __503__
   a. no records __31__
   b. referrals __272__
   c. withdrawn __26__
   d. fee-related __1__
   e. not a proper FOIA request for some other reason __152__
   f. not an agency record __3__
   h. imperfect __9__
   i. closed without determination __6__
   j. non-responsive __2__
   k. appealed prior to initial determination __1__

VI. Appeals of initial denials of FOIA/PA requests.

   A. Number of appeals.
      1. Number of appeals received during fiscal year: __24__
      2. Number of appeals processed during fiscal year: __13__

   B. Disposition of appeals.
      1. Number completely upheld: __4__
      2. Number partially reversed : __4__
      3. Number completely reversed: __1__

a. number of times each FOIA exemption used:

(b)(1) ___0___   (b)(6) ___1___   (b)(7)(E) ___0___

(b)(2) ___2___   (b)(7)(A) ___0___   (b)(7)(F) ___0___

(b)(3) ___0___   (b)(7)(B) ___0___   (b)(8) ___0___

(b)(4) ___1___   (b)(7)(C) ___1___   (b)(9) ___0___

(b)(5) ___5___   (b)(7)(D) ___0___

4. Other reasons for non-disclosure (total): ___4___

    a. no records ___1___

    b. not a proper request/appeal for some other reason ___3___

VII. Compliance with Time Limits/Status of Pending Requests.

  A. Median time for processing requests.

    1. Simple Requests

    Only Office of Tax Policy data is reported here.

    a. number of requests processed: ___1,127___

    b. median number of days to process: ___13___

    2. Complex Requests

    a. number of requests processed: ___258___

    b. median number of days to process: ___97___

    3. Requests accorded expedited processing.

    a. number of requests processed: ___N/A___

    b. median number of days to process: ___N/A___

  B. Status of pending requests

    1. Number of requests pending at end of FY 98: ___895___

2. Median number of days that such requests were pending as of
   that date: ___609___
   DO currently has a backlog of cases dating to 1994.

VIII. Comparisons with Previous Years
      N/A

IX. Costs/FOIA Staffing.
   A. Staffing levels.
     1. Number of full time FOIA personnel: ___3___
     2. Number of personnel with part-time or occasional FOIA duties
       (in total work-years): ___11___
     3. Total number of personnel (in work-years): ___14___

   B. Total costs (staff and resources combined).
     1. FOIA processing (including appeals): $ 369,380.59
     2. Litigation-related activities (estimated): $ 1,737.00
     3. Total Costs: $ 371,117.59

X. Fees.
   A. Total fees collected FY 98: $ 5,095.32
   B. Percentage of total costs: 1.39 %

XI. FOIA Regulations
Treasury FOIA regulations are codified at 31 CFR Part 1, Subpart A, and can be
obtained by contacting Disclosure Services (see Sec. I of this report) or by accessing the
Internet at: www.access.gpo.gov/nara/cfr.   Click on "Retrieve CFR Sections by Citation"
and enter the Title 31 citation above.