



OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT
1700 G STREET NW WASHINGTON DC 20552 (202) 414-3800
Office of Information Technology

January 31, 2003

Mr. Richard L. Huff and Mr. Daniel J. Metcalfe
U. S. Department of Justice
Office of Information and Privacy
Flag Building, Suite 570
950 Pennsylvania Avenue, NW
Washington DC 20530-0001

Dear Messers. Huff and Metcalfe:

Enclosed is a copy of the Office of Federal Housing Enterprise Oversight's (OFHEO) FY2002 Annual Report on Freedom of Information Act (FOIA) activities during FY 2002, as required by the FOIA (5 U. S. C. §552(e)). This is OFHEO's 8th Annual Report on the FOIA.

As required by the FOIA, OFHEO will be placing this report on its website at www.ofheo.gov/docs.

I can assure you of OFHEO's firm commitment to the FOIA, to its underlying principles, and to its faithful implementation in accordance with sound legal bases as established by the Administration and Congress.

Should you have any questions, please call me at 202-414-3768.

Sincerely,

Craig M. Sherman
Acting FOIA Officer

Office of Federal Housing Enterprise Oversight

Annual Freedom of Information Act (FOIA) Report – FY2002

I. Basic Information Regarding the Report.

- A. Contact person – **Craig M. Sherman, Acting FOIA Officer, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW, 4th Floor, Washington DC 20552. Telephone: 202-414-3768. E-mail: foia_office@ofheo.gov.**
- B. Electronic address for Report on World Wide Web – <http://www.ofheo.gov/docs>.
- C. For a paper copy of this report, contact – **Craig M. Sherman, Acting FOIA Officer, at the address above.**

II. How to make a FOIA Request.

To make a FOIA request, see “Releasing Information” at 12 CFR 1703 at <http://www.ofheo.gov/about/contact.html> and <http://www.ofheo.gov/docs>.

- A. FOIA requests are received by the FOIA Officer – **Craig M. Sherman, Acting FOIA Officer, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW, 4th Floor, Washington DC 20552. Telephone: 202-414-3768. E-mail: foia_office@ofheo.gov.**
- B. Agency response time ranges from **1-18 days**.
- C. Brief description of why some requests were not granted:

- 1. No records exist for requested information.**

III. Definitions.

- A. Agency-specific acronyms or other terms.

OFHEO – Office of Federal Housing Enterprise Oversight.

IV. Exemption 3 Statutes.

- A. List of Exemption 3 statutes relied on by OFHEO during FY02 – **None**.
 - 1. Brief description of the types of information withheld under each statute – **NA.**

2. Statement of whether a court has upheld the use of each statute. If so, cite example – **NA**.

V. Initial FOIA/PA Access Requests.

A. Number of Initial Requests:

1. Number of requests pending as of FY01 – **0**.
2. Number of requests received during FY02 – **16**.
3. Number of requests processed during FY02 – **13**.
4. Number of requests pending at the end of FY02 – **3**.

B. Disposition of Initial Requests:

1. Number of total grants – **8**.
2. Number of partial grants – **3**.
3. Number of denials – **0**.
 - a. Number of times each FOIA exemption used (counting each exemption once per request):
 - (1) Exemption 1 – **0**.
 - (2) Exemption 2 – **0**.
 - (3) Exemption 3 – **0**.
 - (4) Exemption 4 – **1**.
 - (5) Exemption 5 – **2**.
 - (6) Exemption 6 – **1**.
 - (7) Exemption 7(A) – **0**.
 - (8) Exemption 7(B) – **0**.
 - (9) Exemption 7(C) – **0**.
 - (10) Exemption 7(D) – **0**.
 - (11) Exemption 7(E) – **0**.
 - (12) Exemption 7(F) – **0**.
 - (13) Exemption 8 – **3**.
 - (14) Exemption 9 – **0**.
4. Other reasons for nondisclosure (total): **2**.
 - a. No records – **1**.
 - b. Referrals – **0**.
 - c. Requests withdrawn – **0**.
 - d. Fee-related reason – **0**.
 - e. Records not reasonably described – **0**.
 - f. Not a proper FOIA request for some other reason – **0**.
 - g. Not an agency record – **0**.

- h. Duplicate request – **0**.
- i. Other (specify) – **1, Undue burden on Agency**.

VI. Appeals of Denials of FOIA/PA Requests.

A. Number of Appeals.

- 1. Number of appeals received during FY02 – **2**.
- 2. Number of appeals processed during FY02 – **2**.

B. Disposition of Appeals.

- 1. Number of total grants – **0**.
- 2. Number of partial grants – **0**.
- 3. Number of denials – **1**.
 - a. Number of times each FOIA exemption used (counting each exemption once per appeal):
 - (1) Exemption 1 – **0**.
 - (2) Exemption 2 – **0**.
 - (3) Exemption 3 – **0**.
 - (4) Exemption 4 – **0**.
 - (5) Exemption 5 – **0**.
 - (6) Exemption 6 – **0**.
 - (7) Exemption 7(A) – **0**.
 - (8) Exemption 7(B) – **0**.
 - (9) Exemption 7(C) – **0**.
 - (10) Exemption 7(D) – **0**.
 - (11) Exemption 7(E) – **0**.
 - (12) Exemption 7(F) – **0**.
 - (13) Exemption 8 – **1**.
 - (14) Exemption 9 – **0**.
- 4. Other reasons for nondisclosure (total): **1**.
 - a. No records – **0**.
 - b. Referrals – **0**.
 - c. Requests withdrawn – **0**.
 - d. Fee-related reason – **0**.
 - e. Records not reasonably described – **0**.
 - f. Not a proper FOIA request for some other reason – **0**.
 - g. Not an agency record – **0**.
 - h. Duplicate request – **0**.
 - i. Other (specify) – **1, Undue burden on Agency**.

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

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

1. Simple requests (if multiple tracks used).
 - a. Number of simple requests processed – **13**.
 - b. Median number of days to process – **9**.
2. Complex requests (specify for any and all tracks used).
 - a. Number of complex requests processed – **0**.
 - b. Median number of days to process – **0**.
3. Requests accorded expedited processing.
 - a. Number of expedited requests processed – **0**.
 - b. Median number of days to process – **0**.

B. Status of Pending Requests.

1. Number of requests pending as of end of current fiscal year – **3**.
2. Median number of days such requests were pending as of that date – **10**.

VIII. Comparisons with Previous Year (Optional).

- A. Comparison of numbers of requests received – **16 vs. 32**.
- B. Comparison of numbers of requests processed – **13 vs. 32**.
- C. Comparison of median numbers of days requests were pending as of end of the fiscal year – **10 vs. 0**.
- D. Other statistics significant to OFHEO –
 1. Number of expedited requests received – **0**.
 2. Number of expedited requests granted – **0**.
- E. Other narrative statements describing OFHEO 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) – **NA**.

IX. Cost/FOIA Staffing.

A. Staffing levels.

1. Number of full-time FOIA personnel – **0**.

2. Number of personnel with part-time or occasional duties (in total workyears) – **.052 work years.**
3. Total number of personnel (in workyears) – **.052 work years.**

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

1. FOIA processing (including 2 appeals): **\$5,868.00.**
2. Litigation-related activities (estimated): **\$0.00.**
3. Total costs: **\$5,868.00.**
4. Comparison of previous years (including percentage of change) (optional): **\$5,868.00 vs. \$13,874.00.**

C. Statement of additional resources needed for FOIA compliance (optional): - **NA.**

X. Fees.

- A. Total amount of fees collected by agency for processing requests - **\$0.**
- B. Percentage of total costs – **0%.**

XI. FOIA Regulation (including fee schedule).

The OFHEO regulation may be seen at www.ofheo.gov/docs. The OFHEO fee schedule is described in 12 CFR 1703.22. The current fee schedule may be seen at <http://www.ofheo.gov/about/contact.html>.