



**U.S. OFFICE OF PERSONNEL MANAGEMENT  
FREEDOM OF INFORMATION ACT  
REPORT FOR  
OCTOBER 1, 2000  
THROUGH  
SEPTEMBER 30, 2001  
FEBRUARY 2002**

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report  
FY 2001

The following Office of Personnel Management **Annual Freedom of Information Act** report covers the period October 1, 2000, through September 30, 2001, as required by 5 U.S.C. 552.

**I. Basic Information Regarding Report**

*A. Name, Title, Address, and Telephone Number*

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*B. Electronic Address for report on World Wide Web*

Our Web Site address is <http://www.opm.gov/efoia>.

*C. How to obtain copy in paper form*

Paper copies of this report can be obtained from the address above.

**II. How to make a FOIA Request**

Our FOIA Reference Guide (located at <http://www.opm.gov/efoia>) includes information regarding how to make a FOIA request to OPM.

**III. Definitions of Terms and Acronyms Used in the Report**

*A. Agency-specific acronyms*

1. OPM - Office of Personnel Management
2. OCIO - Office of the Chief Information Officer

*B. Basic terms, expressed in common terminology*

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

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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/PA 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 that warrants prioritization of his or her request over other requests that were made earlier.
7. Simple request - a FOIA/PA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the volume or simplicity of records requested.
8. Complex request - a FOIA/PA request that an agency using multi-track processing places in a slower track based on the volume or complexity of records requested.
9. Grant - an agency decision to disclose all records in full response to a FOIA/PA request.
10. Partial grant - an agency decision to disclose a record in part in response to a FOIA/PA request, deleting information determined to be exempt under one or more of the FOIA/PA's exemptions; or a decision to disclose some records in their entirety, 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/PA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA/PA's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA/PA request).

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12. Time limits - the time period in the Freedom of Information Act for an agency to respond to a FOIA/PA request (ordinarily 20 working days from proper receipt of a perfected FOIA/PA request).
13. Perfected request - a FOIA/PA request for records that adequately describes the records sought, that has been received by the FOIA/PA office of each 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**

OPM did not rely on any Exemption 3 statutes during this reporting period.

**V. Initial FOIA/PA Access Requests**

<b>A. Number of Initial Requests</b>	
1. Pending at the end of FY 2000	235* See Narrative Statement
2. Received during FY 2001	7486
3. Processed during FY 2001	7449
4. Pending at the end of FY 2001	272

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<b>B. Disposition of Initial Requests</b>	
1. Number of total grants	5755
2. Number of partial grants	1186
3. Number of denials	50
a. Number of times each FOIA exemption used (counting each exemption once per request)	
(1) Exemption 1	0
(2) Exemption 2	16
(3) Exemption 3	0
(4) Exemption 4	14
(5) Exemption 5	17
(6) Exemption 6	932
(7) Exemption 7(A)	0
(8) Exemption 7(B)	0
(9) Exemption 7(C)	1115
(10) Exemption 7(D)	8
(11) Exemption 7(E)	4
(12) Exemption 7(F)	0
(13) Exemption 8	0
(14) Exemption 9	0
4. Other reasons for nondisclosure (total)	458
a. No records	144

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<b>B. Disposition of Initial Requests</b>	
b. Referrals	39
c. Request withdrawn	1
d. Fee-related reason	11
e. Records not reasonably described	6
f. Not a proper FOIA request for some other reason	0
g. Not an agency record	4
h. Duplicate request	70
i. Other (specify)	183
(1) 5 CFR 293.311	1
(2) 5 U.S.C. 552a(k)(5)	182

**VI. Appeals of Initial Denials of FOIA/PA Requests**

<b>A. Number of Appeals</b>	
1. Number of appeals received during FY 2001	22
2. Number of appeals processed during FY 2001	22

<b>B. Disposition of Appeals</b>	
1. Number completely upheld	11
2. Number partially reversed	0
3. Number completely reversed	1
a. Number of times each FOIA exemption used	

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<b>B. Disposition of Appeals</b>	
(counting each exemption once per appeal)	
(1) Exemption 1	0
(2) Exemption 2	3
(3) Exemption 3	0
(4) Exemption 4	0
(5) Exemption 5	3
(6) Exemption 6	8
(7) Exemption 7(A)	0
(8) Exemption 7(B)	0
(9) Exemption 7(C)	1
(10) Exemption 7(D)	0
(11) Exemption 7(E)	1
(12) Exemption 7(F)	0
(13) Exemption 8	0
(14) Exemption 9	0
4. Other reasons for nondisclosure (total)	10
a. No records	5
b. Referrals	0
c. Request withdrawn	0
d. Fee-related reason	0
e. Records not reasonably described	2

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<b>B. Disposition of Appeals</b>	
f. Not a proper FOIA request for some other reason	1
g. Not an agency record	1
h. Duplicate request	1
i. Other (specify)	0

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

<b>A. Median Processing Time for Requests Processed During the Year</b>	
1. Simple requests	
a. Number of requests processed	0
b. Median number of days to process	0
2. Complex requests	
a. Number of requests processed	7449
b. Median number of days to process	10.5
3. Requests accorded expedited processing	
a. Number of requests processed	2
b. Median number of days to process	1

<b>B. Status of Pending Requests</b>	
1. Number of requests pending at the end of FY 2001	272
2. Median number of days that such requests were pending at the end of FY 2001	15



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**VIII. Comparisons with Previous Year**

<b>A. Comparison of Number of Requests Received</b>	
<i>FY 2000</i>	2716
<i>FY 2001</i>	7486
<i>Percent of change</i>	+276%

<b>B. Comparison of Number of Requests Processed</b>	
<i>FY 2000</i>	2716
<i>FY 2001</i>	7449
<i>Percent of change</i>	+274%

<b>C. Other Significant Statistics - Processing Costs</b>	
<i>FY 2000</i>	\$326,126.00
<i>FY 2001</i>	\$600,275.00
<i>Percent of change</i>	+184%

<b>Other Significant Statistics - Fees</b>	
<i>FY 2000</i>	\$40,515.00
<i>FY 2001</i>	\$21,427.00
<i>Percent of change</i>	-53%

**D. Narrative Statement**

The substantial increase in the number of requests occurred because previously we were not including all our Privacy Act requests in our report. We changed our internal procedures as result of the Department of Justice August 2001 guidance and this year's report more accurately reflects our FOIA activity. As a result, our pending requests for FY 2000 show a substantial increase from our FY 2000 report. The increase in costs is related to the increased number of requests processed and better accounting. Our fee collections were down by 53 percent in FY 2001. We think this may be because many of our fee-related FOIA requests in the past were for employment and retirement statistics. Many of these statistics are now available using tools on our website. The majority of our requests are from individuals for personnel, investigation and retirement files and fees are not chargeable for these requests.

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**IX. Costs/FOIA Staffing**

<b>A. Staffing levels</b>	
1. Number of full-time FOIA personnel	1
2. Number of personnel with part-time or occasional FOIA duties (in total work-years)	6.392
3. Total number of personnel (in work-years)	7.392

<b>B. Total costs (including staff and all resources)</b>	
1. FOIA processing (including appeals)	\$600,275.00
2. Litigation-related activities (estimated)	0
3. Total costs	\$600,275.00

**X. Fees**

A. Total amount of fees collected by agency for processing requests	\$21,427.00
B. Percentage of total costs	4%

**XI. FOIA Regulations (Including Fee Schedule)**

OPM's regulations (5 CFR 294) are available through [www.access.gpo.gov/nara/cfr](http://www.access.gpo.gov/nara/cfr). Our fee schedule is explained in our FOIA reference guide at [www.opm.gov/efoia](http://www.opm.gov/efoia).