

United States Department of Education

FREEDOM OF INFORMATION ACT ANNUAL REPORT FISCAL YEAR 2003

February 2004

Office of the Chief Information Officer Information Management Group

400 Maryland Avenue, SW, ROB3, Room 4050 Washington, D.C. 20202-4651

I. Person to Contact Regarding Report

- A. The person to contact regarding this report is: Maria-Teresa Cueva, United States Department of Education, 400 Maryland Avenue, SW, ROB3, Room 4050, Washington, DC 20202-4651; telephone (202) 708-4753.
- B. The Internet address for this report on the World Wide Web (www) is:

http://www.ed.gov/offices/OCIO/foia/annual_reports.html

C. To obtain a paper copy of this report, please send a request to the address or call the number identified in paragraph I.A. above.

II. FOIA Request Guidelines

- A. How to make a Freedom of Information Act (FOIA) Request:
 - 1. Make requests in writing, either handwritten or typed.
 - 2. Be as specific as possible with regard to names, dates, places, events, subjects, etc. If known, include any file designations or descriptions for the records wanted. It is not necessary to give a requested record's exact name or title, but the more specific the request about the record or types of records wanted, the easier it will be for the Department of Education (Department) to locate them.
 - 3. Include a return address, daytime phone number, and email address (if available) to clarify your request.
 - 4. Send requests to the following mailing address:

U.S. Department of Education Office of the Chief Information Officer 400 Maryland Avenue, SW, ROB3, Room. 4050 Washington, DC 20202-4651

Attn: FOIA Office

Requests may also be faxed to: (202) 708-9368 or emailed to: OCIO.FOIA@ed.gov.

- 5. To avoid delay, be sure to display prominently on the envelope, fax cover sheet, or email subject line, "FOIA Request."
- B. The Department generally responds to all requests with a determination within 20 working days.
- C. Requested records/information or portions thereof may be withheld on the basis of nine statutory exemptions specified in the FOIA. The following exemptions are the ones most frequently used by the Department:

Exemption (b)(2)—material circumventing agency rule

Exemption (b)(4)—proprietary, confidential, financial matters

Exemption (b)(5)—internal, pre-decisional material related to the decision-making process, attorney client privilege, and attorney work products

Exemption (b)(6)—personal privacy

Exemption (b)(7)—matters related to law enforcement

III. Definitions of Terms and Acronyms Used in the Report

- A. Agency-specific acronyms or other terms:
 - 1. The Department —U. S. Department of Education, whose mission is to ensure equal access to education and promote educational excellence throughout the nation.
 - 2. Principal Offices (POs)—the Department has the following 20 Headquarters POs:
 - a. OS Office of the Secretary
 - b. ODS Office of the Deputy Secretary
 - c. OCR Office for Civil Rights
 - d. OUS Office of the Under Secretary
 - e. OIG Office of Inspector General
 - f. OGC Office of the General Counsel
 - g. OSERS Office of Special Education and Rehabilitative Services
 - h. OLCA Office of Legislation and Congressional Affairs
 - i. OIIA Office of Intergovernmental and Interagency Affairs
 - j. OCFO Office of the Chief Financial Officer
 - k. OCIO Office of the Chief Information Officer
 - 1. OM Office of Management
 - m. FSA Federal Student Aid
 - n. OPE Office of Postsecondary Education
 - o. IES Institute of Education Sciences
 - p. OESE Office of Elementary and Secondary Education
 - q. OELA Office of English Language Acquisition
 - r. OVAE Office of Vocational and Adult Education
 - s. OII Office of Innovation and Improvement
 - t. OSDFS Office of Safe and Drug-Free Schools
 - 3. Regional Offices—the Department has the following 11 Regional Offices:
 - a. Region I Boston
 - b. Region II New York
 - c. Region III Philadelphia
 - d. Region IV Atlanta
 - e. Region V Chicago
 - f. Region VI Dallas
 - g. Region VII Kansas City
 - h. Region VIII Denver
 - i. Region IX San Francisco
 - j. Region X Seattle
 - k. Metro Region, Washington, DC (OCR activities for Washington, DC, Virginia, and North Carolina)

- B. Basic terms expressed in common terminology:
 - 1. FOIA request—generally a request for access to records concerning a third party, an organization, or a particular topic of interest.
 - 2. Initial request—a request to a federal agency for access to records under FOIA.
 - 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 FOIA, 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 (non-expedited) 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 in full/whole—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 exemptions; or a decision to disclose some records in their entirety but 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 exemptions, or for some procedural reason (such as, no record located in response to a FOIA request).
 - 12. Time limits—the time period in FOIA for an agency to respond to a FOIA request (20 working days from proper receipt of a "perfected" FOIA request).

- 13. "Perfected" request—a FOIA request for records that adequately describe the records sought, that 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. Another example, of 3, 7, 9, and 14, the median number is 8, the average of the two middle numbers (i.e., 7+9=16, divided by 2, equals 8).
- 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 Statute

The Department of Education did not rely on any exemption 3 statute during this reporting period.

V. Initial FOIA Access Requests

(For details reference Exhibits I, II, and III)

A. Numbers of initial requests:

- 1. Number of requests pending as of the end of FY 2002: 198 **
- 2. Number of requests received during FY 2003: 1,856
- 3. Number of requests processed during FY 2003: 1,840
- 4. Number of requests pending as of the end of FY 2003: 214
- B. Disposition of initial requests:
 - 1. Number of requests granted—full disclosure: 1,137
 - 2. Number of requests partially granted—partial disclosure: 325

^{**} Variance from the Department's 2002 Annual Report is the result of improved accounting practices.

3. Number of requests denied in full: 49

| a. | Number of times each FOIA exemption used (counting each exemption once |
|----|--|
| | per request) for each partially granted and denied request: |

Exemption 1: 0

Exemption 2: 13

Exemption 3: 0

Exemption 4: 100

Exemption 5: 55

Exemption 6: 195

Exemption 7(A): 52
Exemption 7(B): 0
Exemption 7(C): 104
Exemption 7(D): 3
Exemption 7(E): 7
Exemption 7(F): 0

Exemption 8: 0

Exemption 9: 0

- 4. Other reasons for nondisclosure (total): 329
 - a. No records: 180
 - b. Referrals: 75
 - c. Request withdrawn: 42
 - d. Fee-related reason: 1
 - e. Records not reasonably described: 5
 - f. Not a proper FOIA request for some other reason: 2
 - g. Not Department record: 4
 - h. Duplicate request: 5
 - i. Other (specify): 15 (Other Program Office's request, Privacy Act issue only, Web Page issue, Failure to Clarify Request)

VI. Appeals of Initial Denials of FOIA Requests

| A. | Numbers of appeals: | | | | | | | | |
|----|--|--|--|--|--|--|--|--|--|
| | 1. Appeals received during FY 2003: 24 | | | | | | | | |
| | 2. Appeals processed during FY 2003: 12 | | | | | | | | |
| В. | Disposition of appeals: | | | | | | | | |
| | 1. Number completely upheld: 11 | | | | | | | | |
| | 2. Number partially reversed: 0 | | | | | | | | |
| | 3. Number completely reversed: 0 | | | | | | | | |
| | a. Number of times each FOIA exemption used (counting each exemption once per request) for each partially reversed and completely reversed decision: | | | | | | | | |
| | Exemption 1: 0 | | | | | | | | |
| | Exemption 2: 0 | | | | | | | | |
| | Exemption 3: 0 | | | | | | | | |
| | Exemption 4: 0 | | | | | | | | |
| | Exemption 5: 0 | | | | | | | | |
| | Exemption 6: 0 | | | | | | | | |
| | Exemption 7: 0 | | | | | | | | |
| | Exemption 8: 0 | | | | | | | | |
| | Exemption 9: 0 | | | | | | | | |
| | 4. Other reasons for nondisclosure (total): 1 | | | | | | | | |
| | a. No records: 1 | | | | | | | | |
| | b. Referrals: 0 | | | | | | | | |
| | c. Request 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 the Department record: 0 |
| h. Duplicate request: 0 |
| i. Other (specify): 0 |
| VII. Compliance with Time Limits/Status of Pending Requests (For details reference Exhibits I.A and IV) |
| A. Median processing time for FOIA requests processed during the year: |
| 1. Simple Requests: |

- the year:
 - a. Number processed: 1,440
 - b. Median time—Calendar days to process: See Exhibit IV
 - 2. Complex Requests:
 - a. Number processed: 324
 - b. Median time—Calendar days to process: See Exhibit IV
 - 3. Expedited Requests:
 - a. Number processed: 76
 - b. Median time—Calendar days to process: See Exhibit IV
- B. Status of pending FOIA requests:
 - 1. Number pending at end of FY 2003: 214
 - 2. Median time—Calendar days requests were pending: See Exhibit I.A

VIII. Comparison with Previous Year

This report is the sixth Annual Report to follow the fiscal year cycle for reporting the Department FOIA activities to the U.S. Department of Justice, and includes activities from October 1, 2002 through September 30, 2003. The Department experienced an approximate seven percent increase in FOIA requests during FY 2003 as compared to FY 2002. The Department plans for re-engineering the manner in which FOIA requests are processed during FY 2003 and expects this new process to reduce backlogs and reduce median processing time significantly. The level of staffing for FOIA activities remained fairly stable during FY 2003, however, the amount of fees collected from requesters increased 60%.

A. FY 2003 Expedited Requests:

1. Number Received: 76

2. Number Granted: 76

IX. Costs/FOIA Staffing

(For details reference Exhibit V)

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): 5.9 Work Years
- 3. Total Number of Personnel (in work years): 6.9 Work-Years
- B. Total costs (including staff and all resources):

1. FOIA processing (including appeals): \$498,339.09

2. Litigation-related activities (estimated): None

3. Total costs: \$498,339.09

X. Fees

(For details reference Exhibit V)

- A. Total amount of fees collected by the Department for processing requests: \$15,531.72
- B. Percentage of total costs: 4%

XI. FOIA Regulations (Including Fee Schedule)

The Department FOIA regulation is found under Title 34 Code of Federal Regulations (CFR), Part 5—Availability of Information to the Public Pursuant to Public Law 90-23. A copy of this regulation is available at http://www.access.gpo.gov/nara/cfr/waisidx_01/34cfr5_01.html.

The current Department FOIA Regulation, by Subpart:

- ?? Subpart A: Definitions
- ?? Subpart B: What Records Are Available
- ?? Subpart C: Freedom of Information Officer
- ?? Subpart D: Procedures for Requesting Access to Records
- ?? Subpart E: Fees and Charges
- ?? Subpart F: Availability of Specific Records
- ?? Subpart G: Administrative Review

Exhibit I.A
The Department FOIA Annual Report for FY 2003
FOIA Request Activities during the Fiscal Year

| Headquarters Organizations | FY 2002 Requests Pending | FY 2003 Receipts | Requests Completed During FY 2003 | Requests Pending End of FY 2003 |
|-------------------------------|--------------------------------|---------------------|--|---------------------------------------|
| OS | 1 | 45 | 38 | 8 |
| OUS/ODS | 0 | 15 | 12 | 3 |
| OLCA | 0 | 22 | 20 | 2 |
| OGC | 7 | 24 | 31 | 0 |
| OIG | 12 | 73 | 81 | 4 |
| OIIA | 0 | 6 | 3 | 3 |
| OCFO | 10 | 88 | 77 | 21 |
| OCIO | 1 | 9 | 9 | 1 |
| OM | 1 | 44 | 44 | 1 |
| OELA | 0 | 10 | 9 | 1 |
| OCR | 0 | 139 | 139 | 0 |
| OESE | 15 | 143 | 158 | 0 |
| IES | 0 | 31 | 29 | 2 |
| FSA | 50 | 154 | 191 | 13 |
| OPE | 9 | 53 | 44 | 18 |
| OSERS | 4 | 73 | 73 | 4 |
| OVAE | 1 | 22 | 21 | 2 |
| OII | 0 | 32 | 13 | 19 |
| OSDFS | 0 | 19 | 13 | 6 |
| Headquarters Totals: | 111 | 1002 | 1005 | 108 |

| Regional Offices | FY 2002 Requests Pending | FY 2003 Receipts | Requests Completed During FY 2003 | Requests Pending End of FY 2003 |
|-------------------------|--------------------------------|---------------------|--|---------------------------------------|
| Region I – Boston | 13 | 126 | 124 | 15 |
| Region II – NY | 4 | 59 | 57 | 6 |
| Region III - Phila. | 2 | 101 | 93 | 10 |
| Region IV - Atlanta | 0 | 81 | 81 | 0 |
| Region V - Chicago | 3 | 147 | 145 | 5 |
| Region VI - Dallas | 13 | 79 | 85 | 7 |
| Region VII – KC | 4 | 37 | 39 | 2 |
| Region VIII - Denver | 0 | 59 | 58 | 1 |
| Region IX – SF | 36 | 50 | 29 | 57 |
| Region X – Seattle | 11 | 102 | 111 | 2 |
| Metro Region (OCR) | 1 | 13 | 13 | 1 |
| Regional Office Totals: | 87 | 854 | 835 | 106 |

| ED TOTALS: 198 1856 1840 214 |
|------------------------------|
|------------------------------|

Exhibit I.B
The Department FOIA Annual Report for FY 2003
Disposition of FOIA Requests Completed during the Fiscal Year

| Headquarters Organization | Disposition of Initial Requests Completed During FY 2003 | | |
|---------------------------|---|-----|--------|
| Headquarters Organization | Granted Farually Granted | | Denied |
| OS | 16 | 7 | 0 |
| OUS/ODS | 0 | 0 | 0 |
| OLCA | 0 | 0 | 0 |
| OGC | 4 | 13 | 1 |
| OIG | 10 | 25 | 10 |
| OIIA | 3 | 0 | 0 |
| OCFO | 62 | 1 | 4 |
| OCIO | 7 | 1 | 0 |
| OM | 21 | 8 | 0 |
| OELA | 6 | 1 | 0 |
| OCR | 130 | 4 | 1 |
| OESE | 93 | 20 | 0 |
| IES | 8 | 1 | 1 |
| FSA | 126 | 35 | 1 |
| OPE | 27 | 0 | 0 |
| OSERS | 18 | 54 | 0 |
| OVAE | 9 | 5 | 0 |
| OII | 7 | 5 | 0 |
| OSDFS | 0 | 12 | 0 |
| Headquarters Totals: | 547 | 192 | 18 |

| Regional Offices | _ | Disposition of Initial Requests Completed During FY 2003 | | | | |
|-------------------------|---------|--|--------|--|--|--|
| Regional Offices | Granted | Partially Granted | Denied | | | |
| Region I - Boston | 90 | 26 | 0 | | | |
| Region II - NY | 46 | 8 | 3 | | | |
| Region III - Phila. | 77 | 6 | 0 | | | |
| Region IV - Atlanta | 72 | 5 | 0 | | | |
| Region V - Chicago | 102 | 9 | 16 | | | |
| Region VI - Dallas | 42 | 31 | 1 | | | |
| Region VII - KC | 27 | 2 | 3 | | | |
| Region VIII - Denver | 15 | 30 | 7 | | | |
| Region IX - SF | 17 | 2 | 1 | | | |
| Region X - Seattle | 92 | 13 | 0 | | | |
| Metro Region (OCR) | 10 | 1 | 0 | | | |
| Regional Office Totals: | 590 | 133 | 31 | | | |
| | | | | | | |
| ED TOTALS: | 1137 | 325 | 49 | | | |

Exhibit II.A

The Department FOIA Annual Report for FY 2003

FOIA Exemptions Invoked for Partially Granted & Denied FOIA Requests during the Fisc.

| Headquarters | FOIA Exemptions Invoked in Initial Requests Processed during I | | | | | | |
|-------------------------|--|--------|--------|--------|--------|--------|-----------|
| Organizations | (b)(1) | (b)(2) | (b)(3) | (b)(4) | (b)(5) | (b)(6) | (b)(7)(a) |
| OS | 0 | 0 | 0 | 0 | 2 | 7 | 0 |
| OUS/ODS | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OLCA | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OGC | 0 | 0 | 0 | 0 | 4 | 0 | 0 |
| OIG | 0 | 12 | 0 | 0 | 14 | 28 | 8 |
| OIIA | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCFO | 0 | 0 | 0 | 5 | 0 | 0 | 0 |
| OCIO | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| OM | 0 | 0 | 0 | 0 | 0 | 6 | 0 |
| OELA | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| OCR | 0 | 0 | 0 | 0 | 0 | 4 | 0 |
| OESE | 0 | 0 | 0 | 20 | 0 | 20 | 0 |
| IES | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| FSA | 0 | 0 | 0 | 2 | 11 | 26 | 0 |
| OPE | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OSERS | 0 | 0 | 0 | 53 | 2 | 41 | 0 |
| OVAE | 0 | 1 | 0 | 3 | 1 | 2 | 0 |
| OII | 0 | 0 | 0 | 5 | 0 | 0 | 0 |
| OSDFS | 0 | 0 | 0 | 10 | 1 | 5 | 0 |
| Headquarters Sub-Total: | 0 | 13 | 0 | 100 | 36 | 140 | 8 |

| Decional Offices | FOIA Exemptions Invoked in Initial Requests Processed during FY | | | | | | |
|----------------------|---|--------|--------|--------|--------|--------|-----------|
| Regional Offices | (b)(1) | (b)(2) | (b)(3) | (b)(4) | (b)(5) | (b)(6) | (b)(7)(a) |
| Region I - Boston | 0 | 0 | 0 | 0 | 4 | 6 | 2 |
| Region II - NY | 0 | 0 | 0 | 0 | 0 | 8 | 1 |
| Region III - Phila. | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Region IV - Atlanta | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Region V - Chicago | 0 | 0 | 0 | 0 | 1 | 1 | 20 |
| Region VI - Dallas | 0 | 0 | 0 | 0 | 0 | 8 | 0 |
| Region VII - KC | 0 | 0 | 0 | 0 | 0 | 1 | 3 |
| Region VIII - Denver | 0 | 0 | 0 | 0 | 11 | 28 | 10 |
| Region IX - SF | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| Region X - Seattle | 0 | 0 | 0 | 0 | 3 | 0 | 5 |
| Metro Region (OCR) | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| Regional Sub-Total: | 0 | 0 | 0 | 0 | 19 | 65 | 44 |
| ED TOTALS: | 0 | 13 | 0 | 100 | 55 | 205 | 52 |

Exhibit II.B

The Department FOIA Annual Report for FY 2003

FOIA Exemptions Invoked for Partially Granted & Denied FOIA Requests during the Fisca

| Headquarters | FOIA | Exemptions Invo | ked in Initial Requ | iests Processed dur | ing FY 20 |
|-------------------------|-----------|-----------------|---------------------|---------------------|-----------|
| Organizations | (b)(7)(d) | (b)(7)(e) | (b)(7)(f) | (b)(8) | (1 |
| OS | 0 | 0 | 0 | 0 | |
| OUS/ODS | 0 | 0 | 0 | 0 | |
| OLCA | 0 | 0 | 0 | 0 | |
| OGC | 3 | 2 | 0 | 0 | |
| OIG | 0 | 0 | 0 | 0 | |
| OIIA | 0 | 0 | 0 | 0 | |
| OCFO | 0 | 0 | 0 | 0 | |
| OCIO | 0 | 0 | 0 | 0 | |
| OM | 0 | 0 | 0 | 0 | |
| OELA | 0 | 0 | 0 | 0 | |
| OCR | 0 | 0 | 0 | 0 | |
| OESE | 0 | 0 | 0 | 0 | |
| IES | 0 | 0 | 0 | 0 | |
| FSA | 0 | 0 | 0 | 0 | |
| OPE | 0 | 0 | 0 | 0 | |
| OSERS | 0 | 0 | 0 | 0 | |
| OVAE | 0 | 0 | 0 | 0 | |
| OII | 0 | 0 | 0 | 0 | |
| OSDFS | 0 | 0 | 0 | 0 | |
| Headquarters Sub-Total: | 3 | 2 | 0 | 0 | |

| Regional Offices | FOIA Exemptions Invoked in Initial Requests Processed during FY 2 | | | | | | |
|----------------------|---|-----------|-----------|--------|----|--|--|
| | (b)(7)(d) | (b)(7)(e) | (b)(7)(f) | (b)(8) | (1 | | |
| Region I – Boston | 0 | 1 | 0 | 0 | | | |
| Region II – NY | 0 | 0 | 0 | 0 | | | |
| Region III - Phila. | 0 | 0 | 0 | 0 | | | |
| Region IV – Atlanta | 0 | 0 | 0 | 0 | | | |
| Region V – Chicago | 0 | 0 | 0 | 0 | | | |
| Region VI – Dallas | 0 | 0 | 0 | 0 | | | |
| Region VII – KC | 0 | 0 | 0 | 0 | | | |
| Region VIII - Denver | 0 | 4 | 0 | 0 | | | |
| Region IX - SF | 0 | 0 | 0 | 0 | | | |
| Region X - Seattle | 0 | 0 | 0 | 0 | | | |
| Metro Region (OCR) | 0 | 0 | 0 | 0 | | | |
| Regional Sub-Total: | 0 | 5 | 0 | 0 | | | |
| ED TOTALS: | 3 | 7 | 0 | 0 | | | |

Exhibit III

The Department FOIA Annual Report for FY 2003

Other Reasons for Non-Disclosure in Response to FOIA Requests Completed during the Fiscal Y

| Headquarters Or Regional Office | No Records | Referrals | Request Withdrawn | Fee- Related Reason | Not Reasonably Described | Not a Proper Request | Not an ED Record | Duplic Requ |
|------------------------------------|---------------|-----------|----------------------|---------------------------|--------------------------------|----------------------------|------------------------|----------------|
| OS | 6 | 0 | 0 | 0 | 2 | 0 | 0 | 0 |
| OUS/ODS | 6 | 6 | 0 | 0 | 0 | 0 | 0 | 0 |
| OLCA | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OGC | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OIG | 13 | 23 | 0 | 0 | 0 | 0 | 0 | 0 |
| OIIA | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCFO | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCIO | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OM | 6 | 0 | 3 | 0 | 0 | 0 | 0 | 0 |
| OELA | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCR | 1 | 0 | 3 | 0 | 0 | 0 | 0 | 0 |
| OESE | 6 | 33 | 3 | 0 | 0 | 0 | 2 | 1 |
| IES | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| FSA | 13 | 8 | 8 | 0 | 0 | 0 | 0 | 0 |
| OPE | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| OSERS | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OVAE | 6 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| OII | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OSDFS | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Headquarters Sub-Total: | 138 | 70 | 18 | 0 | 2 | 0 | 2 | 4 |
| | | | | | | | | |
| Region I - Boston | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Region II - NY | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Region III - Phila. | 3 | 0 | 7 | 0 | 0 | 0 | 0 | 0 |
| Region IV - Atlanta | 1 | 0 | 2 | 0 | 0 | 0 | 1 | 0 |
| Region V - Chicago | 7 | 3 | 6 | 1 | 0 | 0 | 0 | 0 |
| Region VI - Dallas | 4 | 0 | 3 | 0 | 3 | 0 | 1 | 0 |
| Region VII - KC | 4 | 2 | 1 | 0 | 0 | 0 | 0 | 0 |
| Region VIII - Denver | 3 | 0 | 1 | 0 | 0 | 2 | 0 | 0 |
| Region IX - SF | 6 | 0 | 2 | 0 | 0 | 0 | 0 | 1 |
| Region X - Seattle | 4 | 0 | 2 | 0 | 0 | 0 | 0 | 0 |
| Metro Region (OCR) | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Regional Sub-Total | 42 | 5 | 24 | 1 | 3 | 2 | 2 | 1 |
| ED TOTALS: | 180 | 75 | 42 | 1 | 5 | 2 | 4 | 5 |

^{*}See following page for individual component explanations.

*EXPLANATION OF DISPOSITION OF FOI INITIAL REQUESTS: OTHER REASONS FOR NONDISCLOSURE (COLUMN MARKED "OTHER")

| Component | Number of | Reason (s) |
|--------------------|-----------|---|
| | Times | |
| OS | 7 | Other PO's Responded |
| OM | 6 | Other PO's Responded |
| OII | 1 | Requester no longer needed documents |
| Region V - Chicago | 1 | Requester wanted only names of register, no documents |

Exhibit IV
The Department FOIA Annual Report for FY 2003
Median Processing Time for FOIA Requests Completed during the Fiscal Year

| П 1 | Simple | Requests | Compl | ex Requests | Expedited Request | |
|------------------------------------|--------|-------------------|--------|-------------------|--------------------------|----------------|
| Headquarters Or Regional Office | Number | Median Time* | Number | MedianTime* | Number | Media Time |
| OS | 38 | 15 | 0 | 0 | 0 | 0 |
| OUS/ODS | 12 | 6 | 0 | 0 | 0 | 0 |
| OLCA | 20 | 3 | 0 | 0 | 0 | 0 |
| OGC | 27 | 10 | 4 | 30 | 0 | 0 |
| OIG | 79 | 10 | 2 | 165 | 0 | 0 |
| OIIA | 3 | 7 | 0 | 0 | 0 | 0 |
| OCFO | 67 | 10 | 5 | 25 | 5 | 3 |
| OCIO | 8 | 0 | 1 | 9 | 0 | 0 |
| OM | 20 | 20 | 24 | 35 | 0 | 0 |
| OELA | 8 | 2 | 1 | 0 | 0 | 0 |
| OCR | 139 | 6 | 0 | 0 | 0 | 0 |
| OESE | 93 | 15 | 20 | 60 | 45 | 10 |
| IES | 29 | 90 | 0 | 0 | 0 | 0 |
| FSA | 156 | 15 | 25 | 45 | 10 | 5 |
| OPE | 34 | 25 | 10 | 35 | 0 | 0 |
| OSERS | 62 | 7.5 | 2 | 35 | 9 | 10 |
| OVAE | 21 | 17 | 0 | 0 | 0 | 0 |
| OII | 6 | 37 | 4 | 15.5 | 3 | 7 |
| OSDFS | 11 | 20 | 2 | 182 | 0 | 0 |
| Headquarters Sub-Total | 833 | | 100 | | 72 | |
| Region I - Boston | 124 | 14.5 | 0 | 0 | 0 | 0 |
| | | | | _ | | |
| Region II - NY | 57 | 15 | 0 | 0 | 0 | 0 |
| Region III - Phila. | 75 | 20 | 18 | 40 | 0 | 0 |
| Region IV - Atlanta | 81 | 20 | 0 | 0 | 0 | 0 |
| Region V - Chicago | 118 | 7.7 | 27 | 14 | 0 | 0 |
| Region VI - Dallas | 49 | 23 | 36 | 50 | 0 | 0 |
| Region VII - KC | 39 | 25 | 0 | 0 | 0 | 0 |
| Region VIII - Denver | 49 | 22.5 | 9 | 29 | 0 | 0 |
| Region IX – SF | 7 | 6 | 18 | 70 | 4 | 3 |
| Region X - Seattle | 0 | 0 | 111 | 8 | 0 | 0 |
| Metro Region (OCR) | 8 | 25 | 5 | 52 | 0 | 0 |
| Regional Sub-Total | 607 | | 224 | | 4 | |
| ED TOTALS: | | ED Median Time | | ED Median Time | | ED Med Time |
| | 1,440 | | 324 | | 76 | |

*Note: Median Time is based on Calendar Days

Exhibit V
Estimated Workyears / Costs and Fees during FY 2008

| | Estimated Costs, By Type (In Dollars) | | | | | |
|------------------------------------|---------------------------------------|------------|--------------------|--|--|--|
| Headquarters or Regional Office | FOIA Processing Including Appeals | Litigation | Total Costs | | | |
| OS | \$4,121.53 | 0.00 | \$4,121.53 | | | |
| OUS/ODS | \$1,141.20 | 0.00 | \$1,141.20 | | | |
| OLCA | \$248.00 | 0.00 | \$248.00 | | | |
| OGC | \$44,847.70 | 0.00 | \$44,847.70 | | | |
| OIG | \$32,676.00 | 0.00 | \$32,676.00 | | | |
| OIIA | \$51.08 | 0.00 | \$51.08 | | | |
| OCFO | \$5,511.90 | 0.00 | \$5,511.90 | | | |
| OCIO | \$80,446.79 | 0.00 | \$80,446.79 | | | |
| OM | \$10,651.41 | 0.00 | \$10,651.41 | | | |
| OELA | \$1,150.00 | 0.00 | \$1,150.00 | | | |
| OCR | \$19,479.46 | 0.00 | \$19,479.46 | | | |
| OESE | \$47,400.00 | 0.00 | \$47,400.00 | | | |
| IES | \$17,338.23 | 0.00 | \$17,338.23 | | | |
| FSA | \$20,544.80 | 0.00 | \$20,544.80 | | | |
| OPE | \$1,138.50 | 0.00 | \$1,138.50 | | | |
| OSERS | \$15,434.61 | 0.00 | \$15,434.61 | | | |
| OVAE | \$1,058.02 | 0.00 | \$1,058.02 | | | |
| OII | \$3,140.00 | 0.00 | \$3,140.00 | | | |
| OSDFS | \$12,999.77 | 0.00 | \$12,999.77 | | | |
| Headquarters Sub-Total | \$319,379.00 | 0.00 | \$319,379.00 | | | |
| | | | | | | |
| Region I - Boston | \$27,376.72 | \$0.00 | \$27,376.72 | | | |
| Region II - NY | \$6,129.93 | \$0.00 | \$6,129.93 | | | |
| Region III - Phila. | \$10,707.67 | \$0.00 | \$10,707.67 | | | |
| Region IV - Atlanta | \$32,830.00 | \$0.00 | \$32,830.00 | | | |
| Region V - Chicago | \$40,144.29 | \$0.00 | \$40,144.29 | | | |
| Region VI - Dallas | \$11,357.11 | \$0.00 | \$11,357.11 | | | |
| Region VII - KC | \$9,923.94 | \$0.00 | \$9,923.94 | | | |
| Region VIII - Denver | \$12,507.00 | \$0.00 | \$12,507.00 | | | |
| Region IX - SF | \$9,851.00 | \$0.00 | \$9,851.00 | | | |
| Region X – Seattle | \$15,177.03 | \$0.00 | \$15,177.03 | | | |
| Metro Region (OCR) | \$2,955.40 | \$0.00 | \$2,955.40 | | | |
| Regional Sub-Total | \$178,960.09 | \$0.00 | \$178,960.09 | | | |
| ED TOTALS: | \$498,339.09 | \$0.00 | \$498,339.09 | | | |