OFFICE OF INSPECTOR GENERAL
FY 2005 Annual FOIA Report

Sections I. Basic Information, II. How to Make a FOIA Request, and III. Definitions of Terms, will be completed by the Office of Communications.

IV. Exemption 3 Statues

A. List of Exemption 3 statutes relied on by agency during current fiscal year:

1. Brief description of types(s) of information withheld under each statute.

   Rule 6(e), Federal Rules of Criminal Procedure – Grand Jury material.

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

   <u>Iglesias v. CIA</u>, 525 F. Supp. 547, 556 (D.D.C 1981)

V. Initial FOIA/PA Access Requests

A. Number of Initial Requests: *(including all access requests, whether first party or third party)* *(**NOTE: The total of Lines 1 and 2, minus Line 3, should equal Line 4.**)*

1. Number of requests pending at end of FY 2004:	118
2. Number of requests received during FY 2005:	186
3. Number of requests processing during FY 2005:	243
4. Number of requests pending at end of FY 2005:	61

B. Disposition of Initial Requests: *(**NOTE: The total of Lines 1, 2, 3, and 4 should equal the number of requests processed shown in Line 3 of Part A.**)*

1. Number of total grants:	47
2. Number of partial grants:	63
3. Number of denials:	30

   a. Number of times each FOA exemption used: *(count each exemption once per requests)*

(1)	Exemption 1	0
(2)	Exemption 2	5
(3)	Exemption 3	3
(4)	Exemption 4	10
(5)	Exemption 5	27
(6)	Exemption 6	58
(7)	Exemption 7 (A)	26
(8)	Exemption 7 (B)	0
(9)	Exemption 7 (C)	53
(10)	Exemption 7 (D)	0
(11)	Exemption 7 (E)	14
(12)	Exemption 7 (F)	0
(13)	Exemption 8	0
(14)	Exemption 9	0

4. Other reasons for nondisclosure (total):   103
    a. No Records   39
    b. Referred elsewhere   13
    c. Request withdrawn   27
    d. Fee-related reason   3
    e. Records not reasonably described   0
    f. Not a proper FOIA request for some reason   4
    g. Not an agency record   6
    h. Duplicate request   2
    i. Other (specify)   9
      No authorization letter for release of information,
      no written consent of person, no authorization of
      Affidavit, and no responsive records for non-selection

Note: Do not count request requests referred within your agency in this, it pertains only to requests that are referred outside of your agency)

VI. Appeals of Initial Denials of FOIA/PA Requests (includes all access requests, whether first-party or third-party).

A. Number of Appeals:

1. Number of appeals received during FY 2005:   15
2. Number of appeals processed during FY 2005:   5

B. Disposition of Appeals:

1. Number of completed upheld   3
2. Number of partially reversed   2
3. Number completely reversed   0

    a. Number of times each FOA exemption used: (count each exemption once per appeal)

    (1)   Exemption 1   0
    (2)   Exemption 2   1
    (3)   Exemption 3   0
    (4)   Exemption 4   0
    (5)   Exemption 5   2
    (6)   Exemption 6   3
    (7)   Exemption 7 (A)   1
    (8)   Exemption 7 (B)   0
    (9)   Exemption 7 (C)   3
    (10)   Exemption 7 (D)   1
    (11)   Exemption 7 (E)   0
    (12)   Exemption 7 (F)   0
    (13)   Exemption 8   0
    (14)   Exemption 9   0

4. Other reasons for nondisclosure (total):   0
      a. No Records   0
      b. Referred elsewhere   0
      c. Request withdrawn   0
      d. Fee-related reason   0
      e. Records not reasonably described   0
      f. Not a proper FOIA request for some reason   0
      g. Not an agency record   0
      h. Duplicate request   0
      i. Other (specify)   0

VII. Compliance with Time Limits/Status of Pending Requests

A. Median Processing Time For Request: *(Example for calculation of median: Given 7 requests completed during the fiscal year, aged 10, 25, 35, 65, 75, 80, and 400 days from the 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.)*

1. Simple requests (if multiple tracks used)
      a. Number of requests processed   178
      b. Median number of days to process   4

2. Complex requests (specify for any and all tracks used)
      a. Number of requests processed   58
      b. Median number of days to process   102

3. Requests accorded expedited processing
      a. Number of requests processed   7
      b. Median number of days to process   3

(NOTE: The number of requests listed in the different tracks must equal the number of requests processed from section A, Line 3.)

B. Status Pending Requests: *(Agencies using multiple tracks may provide numbers for each track as well as totals.)*

1. Number of requests pending at end of FY 2005:   61
2. Median number of days requests were pending as of FY 2005:   227

VIII. Comparison with Previous Year(s) (Optional)

E. Describe Agency Effort To:

1. Improve timeliness:
2. Reduce backlog:
3. Provide training:
4. Add new categories of record:

IX. Costs/FOIA Staffing

A. Staffing Levels

1. Number of full-time FOIA personnel: 1

2. Number of personnel with part-time or occasional FOIA duties
     (in work-years): 2.16

3. Total number of personnel (work-years): 3.16

B. Total Costs: *(include staff and all resources)* ***(Note: use +20% for overhead.)***

1. FOIA processing (including appeals): $238,665

2. Litigation-related activities (estimated): $3,462

3. Total costs: $242,127

4. Comparison with previous year(s) (optional) _____

C. Statement of additional resources needed for FOIA compliance (optional).

X. Fees: (includes charges for search, review, document duplication, and any other direct costs permitted under agency regulations.)

A. Total fees collected for processing requests: $1,073

2. Percentage of total costs: .004

XI. FOIA Regulations: *(including Fee Schedule):*