



OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

1700 G STREET NW WASHINGTON DC 20552 (202) 414-3800

February 1, 2005

Ms. Pamela Maida
U.S. Department of Justice
Office of Information and Privacy
Flag Building, Suite 570
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Ms. Maida:


Enclosed is a copy of the Office of Federal Housing Enterprise Oversight's (OFHEO) FY2004 Annual Report on Freedom of Information Act (FOIA) activities during FY2004, as required by FOIA (5 U.S.C. §552(e)). This is OFHEO's 10th Annual Report on the FOIA.

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

OFHEO continues to be firmly committed 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.

If you have questions regarding the report, please call me at 202-414-6425.

Sincerely,


Jeanne Ratchford
FOIA Officer

Office of Federal Housing Enterprise Oversight
Annual Freedom of Information Act (FOIA) Report – FY 2004

I. Basic Information Regarding Report

- A. Contact person – Jeanne F. Ratchford, FOIA Officer, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW, 4th Floor, Washington, DC 20552. Telephone: 202-414-6425. E-mail: foia.office@ofheo.gov.
- B. Electronic address for report on the World Wide Web - www.ofheo.gov/ofheoreports.asp.
- C. For a paper copy of this report, contact – Jeanne F. Ratchford, FOIA Officer, at the above address.

II. How to Make a FOIA Request

To make a FOIA request, see “Releasing Information” at 12 CFR 1703 at <http://www.ofheo.gov/media/pdf/release.pdf> and <http://www.ofheo.gov/foia.asp>.

- A. FOIA requests are received by the FOIA Officer – Jeanne F. Ratchford, FOIA Officer, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW, 4th Floor, Washington, DC 20552. Telephone: 202-414-6425. E-mail: foia.office@ofheo.gov.
- B. Agency response time ranges from 1 – 20 days.
- C. Brief description of why some requests were not granted:
 - 1. Requests were not granted if no records exist for requested information.
 - 2. Requests were not granted if records were exempt in their entirety from disclosure.
 - 3. Requests were not granted if they were not records maintained by the agency.

IV. Exemption 3 Statutes

A. List of Exemption 3 statutes relied on by OFHEO during FY03 - **None**.

1. Brief description of type(s) of information withheld under each statute – **N/A**.
2. Statement of whether a court has upheld the use of each statute. If so, then cite example – **N/A**.

V. Initial FOIA/PA Access Requests

A. Numbers of Initial Requests:

1. Number of requests pending as of FY03 - **0**
2. Number of requests received during FY04 - **53**
3. Number of requests processed during current FY04 - **53**
4. Number of requests pending as of end of FY04 - **0**

B. Disposition of Initial Requests:

1. Number of total grants - **12**
2. Number of partial grants - **11**
3. Number of denials - **8**
 - 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 - **10**

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

4. Other reasons for nondisclosure (total): 22

- a. no records - 11
- b. referrals - 0
- c. request withdrawn - 4
- 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 - 4
- h. duplicate request - 0
- i. other (specify) – 3 **Public information available on our website**

A. Numbers of appeals.

1. Number of appeals received during FY04 - 5
2. Number of appeals processed during FY04 - 5

B. Disposition of appeals.

1. Number completely upheld - 3
2. Number partially reversed - 1
3. Number completely reversed - 0

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 - 2
- (5) Exemption 5 - 3
- (6) Exemption 6 - 0
- (7) Exemption 7(A) - 2
- (8) Exemption 7(B) - 0
- (9) Exemption 7(C) - 2
- (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) - 1

a. no records - 0

b. referrals - 0

c. request withdrawn - 1

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) - 0

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 requests processed - 51

b. median number of days to process - 16

2. Complex requests (specify for any and all tracks used).

a. number of requests processed - 0

b. median number of days to process - 0

3. Requests accorded expedited processing.

a. number of requests processed - 2

b. median number of days to process – 8.5

B. Status of pending requests.

1. Number of requests pending as of end FY04 - 0

2. Median number of days that such requests were pending as of that date - 0

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

A. Comparison of numbers of requests received – 30 (FY03) vs. 53 (FY04)
44% increase

B. Comparison of numbers of requests processed – 33 (FY03) vs. 53 (FY04)
38% increase

C. Comparison of median numbers of days requests were pending as of end of the fiscal year – 0 (FY03) vs. 0 (FY04)

D. Other statistics significant to agency – **There were two requests for expedited processing and they were both granted.**

E. Other narrative statements describing agency 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) –
N/A

IX. Costs/FOIA Staffing

A. Staffing levels.

1. Number of full-time FOIA personnel - 0

2. Number of personnel with part-time or occasional FOIA duties (in total work years) - **.25**

3. Total number of personnel (in work-years) - **.25**

B. Total costs (including staff and all resources)

1. FOIA processing (including appeals) - **\$32,292.00**

2. Litigation-related activities (estimated) - **\$4000.00**

3. Total costs - **\$36,292.00**

4. Comparison with previous year(s) - **\$10,615.00 vs. \$36,292.00**

C. Statement of additional resources needed for FOIA compliance – **N/A**

X. Fees

A. Total amount of fees collected by agency for processing requests – **\$611.32**

B. Percentage of total costs – **1.68%**

XI. FOIA Regulations (Including Fee Schedule)

The OFHEO regulation may be seen at www.ofheo.gov/media/pdf/release.pdf.

The OFHEO fee schedule may be seen at www.ofheo.gov/foia.asp.