

U.S. POSTAL SERVICE

FREEDOM OF INFORMATION ACT (FOIA) REPORT FOR FISCAL YEAR 2017

I. BASIC INFORMATION REGARDING REPORT

1. Name, title, address, and telephone number of person to be contacted with questions about the report.

Jane Eyre  
Deputy Chief FOIA Officer  
Privacy and Records Management Office  
United States Postal Service  
475 L'Enfant Plaza SW, Room IP830  
Washington, DC 20260-1101 - Telephone (202) 268-2608

2. Electronic address for report on the World Wide Web

<http://about.usps.com/who-we-are/foia/annual-foia-reports/welcome.htm>

3. How to obtain a copy of this report in paper form.

A hard copy of this report may be obtained upon written request to:

Jane Eyre  
Deputy Chief FOIA Officer  
Privacy and Records Management Office  
United States Postal Service  
475 L'Enfant Plaza SW, Room 1P830  
Washington, DC 20260-1101

## II. MAKING A FOIA REQUEST

A FOIA request for Postal Service records must be in writing, be a request for records, and bear the caption “Freedom of Information Act Request” or otherwise be clearly and prominently identified as a request for records pursuant to the Freedom of Information Act, both on the letter and on the envelope or other cover. A requester must provide his or her full name and mailing address. A requester may also provide a daytime telephone number or email address to facilitate communication regarding his or her request.

There is no required form for submitting a request. A requester should simply write a letter, and describe the records wanted in sufficient detail to enable Postal Service personnel to locate them with a reasonable amount of effort. Whenever possible, requesters should include specific information about each record sought, such as the type of record (*e.g.*, contract, report, memorandum, etc.); the title or case number of a specific document or report; the topic or subject matter; the name of the office, facility, functional unit or employees most likely to possess the record; the geographical location, such as a city and state, where the records are thought to exist; the date or general timeframe of the record's creation; and any details related to the purpose of the record. Requests for email records should specify the likely senders and recipients, keywords, and a range of dates. If seeking information about a company, requesters should provide the exact name and address of the company (many companies use similar names). It is also helpful to include the amount of processing fees for which the requester is willing to accept liability. If estimated processing fees exceed that amount, the requester will be notified in advance.

Detailed information on submitting a FOIA request may be found in Handbook AS-353, *Guide to Privacy, the Freedom of Information Act, and Records Management*, Addendum: Guide for Requesters, Part II. FOIA Requests ([http://about.usps.com/handbooks/as353/as353add\\_003.htm](http://about.usps.com/handbooks/as353/as353add_003.htm)) and 39 Code of Federal Regulations, §265.3 – Procedure for Submitting a FOIA request ([https://www.ecfr.gov/cgi-bin/text-idx?SID=bb07e0c9a404df7190cc44a3cd730b87&mc=true&node=se39.1.265\\_13&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=bb07e0c9a404df7190cc44a3cd730b87&mc=true&node=se39.1.265_13&rgn=div8)).

1. Names, addresses, and telephone numbers of all individual agency components and offices that receive FOIA requests.

Component A	Component B	Component C	Component D
<p>Non-investigative records (HQ controlled records):</p> <p>Records Office United States Postal Service Room 1P830 475 L'Enfant Plaza SW Washington, DC 20260-1101</p> <p>Phone: (202) 268-2608</p>	<p>Non-investigative records (field controlled records):</p> <p>USPS FOIA RSC – Field St. Louis General Law Service Center 1720 Market Street Rm 2400 St. Louis, MO 63155-9948</p> <p>Phone: (314) 345-5894</p>	<p>Investigative records:</p> <p>Office of Counsel U.S. Postal Inspection Service 475 L'Enfant Plaza SW Room 3301 Washington, DC 20260-1101</p> <p>Phone: (202) 268-7004</p>	<p>Inspector General records:</p> <p>FOIA Office USPS Office of the Inspector General 1735 North Lynn Street 2<sup>nd</sup> Fl Arlington, VA 22209-2020</p> <p>Phone: (703) 248-2410</p>

## 2. Brief description of why some requests are not granted.

The Postal Service's mission is to provide the nation with reliable, affordable, universal mail service. The basic functions of the Postal Service were established in 39 U.S.C. § 101(a): “. . . [T]o bind the Nation together through the personal, educational, literary, and business correspondence of the people.” The Postal Service is “an independent establishment of the executive branch” of the government, created by the Postal Reorganization Act, (PRA), 39 U.S.C. §§ 101, et seq., and directed to conduct its operations in accordance with sound business principles. It is the policy of the Postal Service to promote transparency and accountability by adopting a presumption in favor of disclosure in all decisions involving the FOIA and to make its official records available to the public to the maximum extent consistent with the public interest.

The Postal Service primarily invokes FOIA Exemptions 3, 4, 5, and 6 to withhold records from disclosure. FOIA Exemption 3 provides that agencies may withhold records that are exempted from disclosure by another statute. Examples of such statutes include 39 U.S.C. §§ 410(c) and 412 of the Postal Reorganization Act. Specifically, 39 U.S.C. § 410(c)(2) permits the Postal Service to withhold “information of a commercial nature, including trade secrets, whether or not obtained from a person outside the Postal Service, which under good business practice would not be publicly disclosed.” Some of the types of information withheld under (c)(2) include: information about methods of handling valuable Registered Mail; money order records; technical information on postage meters and prototypes submitted for approval before leasing to mailers; market surveys; records indicating rural carrier lines of travel; records that would be of potential benefit to firms in economic competition with the Postal Service; information that could materially increase procurement costs; and information that might compromise testing or examination materials. The Postal Service's substantial infrastructure and coordination with both private industry and other government agencies requires the generation of schedules, maps, routes, manuals, and plans that could be used to circumvent a variety of legal requirements, including anti-terrorism laws. The Postal Service routinely protects these records when necessary. Further, 39 U.S.C. § 410(c)(3) provides that the Postal Service may withhold “information prepared for use in the negotiation of collective bargaining agreements under 39 U.S.C. Chapter 12, and minutes of or notes kept during the negotiating sessions.” Moreover, 39 U.S.C. § 412 prohibits the disclosure of mailing lists or other lists of names or addresses (past or present) of Postal Service customers or other persons to the public by any means or for any purpose. Additionally, 39 U.S.C. § 410(c)(1) permits the withholding of the name or address, past or present, of any Postal Service customer.

FOIA Exemption 4 applies to information that contains (1) trade secrets or (2) confidential, commercial information provided to the Postal Service by an outside party, such as a supplier or customer. Any information that relates to commerce, trade or profit may be considered commercial. Voluntarily supplied commercial information is further considered confidential if the provider of the information would customarily choose not to disclose it to the public. Information supplied to the government under compulsion is considered confidential if disclosure of the information would put the supplier at a competitive disadvantage, harm the supplier, or diminish the reliability or quality of information provided to the government by future submitters. The Postal Service uses Exemption 4 to protect confidential exchanges with contractors and customers, such as contract details, specific payment information (although total contract award amounts are released), claims and

correspondence, and postage statements reflecting customer-specific mail volume. The use of this exemption protects the confidentiality of entities that do business with the Postal Service.

FOIA Exemption 5 permits agencies to withhold “inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency.” The exemption permits agencies to withhold records that would be privileged in the context of civil discovery. These records are protected by one or more of the following privileges that have been recognized under the exemption: (1) the “deliberative process” privilege, (2) the attorney-client privilege, and (3) the attorney work-product privilege. For example, internal documents that contain opinions, suggestions, or recommendations of government employees, contain “deliberative” information within the meaning of FOIA Exemption 5. The attorney-client privilege protects confidential communications between an attorney and his or her client relating to a legal matter for which the client has sought professional advice. The attorney work-product privilege protects the adversarial trial process by insulating an attorney’s preparation from scrutiny. The Postal Service primarily uses Exemption 5 to protect records related to internal decision-making when it believes that the release of the records could result in confusion or stifling of frank, open discussion within the Postal Service. For example, records that include employee opinions and recommendations that do not reflect a final policy decision may be redacted to remove such pre-decisional recommendations.

FOIA Exemption 6 applies to personal information, including medical and personnel files, the disclosure of which would be a clearly unwarranted invasion of personal privacy. With hundreds of thousands of employees and hundreds of millions of customers, the Postal Service’s daily operations require the use of a great deal of personal information. The Postal Service routinely protects personal information about its employees, customers and other individuals which would be a clearly unwarranted invasion of personal privacy. Customer information protected under Exemption 6 includes records concerning change-of-address or Post Office Box holder information and complaints. Protectable employee information includes attendance, discipline, and medical records.

The Postal Inspection Service is the primary law enforcement arm of the Postal Service, and performs investigative and security functions essential to a stable and sound postal system. The mission of the Inspection Service is to protect the Postal Service, secure the nation’s mail system and ensure public trust in the mail. The U.S. Postal Service Office of Inspector General (USPS OIG) plays a key role in maintaining the integrity and accountability of America’s postal service, its revenue and assets, and its employees. The OIG achieves its mission of helping maintain confidence in the postal system and improving the Postal Service’s financial condition through independent audits and investigations. As such, the records maintained by the Postal Inspection Service and the USPS OIG often involve law enforcement matters. Because law enforcement records are of such interest to subjects of investigations, victims of crime and the public at large, these records are often requested under the FOIA. The Postal Inspection Service and USPS OIG invoke the FOIA’s two privacy exemptions primarily to prevent unwarranted injury to the privacy interests of those individuals identified in law enforcement records, such as suspects, witnesses, or investigators (FOIA Exemptions 6 and 7(C)). In addition, the USPS OIG is obligated under Sec. 7 of the Inspector General Act to protect the identity of employees who provide the agency information, further strengthening the protection afforded under FOIA Exemptions 7(C) and (D). The Postal Inspection Service and USPS OIG also protect information about their enforcement activities, the release of which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law

enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law (FOIA Exemption 7(E)).

3. FOIA Regulations.

- a. Electronic Link to FOIA Regulations: [https://www.ecfr.gov/cgi-bin/text-idx?SID=bb07e0c9a404df7190cc44a3cd730b87&mc=true&tpl=/ecfrbrowse/Title39/39cfr265\\_main\\_02.t pl](https://www.ecfr.gov/cgi-bin/text-idx?SID=bb07e0c9a404df7190cc44a3cd730b87&mc=true&tpl=/ecfrbrowse/Title39/39cfr265_main_02.tpl) and <http://about.usps.com/handbooks/as353/welcome.htm>
- b. Electronic Link to FOIA Fee Schedule: [https://www.ecfr.gov/cgi-bin/text-idx?SID=bb07e0c9a404df7190cc44a3cd730b87&mc=true&node=se39.1.265\\_19&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=bb07e0c9a404df7190cc44a3cd730b87&mc=true&node=se39.1.265_19&rgn=div8)

### III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

#### 1. Definitions.

- a. *Administrative Appeal* – a request to a federal agency asking that it review, at a higher administrative level, a FOIA determination made by the agency at the initial request level.
- b. *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.
- c. *Backlog* – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for response.
- d. *Component* – for agencies that process requests on a decentralized basis, a “component” is an entity within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. *Consultation* – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn will then respond to the FOIA requester.
- f. *Exemption 3 statute* – a federal statute that exempts or prohibits information from disclosure and which the agency relies on to withhold information under FOIA subsection (b)(3).
- g. *FOIA Request* – A FOIA request is generally a request for access to agency records concerning another person (i.e., a “third-party” request) an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “systems of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this report.

Additionally, a FOIA request includes requests for records referred to the agency for processing and direct response to the requester. It does not, however, include a request for records for which the agency has received as part of a request for consultation from another agency. (Consultations are reported in Section XII of this report.)

- h. *Full Grant* – an agency decision to disclose all records in full in response to a FOIA request.
- i. *Full Denial* – an agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.

- j. *Median Number* – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. *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. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
  - i. *Expedited Processing* – an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the status and agency regulations.
  - ii. *Simple Request* – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
  - iii. *Complex Request* – a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- l. *Partial Grant/Partial Denial* – in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- m. *Pending Request or Pending Administrative Appeal* – a request or administrative appeal for which an agency has not taken final action in all respects.
- n. *Perfected Request* – a FOIA request for records which reasonably describes the records sought and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
- o. *Processed Request or Processed Administrative Appeal* – a request or administrative appeal for which an agency has taken a final action in all respects.
- p. *Range in Number of Days* – the lowest and highest number of days to process requests or administrative appeals.
- q. *Time limits* – the time period in the FOIA for an agency to respond to a FOIA request (ordinarily 20 working days from receipt of a perfected FOIA request).

## 2. Exemptions.

*Exemption 1* – classified national defense and foreign relations information.

*Exemption 2* – information that is related solely to the internal personnel rules and practices of an agency.

*Exemption 3* - information that is prohibited from disclosure by another federal law.

*Exemption 4* - trade secrets and other confidential business information.

*Exemption 5* – inter-agency or intra-agency communications that are protected by legal privileges.

*Exemption 6* – information involving matters of personal privacy.

*Exemption 7* - records or information compiled for law enforcement purposes, to the extent that production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques, procedures, and guidelines used in law enforcement investigations or prosecutions, if the disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual.

*Exemption 8* - information relating to the supervision of financial institutions.

*Exemption 9* - geological information on wells.

### 3. Agency Component Abbreviations

Component Abbreviation	Component Name
PS	POSTAL SERVICE
PIS	POSTAL INSPECTION SERVICE
OIG	USPS OFFICE INSPECTOR GENERAL
PS & PIS	POSTAL SERVICE & POSTAL INSPECTION SERVICE

#### IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
39 U.S.C. § 410(c)(1)	Records relating to names and addresses of postal customers	N/A	PS	451	455
			PIS	1	
			OIG	3	
39 U.S.C. § 410(c)(2)	Commercial information which would not be disclosed under good business practice	Wickwire Gavin, P.C. v. USPS, 356 F.3d 588, 589, 597 (4th Cir. 2004); Am. Postal Workers Union, AFLCIO v. USPS, 742 F. Supp. 2d 76, 81-83 (D.D.C. 2010); Reid v. USPS, No. 05-294, 2006 WL 1876682, at *5-9 (S.D. Ill. July 5, 2006); Robinett v. USPS, No. 02-1094, 2002 WL 1728582, at *5 (E.D. La. July 24, 2002).	PS	167	204
			PIS	9	
			OIG	28	
39 U.S.C. § 410(c)(3)	Information prepared for use in the negotiation of collective bargaining agreements under 39 U.S.C. Chapter 12 and minutes or notes kept during the negotiating sessions	N/A	PS	3	3
			PIS	0	
			OIG	0	
39 U.S.C. § 410(c)(4)	Information prepared for proceedings under 39 U.S.C.	N/A	PS	1	1

	Chapter 36, relating to rates, classification, and service changes				
			PIS	0	
			OIG	0	
39 U.S.C. § 410(c)(5)	Reports and memoranda of consultants or independent contractors, except to the extent that they would be required to be disclosed if prepared within the Postal Service	N/A	PS	4	4
			PIS	0	
			OIG	0	
39 U.S.C. § 410(c)(6)	Investigatory files, whether or not considered closed, compiled for law enforcement purposes, except to the extent available by law to a party other than the Postal Service	N/A	PS	2	4
			PIS	0	
			OIG	2	
39 U.S.C. § 412	Records containing lists of postal customers	N/A	PS	11	12
			PIS	0	
			OIG	1	
18 U.S.C. § 1461	Obscene materials/records concerning non-mailable matter	N/A	PS	1	1
			PIS	0	
			OIG	0	
18 U.S.C. §§ 2510-20 (Title III of the Omnibus Crime Control and Safe Streets Act)	Wiretap requests and the contents of any wire, oral, or electronic communication obtained through wiretaps	Mendoza v. DEA, No. 07- 5006, 2007 U.S. App. LEXIS 22175 (D.C. Cir. Sept. 14, 2007) (per curiam); Lam Lek Chong v. DEA, 929 F.2d 729, 733 (D.C. Cir. 1991); Payne v.	PS	0	2

		DOJ, No. 96-30840, slip op. at 5-6 (5th Cir. July 11, 1997).			
			PIS	2	
			OIG	0	
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Fund for Constitutional Gov't v. Nat'l Archives & Records Serv., 656 F.2d 856, 867-68 (D.C. Cir. 1981); Durham v. U.S. Atty. Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	PS	0	8
			PIS	7	
			OIG	1	
5 U.S.C. app. § 107(a) (Ethics in Government Act of 1978)	Financial disclosure information pertaining to certain government employees	Meyerhoff v. EPA, 958 F.2d 1498, 1500-02 (9th Cir. 1992); Seife v. NIH, 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012); Concepcion v. FBI, 606 F. Supp. 2d 14, 33 (D.D.C. 2009), renewed motion for summary judgment granted in part on other grounds, 699 F. Supp. 2d 106 (D.D.C. 2010); Glascoe v. DOJ, No. 04-0486, 2005 WL 1139269, at *1 (D.D.C. May 15, 2005).	PS	2	2
			PIS	0	
			OIG	0	
18 U.S.C. § 3509(d)	Certain records containing	Davis v. U.S. Postal	PS	0	2

(Federal Victims' Protection and Rights Act)	identifying information pertaining to children involved in criminal proceedings	Inspection Serv., No. 13-01972, 2014 WL 7014877, at *3 (D.D.C. Dec. 15, 2014); Rodriguez v. U.S. Dep't of Army, 31 F. Supp. 3d 218, 236-37 (D.D.C. 2014).			
			PIS	1	
			OIG	1	
Pub. L. No. 95-452, 92 Stat. 1101	Identities of employees that have submitted complaints and or provided information during the course of an OIG investigation	N/A	PS	0	25
			PIS	0	
			OIG	25	

## V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
PS	154	1,909	1,944	119
PIS	21	451	449	23
OIG	25	742	747	20
AGENCY OVERALL	200	3,102	3,140	162

*In the FY2016 Annual FOIA Report the number of requests pending at the end of FY2016 was 150 reported as for PS, it should have been 154.*

*In the FY2016 Annual FOIA Report the number of requests pending at the end of FY2016 was 20 reported as for PIS, it should have been 21.*

*In the FY2016 Annual FOIA Report the number of requests pending at the end of FY2016 was 11 reported as for OIG, it should have been 25.*

**V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS**

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
PS	417	229	542	242	107	206	52	69	47	7	22	4	1,944
PIS	21	102	31	75	73	7	5	18	104	6	6	1	449
OIG	22	166	46	70	203	99	0	2	1	132	6	0	747
AGENCY OVERALL	460	497	619	387	383	312	57	89	152	145	34	5	3,140

**V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS  
BASED ON REASONS OTHER THAN EXEMPTIONS"**

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
PS	Unable to locate requester	4	4
PIS	Unable to locate requester	1	1
OIG	N/A	0	0
AGENCY OVERALL			5

**V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED**

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
PS	0	10	607	109	56	639	1	0	7	0	4	1	0	0
PIS	0	7	19	5	28	103	15	0	100	37	27	0	0	0
OIG	0	0	53	5	7	59	38	0	152	1	32	11	0	0
AGENCY OVERALL	0	17	679	119	91	801	54	0	259	38	63	12	0	0

**VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS**

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
				0
				0
OIG	0	11	11	0
PS & PIS	11	116	103	24
AGENCY OVERALL	11	127	114	24

**VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS**

Agency / Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
					0
					0
OIG	3	3	1	4	11
PS & PIS	27	17	40	19	103
AGENCY OVERALL	30	20	41	23	114

**VI.C.(1). REASONS FOR DENIAL ON APPEAL -- NUMBER OF TIMES EXEMPTIONS APPLIED**

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
OIG	0	0	2	0	0	1	0	0	5	0	1	0	0	0
PS & PIS	0	0	12	2	10	19	2	0	13	1	6	1	0	0
AGENCY OVERALL	0	0	14	2	10	20	2	0	18	1	7	1	0	0

**VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS**

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
OIG	4	0	0	0	0	0	0	0	0	0	0
PS & PIS	6	0	0	0	1	3	0	3	0	0	6
AGENCY OVERALL	10	0	0	0	1	3	0	3	0	0	6

**VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS**

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
			0
			0
OIG	N/A	0	0
PS & PIS	Moot	6	6
AGENCY OVERALL			6

**VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS**

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
OIG	13.00	12.55	2.00	20.00
PS & PIS	20.00	33.49	1.00	526.00
AGENCY OVERALL	18.50	30.93	1.00	526.00

**VI.C.(5). TEN OLDEST PENDING ADMINISTRATIVE APPEALS**

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
PS & PIS	Date of Appeal	2017-09-06	2017-09-05	2017-09-01	2017-08-29	2017-08-28	2017-08-25	2017-08-24	2017-08-22	2017-08-18	2017-08-09
	Number of Days Pending	17	18	19	22	23	24	25	27	29	36
AGENCY OVERALL	Date of Appeal	2017-09-06	2017-09-05	2017-09-01	2017-08-29	2017-08-28	2017-08-25	2017-08-24	2017-08-22	2017-08-18	2017-08-09
	Number of Days Pending	17	18	19	22	23	24	25	27	29	36

**VII.A. IA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS**

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
PS	5	10.62	1	107	23	95.39	1	1182	7	7.75	1	16
PIS	6	12.04	1	539	20	49	1	291	4	4	4	4
OIG	3	4.9	1	49	4	4	4	4	N/A	N/A	N/A	N/A
AGENCY OVERALL	4	9.12	1	539	23	89.58	1	1182	6	7	1	16

**VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED**

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
PS	19	18.81	1	88	23	60.54	1	1182	7	7.75	1	16
PIS	9.5	14.67	1	181	21	25	5	70	N/A	N/A	N/A	N/A
OIG	9	9.96	1	49	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AGENCY OVERALL	14	16.08	1	181	23	57.56	1	1182	7	7.75	1	16

**VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
PS	1,252	237	38	7	1	1	0	0	0	0	0	0	0	1,536
PIS	278	4	0	0	1	0	1	2	0	1	1	0	1	289
OIG	737	4	1	0	0	0	0	0	0	0	0	0	0	742
AGENCY OVERALL	2,267	245	39	7	2	1	1	2	0	1	1	0	1	2,567

**VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
PS	120	100	22	6	6	2	2	1	0	4	1	2	22	288
PIS	1	18	10	0	3	0	0	0	0	1	4	0	0	37
OIG	2	0	0	0	0	0	0	0	0	0	0	0	0	2
AGENCY OVERALL	123	118	32	6	9	2	2	1	0	5	5	2	22	327



**VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS**

Agency / Component	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
PS	59	7	14	41	31	231	0	N/A	N/A
PIS	10	11	92	10	127.5	161	0	N/A	N/A
OIG	17	7	10	3	16	16	0	N/A	N/A
AGENCY OVERALL	86	8	23	54	31.5	206	0	N/A	N/A

**VII.E. PENDING REQUESTS -- TEN OLDEST PENDING PERFECTED REQUESTS**

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
PS	Date of Receipt	2016-07-21	2016-05-24	2016-04-15	2015-12-11	2015-08-06	2015-06-04	2013-11-21	2013-02-19	2011-12-14	2010-02-22
	Number of Days Pending	300	340	367	453	540	584	968	1160	1455	1911
PIS	Date of Receipt	2017-04-06	2017-03-24	2017-03-10	2017-02-21	2017-01-17	2016-12-22	2016-12-21	2016-12-06	2016-05-13	2015-03-02
	Number of Days Pending	123	132	142	155	179	194	195	206	347	651
OIG	Date of Receipt	2017-09-18	2017-09-14	2017-09-13	2017-09-13	2017-09-07	2017-09-07	2017-09-07	2017-09-06	2017-09-05	2017-07-24
	Number of Days Pending	9	11	12	12	16	16	16	17	18	48
AGENCY OVERALL	Date of Receipt	2016-05-13	2016-04-15	2015-12-11	2015-08-06	2015-06-04	2015-03-02	2013-11-21	2013-02-19	2011-12-14	2010-02-22
	Number of Days Pending	347	367	453	540	584	651	968	1160	1455	1911

## VIII.A. OR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
PS	5	42	1	2.04	44
PIS	1	26	1	0.85	27
OIG	0	2	1	0	2
PS & PIS	0	1	1	1	1
AGENCY OVERALL	6	71	1	1.55	74

### VIII.B. REQUESTS FOR FEE WAIVER

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
PS	7	30	1	1.59
PIS	0	7	18	10.29
OIG	0	0	N/A	N/A
AGENCY OVERALL	7	37	1	2.98

## IX. FOIA PERSONNEL AND COSTS

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
PS	9	21	30	\$2,620,800.00	\$0.00	\$2,620,800.00
PIS	4	4	8	\$305,438.00	\$0.00	\$305,438.00
OIG	5	0	5	\$71,977.50	\$0.00	\$71,977.50
PS & PIS	0	4	4	\$599,407.00	\$16,773.94	\$616,180.94
AGENCY OVERALL	18	29	47	\$3,597,622.50	\$16,773.94	\$3,614,396.44

## X. FEES COLLECTED FOR PROCESSING REQUESTS

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
PS	\$33,628.00	1.28%
PIS	\$24.00	0.01%
OIG	\$0.00	0.00%
PS & PIS	\$0.00	0.00%
AGENCY OVERALL	\$33,652.00	0.94%

**XI.A. NUMBER OF TIMES SUBSECTION USED**

Agency / Component	Number of Times Subsection Used
PS	0
PIS	0
OIG	0
AGENCY OVERALL	0

## XI.B. NUMBER OF SUBSECTION POSTINGS

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
PS	0	6,161
PIS	0	0
OIG	148	0
AGENCY OVERALL	148	6,161

## XII.A. BACKLOGS OF FOIA REQUESTS AND ADMINISTRATIVE APPEALS

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
PS	25	0
PIS	13	0
OIG	1	0
PS & PIS	0	7
AGENCY OVERALL	39	7

**XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS**

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations Received from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
PS	0	3	3	0
PIS	0	18	17	1
OIG	0	6	5	1
AGENCY OVERALL	0	27	25	2



**XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED**

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
PS	1,771	1,909	1,769	1,944
PIS	421	451	440	449
OIG	525	742	527	747
AGENCY OVERALL	2,717	3,102	2,736	3,140

*In the FY 2016 Annual Report, PIS reported the number of requests received was 422, it should have been 421.*

*In the FY 2016 Annual Report, the overall agency reported the number of request received was 2,718, it should have been 2,717.*

*In the FY 2016 Annual Report, PS reported the number of requests processed was 1,768, it should have been 1,769.*

*In the FY 2016 Annual Report, PIS reported the number of requests processed was 439, it should have been 440.*

*In the FY 2016 Annual Report, the overall agency reported the number of requests processed was 2,734, it should have been 2,736.*

**XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS**

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
PS	56	25
PIS	7	13
OIG	1	1
AGENCY OVERALL	64	39

*In the FY2016 Annual FOIA Report, the PIS number of requests in the backlog at the end of FY2016 was reported as 8, it should have been 7.*

*In the FY2016 Annual FOIA Report, the agency overall number of requests in the backlog at the end of FY2016 was reported as 65, it should have been 64.*

**XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED**

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
OIG	24	11	24	11
PS & PIS	189	116	206	103
AGENCY OVERALL	213	127	230	114

**XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS**

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
PS & PIS	6	7
AGENCY OVERALL	6	7