

OFFICE OF ADMINISTRATION

FREEDOM OF INFORMATION ACT ANNUAL REPORT

Fiscal Year 1998

In case of questions concerning the annual FOIA Report, please contact:

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Office of Administration  
725 17th Street, NW Room 5001  
Washington, D.C. 20503  
(202) 395-2273

Electronic address for report on the World Wide Web:  
<http://www.whitehouse.gov/WH/EOP/html/other/foia/index.html>

How to Make a FOIA Request:

A request made under the FOIA must be submitted in writing, by mail or fax, to the following address:

Office of Administration  
FOIA Officer  
725 17th Street NW  
Washington, DC 20503  
Phone: (202) 395-2273  
Fax: (202) 456-7921

-Definitions of terms used in this report can be found at the end of this report.

Exemption 3 Statutes

No Exemption 3 statutes have been used by the Office of Administration during the past fiscal year.

Initial FOIA/PA Access Requests:

All access requests, whether first-party or third-party are included.

A. Numbers of initial requests:

- Number of requests pending as of end of preceding fiscal year: 5
- Number of requests received during current fiscal year: 54
- Number of requests processed during current fiscal year: 55
- Number of requests pending as of end of current fiscal year: 4

B. Disposition of initial requests.

- Number of total grants: 23
- Number of partial grants: 1
- Number of denials: 0
  - 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: 0
- (5) Exemption 5: 2
- (6) Exemption 6: 1
- (7) Exemption 7(A): 0
- (8) Exemption 7(B): 0
- (9) Exemption 7(C): 0
- (10) Exemption 7(D): 0
- (11) Exemption 7(E): 0
- (12) Exemption 7(F): 0
- (13) Exemption 8: 0
- (14) Exemption 9: 0

- Other reasons for nondisclosure

- (total): 31
  - a. no records: 20
  - b. referrals: 0
  - c. request withdrawn: 10
  - d. fee-related reason: 1
  - 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

Appeals of Initial Denials of FOIA/PA Requests

Again, all access requests, whether first-party or third-party, are included.

A. Numbers of appeals.

- Number of appeals received during fiscal year: 1
- Number of appeals processed during fiscal year: 1

B. Disposition of appeals.

- Number completely upheld: 0
- Number partially reversed: 0
- Number completely reversed: 1
  - 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: 0
    - (5) Exemption 5: 0
    - (6) Exemption 6: 0
    - (7) Exemption 7(A): 0

- (8) Exemption 7(B): 0
- (9) Exemption 7(C): 0
- (10) Exemption 7(D): 0
- (11) Exemption 7(E): 0
- (12) Exemption 7(F): 0
- (13) Exemption 8: 0
- (14) Exemption 9: 0

### Compliance with Time Limits/Status of Pending Requests:

Requests are counted from the time at which a request is "perfected."

A. Median processing time for requests processed during the year.

- 1. number of requests processed: 55
- 2. median number of days to process: 14.5

No requests were afforded expedited processing.

B. Status of pending requests.

- 1. Number of requests pending as of end of current fiscal year: 4
- 2. Median number of days that such requests were pending as of that date: 78

### 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): .5
- 3. Total number of personnel (in work-years): .5

Note: The employees performing the search of records in each division varies depending upon the type and scope of search being conducted. Therefore, we have only included the personnel performing the review in the FOIA Office.

B. Total costs (including staff and all resources).

Search and review time/fees are tracked when the requester is to incur processing fees. Search and review time is not tracked if charges are to be waived.

Litigation fees are not tracked.

### Fees:

A. Total amount of fees collected by agency for processing requests: \$69.60

B. Percentage of total costs: 11%

(Note: Search and review time is not tracked if charges are to be waived.)

### FOIA Regulations (Including Fee Schedule)

<http://www.whitehouse.gov/WH/EOP/html/other/foia/index.html>

### **Basic Terms Used in this Report**

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 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 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. 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.

6. Grant -- an agency decision to disclose all records in full in response to a FOIA request.

7. 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's exemptions; or a decision to disclose some records in their entireties, but to withhold others in whole or in part.

8. 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's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA request).

9. Time limits -- the time period in the Freedom of Information Act for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).

10. "Perfected" request -- a FOIA request for records which adequately describes the records sought, which 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.

11. 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).

12. Median number -- the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

13. 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.