

U.S. DEPARTMENT OF THE TREASURY



FREEDOM OF INFORMATION ACT ANNUAL REPORT TO THE ATTORNEY GENERAL FOR FISCAL YEAR 2011

DEPARTMENT OF THE TREASURY

The Departmental Offices (DO)

Alcohol and Tobacco Tax and Trade Bureau (TTB)

Office of the Comptroller of the Currency (OCC)

Bureau of Engraving and Printing (BEP)

Financial Management Service (FMS)

Internal Revenue Service (IRS)

United States Mint (MINT)

Bureau of the Public Debt (BPD)

Office of Thrift Supervision (OTS)

Tresury Inspector General for Tax Administration (TIGTA)

Financial Crimes Enforcement Network (FinCEN)

Consumer Financial Protection Bureau (CFPB)



U.S. DEPARTMENT OF THE TREASURY

FREEDOM OF INFORMATION ACT ANNUAL REPORT FOR FISCAL YEAR 2011

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I. BASIC INFORMATION REGARDING REPORT.

This is the Fiscal Year 2011 FOIA Report for the Department of the Treasury. For purposes of administering the FOIA, the Department is divided into 10¹ bureaus. Each bureau is responsible for those records under its control, and each bureau will post its report on its own web site. Disclosure Services prepared the report in collaboration with the bureau FOIA Officers.

¹ Although the number of bureaus discussed in this report may appear to be greater than 10, OTS was abolished in FY11 and CFPB is not a Treasury bureau; Treasury was responsible for CFPB's FOIA administration for a portion of FY 11.

Questions about the report may be directed to:

Hugh Gilmore, Departmental Disclosure Officer Disclosure Services

Ph: 202/622-0930; Fax: 202/622-3895

Address:
FOIA Request
Disclosure Services
Department of the Treasury
Washington, DC 20220

Treasury Department FOIA Home Page: www.treas.gov/foia/

Paper copies of this report may be obtained by contacting Disclosure Services or by downloading from the Treasury FOIA website at: http://www.treasury.gov/FOIA/Pages/reports index2.aspx

II. MAKING A FOIA REQUEST.

The Department of the Treasury's <u>Guide to Accessing Treasury Records</u> is available at <u>www.treas.gov/foia/</u>, or by contacting Disclosure Services, as described above.

1. Names, addresses, and numbers of Treasury bureau FOIA officers.

Departmental Offices(DO)

Hugh Gilmore Disclosure Services Ph: 202/622-0930 Fax: 202/622-3895

Address: FOIA Request

Department of the Treasury Washington, DC 20220

Alcohol and Tobacco Tax and Trade

Bureau (TTB) Quinton Mason Ph: 202/882-9904 Fax: 202/453-2331

Address:

Disclosure Services 1310 G Street, NW, Box 12 Washington, DC 20005

Financial Management Service (FMS)

Cynthia Sydnor Ph: 202/874-0765 Fax: 202/874-2391

Address:

Disclosure Branch 401 14th Street, SW Washington, DC 20227

Internal Revenue Service (IRS)

Marie Twarog Ph: 707/234-4374 Fax: 707/234-4346

Address: (Headquarters only) Internal Revenue Service

FOIA Requests

Headquarters Disclosure Office

Room 2012

1111 Constitution Ave., NW Washington, DC 20224-0001

Comptroller of the Currency (CC)

Frank Vance Ph: 202/874-4700 Fax: 202/874-5274

Address:

Disclosure (FOIA) Office Washington, DC 20219

Bureau of Engraving & Printing (BEP)

Sonya White & Sherrylyn Bell

Ph: 202/874-3733 Fax: 202/874-2951

Address: FOIA OFFICE Room 419-A

14th & C Streets, SW Washington, DC 20228

Bureau of the Public Debt (BPD)

Denise Nelson Ph: 304/480-8402 Fax: 304/480-8188

Address: FOIA Request

200 3rd Street, Rm. A4-A Parkersburg, WV 26106

United States Mint (Mint)
Kathleen Saunders-Mitchell

Ph: 202/354-7292 Fax: 202/756-6100

Address: FOIA Request

801 9th Street, NW - 8th Floor Washington, DC 20220

Treasury Inspector General for

Tax Administration

(TIGTA)
Amy P. Jones
Ph: 202/927-7044
Fax: 202/622-3339
Address: FOIA Request
TIGTA Chief Counsel

1125 15th Street, NW, Suite 700

Washington, DC 20005

Financial Crimes Enforcement Network (FinCEN)

Amanda Michanczyk Ph: 703/905-3537 Fax: 703/905-3885

Address: FOIA Request PO Box 39 Vienna, VA 22183 Consumer Financial Protection Bureau (CFPB)

Martin Michalosky Ph: 202/435-7198 Fax: 202/435-7244

Address: Chief FOIA Officer

Consumer Financial Protection Bureau 1500 Pennsylvania Avenue, NW

(Attn: 1801 L Street) Washington, DC 20220

III.

2. Brief description of why some requests are not granted and an overview of certain general categories of the Department's records to which the FOIA exemptions apply.

ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Agency-specific acronyms or terms used in this Report

BEP Bureau of Engraving and Printing

BPD Bureau of the Public Debt

CFPB Consumer Financial Protection Board

DO Departmental Offices

FinCEN Financial Crimes Enforcement Network

FMS Financial Management Service IRS Internal Revenue Service

MINT United States Mint

OCC Office of the Comptroller of the Currency

OTS Office of Thrift Supervision

TIGTA Treasury Inspector General (Tax Administration)
TTB Alcohol and Tobacco Tax and Trade Bureau

- 2. Definition of terms used in this Report:
 - 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 a response.
 - d. Component- for agencies that process requests on a decentralized basis, a "component" is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, 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 information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), or concerning 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 records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has recieved a consultation from another agency. (Consultations are reported separately 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 entireties 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 minial review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. 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 statute and in agency regulations.
 - ii. **Simple Request** a FOIA request that an agency using multitrack 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.
- I. 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. Perfected Request a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
- n. **Perfected Request** a request for records which reasonably describes such records 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 had taken final action in
- 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 statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).
- 3. Include the following concise descriptions of the nine FOIA exemptions:
 - Exemption 1: classified national defense and foreign relations information
 - b. **Exemption 2**: internal agency rules and practices
 - c. **Exemption 3**: information that is prohibited from disclosure by
 - d. **Exemption 4**: trade secrets and other confidential business information
 - e. **Exemption 5**: inter-agency or intra-agency communications that are protected by legal privileges
 - f. **Exemption 6**: information involving matters of personal privacy
 - g. **Exemption 7**: records or information compiled for law enforcement purposes, to the extent that the 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 an 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 and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual
 - h. **Exemption 8**: information relating to the supervision of financial institutions
 - i. **Exemption 9**: geological information on wells

IV. EXEMPTION 3 STATUTES

A. Exemption 3 Statutes Relied upon to Withhold Information

| Statute | Type of Information Withheld | Case Citation | Component | Number of Times Relied upon per Component | Total Number of Times Relied upon per Agency |
|-------------------------------------|--|--|----------------------------------|--|--|
| 26 U.S.C. § 6103 | Certain tax return information and certain tax convention information | Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Pac. Fisheries, Inc. v. IRS, No. 09-35618, 2010 WL 3611645, at *2 (9th Cir. September 15, 2010) (unpublished disposition) | DO FMS IRS TIGTA TTB | 5 40 1804 48 12 | 1909 |
| 31 U.S.C. § 5319 (Bank Secrecy Act) | Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports | Hulstein v. DEA, No. 10-4112, 2011 U.S. Dist. LEXIS 25788, at *7-8 (N.D. Iowa Mar. 11, 2011); Berger v. IRS, 487 F. Supp. 2d 482, 496-97 (D.N.J. 2007), aff'd on other grounds, 288 F. App'x 829 (3d Cir. 2008), cert. denied, 129 S. Ct. 2789 (U.S. 2009); Sciba v. Bd. of Governors of the Fed. Reserve Sys., No. 04-1011, 2005 WL 3201206, at *6 (D.D.C. Nov. 4, 2005). | FinCEN IRS | 138 21 | 159 |
| | | | ı | | |
| 41 U.S.C. § 253b(m)(1) | Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or | Margolin v. NASA, No. 09- CV-00421-LRH-VPC, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), | IRS MINT | 44 1 | 45 |

| | incorporated by reference into contracts | summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004). | | | |
|---|--|---|-------|---|---|
| 41 U.S.C. 2102(a), recodifies 41 U.S.C. 423(a) | Contracts / RFP's and bids pre- award | | DO | 3 | 3 |
| 21 U.S.C. 1904(e)(3) | Investigative Information | | DO | 1 | 1 |
| 5 U.S.C. app.3 § 7(b) | Complaints by employees, disclosure of | | TIGTA | 2 | 2 |
| 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) | TIGTA | 1 | 1 |

V. FOIA REQUESTS

A. Received, Processed and Pending FOIA Requests.

| | 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 |
|-------------------|---|---|--|---|
| BEP | 0 | 65 | 59 | 6 |
| BPD | 1 | 187 | 187 | 1 |
| СГРВ | 0 | 18 | 7 | 11 |
| DO | 350 | 938 | 999 | 289 |
| FinCEN | 1 | 195 | 194 | 2 |
| FMS | 13 | 301 | 290 | 24 |
| IRS | 608 | 12242 | 12028 | 822 |
| MINT | 4 | 83 | 81 | 6 |
| OCC | 103 | 1797 | 1839 | 60 |
| OTS | 40 | 656 | 696 | 0 |
| TIGTA | 23 | 219 | 227 | 15 |
| TTB | 1 | 75 | 76 | 0 |
| AGENCY OVERALL | 1144 | 16776 | 16683 | 1236 |

Disposition of FOIA Requests - All Processed Requests

| | Number of Full Grants | Number of Partial Grants/Partial Denials | Number of Full Denials Based on Exemptions | | | Num | ber of Full D | enials Based o | n Reasons Of | ther than Exe | emptions | | |
|-------------------|-----------------------|--|--|---------------|---|----------------------|---------------------------|--|--|-------------------------|----------------------|--------------------------------|-------|
| | | | | 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 | TOTAL |
| BEP | 26 | 10 | 0 | 19 | 2 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 59 |
| BPD | 31 | 23 | 0 | 80 | 31 | 1 | 0 | 0 | 3 | 17 | 1 | 0 | 187 |
| СГРВ | 0 | 1 | 1 | 1 | 0 | 1 | 0 | 0 | 1 | 2 | 0 | 0 | 7 |
| DO | 102 | 202 | 23 | 173 | 207 | 128 | 27 | 1 | 23 | 67 | 38 | 8 | 999 |
| FinCEN | 13 | 50 | 90 | 36 | 0 | 0 | 0 | 0 | 4 | 1 | 0 | 0 | 194 |
| FMS | 40 | 98 | 32 | 25 | 4 | 11 | 34 | 4 | 9 | 29 | 3 | 1 | 290 |
| IRS | 4226 | 2248 | 184 | 1026 | 41 | 196 | 148 | 665 | 2845 | 37 | 412 | 0 | 12028 |
| MINT | 32 | 19 | 2 | 19 | 1 | 1 | 3 | 0 | 4 | 0 | 0 | 0 | 81 |
| осс | 1273 | 148 | 81 | 47 | 11 | 38 | 2 | 8 | 1 | 139 | 18 | 73 | 1839 |
| отѕ | 266 | 68 | 9 | 202 | 20 | 53 | 0 | 0 | 0 | 0 | 0 | 78 | 696 |
| TIGTA | 27 | 95 | 10 | 27 | 16 | 8 | 2 | 1 | 32 | 4 | 5 | 0 | 227 |
| ттв | 6 | 21 | 10 | 16 | 6 | 3 | 2 | 6 | 3 | 1 | 2 | 0 | 76 |
| Agency Overall | 6042 | 2983 | 442 | 1671 | 339 | 441 | 218 | 685 | 2926 | 297 | 479 | 160 | 16683 |

 $B.(2)\ Disposition\ of\ FOIA\ Requests\ -\ "Other"\ Reasons\ for\ "Full\ Denials\ Based\ on\ Reasons\ Other\ than\ Exemptions"\ from\ Section\ V,B\ (1)\ Chart$

| Component | Description of "Other" Reasons for Denials from Chart B (1) & Number of Times Those Reasons Were Relied upon. | TOTAL |
|-----------|--|-------|
| DO | GLOMAR- 1, no forwarding address- 1, aggregated- 6 | 8 |
| FMS | Records available next month - 1 | 1 |
| OCC | NOT FOIA- 16, Records lost- 2, No written authorization to access records- 4, No proof of ID- 25, Appealed prior to determination- 1, Records previously furnished- 1, Handled via phone exclusively- 4, Records destroyed/records retention- 4, Closed w/o determination-15, Records referred at initial request level- 1 | 73 |
| отѕ | Requests were merged with OCC on July 1, 2011 as part of the Dodd-Frank Act. | 78 |

B.(3) Disposition of FOIA Requests - Number of Times Exemptions Applied

| | 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 |
|-------------------|-------|-------|-------|-------|-------|-------|----------|----------|----------|----------|----------|----------|-------|-------|
| BEP | N/A | N/A | N/A | 5 | 1 | 6 | 1 | N/A | 1 | N/A | N/A | N/A | N/A | N/A |
| BPD | N/A | N/A | 1 | 4 | 2 | 11 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| СГРВ | N/A | 1 | N/A | N/A | 2 | 1 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| DO | 9 | 18 | 9 | 29 | 35 | 53 | 3 | N/A | 11 | 4 | 4 | N/A | 3 | N/A |
| FinCEN | N/A | 3 | 138 | 2 | 2 | 12 | N/A | N/A | 22 | 3 | 26 | N/A | N/A | N/A |
| FMS | N/A | N/A | 40 | 12 | 3 | 102 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| IRS | N/A | 152 | 1869 | 38 | 441 | 502 | 303 | 3 | 850 | 51 | 826 | 7 | 1 | N/A |
| MINT | N/A | N/A | 1 | 6 | 9 | 12 | N/A | N/A | 1 | N/A | 1 | N/A | N/A | N/A |
| OCC | N/A | 3 | N/A | 78 | 51 | 67 | 3 | N/A | 7 | N/A | N/A | N/A | 164 | N/A |
| OTS | N/A | N/A | N/A | 25 | 4 | 18 | N/A | N/A | N/A | N/A | 3 | N/A | 24 | N/A |
| TIGTA | N/A | 6 | 51 | N/A | 10 | 30 | 6 | N/A | 101 | 10 | 12 | 1 | N/A | N/A |
| TTB | N/A | 4 | 12 | 7 | 15 | 17 | N/A | N/A | N/A | 1 | 1 | N/A | N/A | N/A |
| AGENCY OVERALL | 9 | 187 | 2121 | 206 | 575 | 831 | 316 | 3 | 993 | 69 | 873 | 8 | 192 | 0 |

VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

A. Received, Processed & Pending Administrative Appeals

| | 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 |
|-------------------|--|--|---|--|
| BEP | 0 | 1 | 1 | 0 |
| BPD | 0 | 5 | 5 | 0 |
| CFPB | 0 | 0 | 0 | 0 |
| DO | 32 | 57 | 37 | 52 |
| FinCEN | 0 | 10 | 10 | 0 |
| FMS | 0 | 3 | 1 | 2 |
| IRS | 35 | 199 | 230 | 4 |
| MINT | 0 | 4 | 4 | 0 |
| occ | 12 | 35 | 35 | 12 |
| OTS | 1 | 4 | 5 | 0 |
| TIGTA | 0 | 24 | 21 | 3 |
| TTB | 0 | 5 | 5 | 0 |
| AGENCY OVERALL | 80 | 347 | 354 | 73 |

B. Disposition of Administrative Appeals - All Processed Appeals

| | 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 |
|-------------------|------------------------------|--|---|--|-------|
| BEP | 0 | 1 | 0 | 0 | 1 |
| BPD | 3 | 1 | 1 | 0 | 5 |
| CFPB | 0 | 0 | 0 | 0 | 0 |
| DO | 23 | 4 | 6 | 4 | 37 |
| FinCEN | 9 | 1 | 0 | 0 | 10 |
| FMS | 1 | 0 | 0 | 0 | 1 |
| IRS | 218 | 1 | 3 | 8 | 230 |
| MINT | 2 | 1 | 0 | 1 | 4 |
| осс | 1 | 15 | 11 | 8 | 35 |
| OTS | 1 | 1 | 1 | 2 | 5 |
| TIGTA | 11 | 7 | 1 | 2 | 21 |
| ТТВ | 4 | 1 | 0 | 0 | 5 |
| AGENCY OVERALL | 273 | 33 | 23 | 25 | 354 |

C.(1) Reasons for Denial on Appeal - Number of Times Exemptions Applied

| | Ex. 1 | Ex. 2 | Ex 3. | Ex. 4 | Ex. 5 | Ex. 6 | | | Ex. 7(C) | Ex. 7(D) | Ex. 7(E) | Ex. 7(F) | Ex. 8 | Ex. 9 |
|-------------------|-------|-------|-------|-------|-------|-------|----|---|-------------|----------|----------|----------|-------|-------|
| BEP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| BPD | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CFPB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DO | 0 | 1 | 1 | 4 | 6 | 7 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| FinCEN | 0 | 0 | 9 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 2 | 0 | 0 | 0 |
| FMS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IRS | 0 | 5 | 84 | 2 | 42 | 33 | 32 | 0 | 37 | 2 | 38 | 0 | 0 | 0 |
| MINT | 0 | 0 | 1 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| occ | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| OTS | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 |
| TIGTA | 0 | 0 | 3 | 0 | 2 | 5 | 1 | 0 | 16 | 1 | 1 | 0 | 0 | 0 |
| ТТВ | 0 | 3 | 1 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| AGENCY OVERALL | 0 | 9 | 99 | 15 | 55 | 47 | 33 | 1 | 54 | 4 | 42 | 0 | 4 | 0 |

C.(2) Reasons for Denial on Appeal - Reasons Other than Exemptions

| | No Records | Records Referred at Initial Request Level | 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 |
|-------------------|---------------|---|----------------------|---------------------------|--|--|-------------------------|----------------------|-------------------------------|
| BEP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| BPD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CFPB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DO | 24 | 0 | 0 | 6 | 0 | 0 | 1 | 0 | 5 |
| FinCEN | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FMS | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IRS | 20 | 6 | 0 | 1 | 2 | 32 | 0 | 0 | 18 |
| MINT | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCC | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 5 |
| OTS | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| TIGTA | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 |
| TTB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Agency Overall | 47 | 6 | 5 | 7 | 3 | 32 | 1 | 1 | 29 |

C.(3)Reasons for Denial on Appeal - "Other" Reasons from Section VI.C(2)Chart

| | Description of "Other" Reasons for Denials from Chart B (1) & Number of Times Those Reasons Were Relied Upon. | TOTAL |
|-----|---|-------|
| DO | Administrative closure/ Imperfect Request - 1, no response to appeal - 1,Untimely filed - 3 | 5 |
| IRS | late filed - 13, not authorized - 5 | 18 |
| occ | Not FOIA - 1, Records not exist - 1, Without determination - 2, Improper Request - 1 | 5 |
| отѕ | Court approved protective order - 1 | 1 |

C. (4) Response Time For Administrative Appeals

| | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days |
|-------------------|-----------------------|---------------------------|-----------------------|------------------------|
| BEP | 10 | 10 | 10 | 10 |
| BPD | 18 | 17 | 14 | 20 |
| CFPB | N/A | N/A | N/A | N/A |
| DO | 100 | 39 | 2 | 229 |
| FinCEN | 14 | 13 | 5 | 22 |
| FMS | 9 | 9 | 9 | 9 |
| IRS | 21 | 28 | 3 | 314 |
| MINT | 14 | 14 | 9 | 19 |
| occ | 8 | 9 | 3 | 17 |
| OTS | 19 | 85 | 17 | 340 |
| TIGTA | 10 | 10 | 3 | 20 |
| TTB | 51 | 44 | 12 | 80 |
| AGENCY OVERALL | 25 | 25.27 | 2 | 340 |

C.(5) Ten Oldest Pending Administrative Appeals

| | 10th Oldest Appeal | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Appeal |
|--|-----------------------|-----|-----|-----|-----|-----|-----|-----|-----|------------------|
| Date of Receipt of Ten Oldest Appeals | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

| BPD | Date of Receipt of Ten Oldest Appeals | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
|--------|--|-----|---------|--------|------------|---------|---------|---------|---------|---------|---------|---------|
| | Number of Days Pending | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| СҒРВ | Date of Receipt of Ten Oldest Appeals | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| DO | Date of Receipt of Ten Oldest Appeals | | 6/17/10 | 5/4/1 | 0 11/17/09 | 11/9/09 | 11/5/09 | 6/8/08 | 4/29/08 | 3/4/08 | 9/20/07 | 4/6/07 |
| | Number of Days Pending | | 325 | 35 | 6 473 | 479 | 481 | 849 | 878 | 918 | 1036 | 1155 |
| FinCEN | Date of Receipt of Ten Oldest Appeals | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| FMS | Date of Receipt of Ten Oldest Appeals | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 9/14/11 | 9/2/11 |
| | Number of Days Pending | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 13 | 20 |
| IRS | Date of Receipt of Ten Oldest Appeals | N/A | | N/A | N/A | N/A | N/A | N/A | 9/23/11 | 9/19/11 | 9/19/11 | 8/25/11 |
| | Number of Days Pending | N/A | | N/A | N/A | N/A | N/A | N/A | 6 | 10 | 10 | 26 |
| MINT | Date of Receipt of Ten Oldest Appeals | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| occ | Date of Receipt of Ten Oldest Appeals | | 8/9/11 | 7/27/1 | 1 7/27/11 | 7/8/11 | 6/28/11 | 6/13/11 | 1/19/11 | 12/7/10 | 5/20/10 | 10/6/09 |
| | Number of Days Pending | | 38 | 4 | 7 47 | 60 | 67 | 78 | 179 | 207 | 344 | 503 |
| OTS | Date of Receipt of Ten Oldest Appeals | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| TIGTA | Date of Receipt of Ten Oldest Appeals | N/A | | N/A | N/A | N/A | N/A | N/A | N/A | 9/27/11 | 9/22/11 | 9/20/11 |

| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 4 | 7 | 9 |
|----------------|--|--------|----------|---------|---------|---------|--------|---------|--------|---------|--------|
| ТТВ | Date of Receipt of Ten Oldest Appeals | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Agency Overall | Date of Receipt of Ten Oldest Appeals | 5/4/10 | 11/17/09 | 11/9/09 | 11/5/09 | 10/6/09 | 6/8/08 | 4/29/08 | 3/4/08 | 9/20/07 | 4/6/07 |
| | Number of Days Pending | 356 | 473 | 479 | 481 | 503 | 849 | 878 | 918 | 1036 | 1155 |

VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS

A. Processed Requests

| | | Sir | nple | | | Com | plex | | | Expedited | Processir | ng |
|-------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|
| | 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 |
| BEP | 3 | 7.0 | 1 | 32 | 8 | 12.0 | 25 | 48 | N/A | N/A | N/A | N/A |
| BPD | 6 | 7.4 | 1 | 30 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| CFPB | 13 | 11.0 | 6 | 13 | 13 | 13.0 | 6 | 91 | N/A | N/A | N/A | N/A |
| DO | 2 | 23.0 | 0 | 280 | 36 | 240.0 | 0 | 3205 | 30 | 169.0 | 6 | 1126 |
| FinCEN | 1 | 1.0 | 0 | 6 | 4 | 5.0 | 0 | 20 | N/A | N/A | N/A | N/A |
| FMS | 9 | 9.0 | 1 | 20 | 25 | 26.0 | 23 | 30 | 14 | 15.0 | 14 | 16 |
| IRS | N/A | N/A | N/A | N/A | 14 | 19.0 | 0 | 604 | 18 | 21.0 | 0 | 42 |
| MINT | 8 | 10.0 | 1 | 20 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| OCC | 3 | 8.8 | 1 | 130 | 33 | 47.7 | 7 | 126 | 8 | 15.1 | 1 | 116 |
| OTS | 7 | 15.0 | 0 | 519 | 11 | 23.0 | 0 | 233 | N/A | N/A | N/A | N/A |
| TIGTA | 13 | 14.0 | 9 | 20 | 18 | 17.0 | 0 | 111 | 3 | 3.0 | 3 | 3 |
| TTB | 10 | 12.0 | 2 | 49 | 21 | 22.0 | 2 | 78 | N/A | N/A | N/A | N/A |
| Agency Overall | 5 | 10.9 | 0 | 519 | 13 | 27.0 | 0 | 3205 | 21 | 91.5 | 3 | 1126 |

B. Processed Requests - Response Time for Perfected Requests in Which Information was Granted

| | | Sim | ple | | | Com | plex | | | Expedited | Processi | ng |
|-------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|
| | 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 |
| BEP | 7 | 10.0 | 7 | 23 | 14 | 22.0 | 20 | 48 | N/A | N/A | N/A | N/A |
| BPD | 4 | 8.0 | 0 | 27 | 5 | 8.0 | 0 | 30 | N/A | N/A | N/A | N/A |
| CFPB | 13 | 13.0 | 6 | 19 | 13 | 13.0 | 6 | 91 | N/A | N/A | N/A | N/A |
| DO | 34 | 47.0 | 1 | 280 | 106 | 384.0 | 1 | 3205 | 126 | 226.0 | 6 | 1126 |
| FinCEN | 2 | 1.0 | 0 | 6 | 3 | 4.0 | 0 | 20 | N/A | N/A | N/A | N/A |
| FMS | 13 | 12.0 | 1 | 20 | 25 | 26.0 | 23 | 30 | N/A | N/A | N/A | N/A |
| IRS | N/A | N/A | N/A | N/A | 18 | 23.0 | 0 | 604 | 21 | 26.0 | 0 | 42 |
| MINT | 8 | 10.0 | 1 | 20 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| occ | 3 | 8.8 | 1 | 130 | 33 | 47.7 | 7 | 126 | 8 | 15.1 | 1 | 116 |
| OTS | 5 | 12.0 | 0 | 351 | 10 | 19.0 | 0 | 173 | N/A | N/A | N/A | N/A |
| TIGTA | 20 | 20.0 | 19 | 20 | 19 | 23.0 | 2 | 111 | N/A | N/A | N/A | N/A |
| TTB | 8 | 11.0 | 7 | 19 | 52 | 43.0 | 25 | 53 | N/A | N/A | N/A | N/A |
| Agency Overall | 7 | 14.5 | 0 | 351 | 16 | 52.0 | 0 | 3205 | 126 | 129.0 | 6 | 1126 |

C. Processed Requests - Response Time in Day Increments

Simple Requests

| | | | | | | | | - | | | | | | |
|-------------------|--------------|---------------|---------------|---------------|--------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------|-------|
| | 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 |
| BEP | 44 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 46 |
| BPD | 5 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |
| CFPB | 5 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |
| DO | 166 | 11 | 5 | 6 | 3 | 4 | 2 | 1 | 1 | 0 | 3 | 0 | 0 | 202 |
| FinCEN | 104 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 104 |
| FMS | 280 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 280 |
| IRS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| MINT | 81 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 81 |
| occ | 1405 | 130 | 50 | 16 | 15 | 17 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 1636 |
| OTS | 361 | 26 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 390 |
| TIGTA | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| TTB | 23 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 26 |
| Agency Overall | 2479 | 173 | 57 | 23 | 18 | 21 | 5 | 1 | 1 | 0 | 3 | 1 | 0 | 2782 |

Complex Requests

| | 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 |
|-------------------|--------------|---------------|---------------|---------------|--------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------|-------|
| BEP | 11 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 13 |
| BPD | 184 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 189 |
| CFPB | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| DO | 490 | 39 | 33 | 23 | 20 | 8 | 18 | 8 | 5 | 4 | 20 | 23 | 100 | 791 |
| FinCEN | 90 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 90 |
| FMS | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 10 |
| IRS | 8918 | 2077 | 667 | 212 | 68 | 30 | 12 | 8 | 9 | 3 | 12 | 9 | 3 | 12028 |
| MINT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| occ | 21 | 19 | 10 | 8 | 8 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 69 |
| OTS | 52 | 7 | 2 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 63 |
| TIGTA | 186 | 21 | 10 | 2 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 221 |
| TTB | 25 | 21 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 50 |
| Agency Overall | 9977 | 2200 | 726 | 246 | 99 | 41 | 31 | 16 | 15 | 7 | 32 | 32 | 103 | 13525 |

Requests Granted Expedited Processing

| | 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 |
|-------------------|--------------|---------------|---------------|---------------|--------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------|-------|
| BEP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| BPD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CFPB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DO | 10 | 3 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | 1 | 17 |
| FinCEN | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FMS | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| IRS | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| MINT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| occ | 113 | 16 | 5 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 137 |
| OTS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TIGTA | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| TTB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Agency Overall | 128 | 20 | 5 | 0 | 2 | 1 | 1 | 0 | 0 | 0 | 1 | 1 | 1 | 160 |

D. Pending Requests

| | | Simple | | | Complex | | Exp | edited Proces | ssing |
|----------------|-------------------|-----------------------------|------------------------------|-------------------|-----------------------------|------------------------------|-------------------|-----------------------------|------------------------------|
| | 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 |
| BEP | 3 | 8 | 16.0 | 3 | 25 | 25.0 | N/A | N/A | N/A |
| BPD | N/A | N/A | N/A | 2 | 2 | 2.0 | N/A | N/A | N/A |
| CFPB | 3 | 24 | 23.0 | 5 | 32 | 37.0 | N/A | N/A | N/A |
| DO | 25 | 145 | 152.0 | 227 | 138 | 395.0 | 5 | 383 | 460.0 |
| FinCEN | 1 | 1 | 1.0 | 1 | 12 | 12.0 | N/A | N/A | N/A |
| FMS | 17 | 11 | 18.0 | 7 | 11 | 12.0 | N/A | N/A | N/A |
| IRS | N/A | N/A | N/A | 822 | 12 | 25.0 | 3 | 94 | 120.0 |
| MINT | 6 | 4 | 7.0 | N/A | N/A | N/A | N/A | N/A | N/A |
| осс | 47 | 9 | 11.0 | 6 | 6 | 20.0 | N/A | N/A | N/A |
| OTS | 51 | 102 | 147.0 | 25 | 114 | 169.0 | N/A | N/A | N/A |
| TIGTA | 1 | 5 | 5.0 | 11 | 4 | 4.0 | N/A | N/A | N/A |
| TTB | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Agency Overall | 154 | 86 | 51.0 | 1109 | 22 | 80.6 | 8 | 193 | 256.0 |

E. Pending Requests - Ten Oldest Pending Perfected Requests²

| Date of Receipt of Ten Oldest Pending | 10th Oldest Request and Number of Days Pending | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Request and Number of Days Pending |
|---|---|-----------|-----------|-----------|-----------|------------|------------|-----------|------------|--|
| BEP | N/A | N/A | N/A | N/A | 9/30/2011 | 9/26/2011 | 9/9/201116 | 9/06/2011 | 9/1/2011 | 9/1/2011 |
| | N/A | N/A | N/A | N/A | 1 days | 5 days | days | 19 days | 21 days | 21 days |
| BPD | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 9/29/2011 | 9/29/2011 |
| | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 2 days | 2 days |
| CFPB | N/A | N/A | 9/15/2011 | 8/30/2011 | 8/26/2011 | 8/24/2011 | 8/23/2011 | 8/19/2011 | 8/9/2011 | 8/3/2011 |
| | N/A | N/A | 12 days | 23 days | 25 days | 27 days | 28 days | 30 days | 38 days | 42 days |
| DO | 1/22/2007 | 10/3/2005 | 9/12/2005 | 8/8/2005 | 8/8/2005 | 6/9/2005 | 2/16/2005 | 12/6/2004 | 11/18/2003 | 10/30/2003 |
| | 1209 days | 1549 days | 1561 days | 1589 days | 1589 days | 1631 days | 1712 days | 1764 days | 2038 days | 2051 days |
| FinCEN | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 9/30/2011 | 9/19/2011 |
| | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 1 days | 10 days |
| FMS | 9/26/2011 | 9/26/2011 | 9/21/2011 | 9/21/2011 | 9/20/2011 | 9/16/2011 | 9/15/2011 | 9/13/2011 | 9/12/2011 | 9/2/2011 |
| | 5 days | 5 days | 8 days | 8 days | 9 days | 11 days | 12 days | 14 days | 15 days | 20 days |
| IRS | 10/5/2010 | 9/28/2010 | 9/27/2010 | 9/13/2010 | 8/17/2010 | 8/16/2010 | 7/8/2010 | 7/6/2010 | 5/4/2010 | 1/4/2010 |
| | 249 days | 254 days | 255 days | 265 days | 283 days | 284 days | 311 days | 313 days | 356 days | 440 days |
| MINT | N/A | N/A | N/A | N/A | 9/29/2011 | 9/28/2011 | 9/28/2011 | 9/26/2011 | 9/19/2011 | 9/13/2011 |
| | N/A | N/A | N/A | N/A | 2 days | 3 days | 3 days | 5 days | 10 days | 14 days |
| occ | 9/8/2011 | 9/7/2011 | 9/2/2011 | 8/31/2011 | 8/30/2011 | 8/5/2011 | 8/4/2011 | 7/21/2011 | 7/18/2011 | 5/20/2011 |
| | 17 days | 18 days | 20 days | 22 days | 23 days | 40 days | 41 days | 51 days | 54 days | 93 days |
| OTS | 3/14/2011 | 3/10/2011 | 3/8/2011 | 2/9/2011 | 1/3/2011 | 12/22/2010 | 9/24/2010 | 9/15/2010 | 2/5/2009 | 2/25/2008 |
| | 142 days | 144 days | 146 days | 164 days | 190 days | 196 days | 256 days | 263 days | 676 days | 924 days |
| TIGTA | 9/30/2011 | 9/30/2011 | 9/29/2011 | 9/26/2011 | 9/23/2011 | 9/22/2011 | 9/21/2011 | 9/20/2011 | 9/16/2011 | 9/15/2011 |
| | 1 days | 1 days | 2 days | 5 days | 6 days | 7 days | 8 days | 9 days | 11 days | 12 days |
| TTB | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Agency | 1/22/2007 | 10/3/2005 | 9/12/2005 | 8/8/2005 | 8/8/2005 | 6/9/2005 | 2/16/2005 | 12/6/2004 | 11/18/2003 | 10/30/2003 |
| Overall | 1209 days | 1549 days | 1561 days | 1589 days | 1589 days | 1631 days | 1712 days | 1764 days | 2038 days | 2051 days |

² The calculations used in Chart VIID and Chart VIIE were inconsistent. Chart VIID used Calendar Days (including weekends and holiday) and ChartVIIE used Business Days (less weekends and holidays). The programs will be adjusted to use the same calculation (Business Days) for future reportings.

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

A. Requests for Expedited Processing

| | Number Granted | Number Denied | Median Number of Days to Adjudicate | Average Number of Days to Adjudicate | Number Adjudicated Within Ten Calendar Days |
|----------------|----------------|---------------|---|--|---|
| BEP | 0 | 1 | 0 | 0.0 | 0 |
| BPD | 0 | 0 | 0 | 0.0 | 0 |
| СГРВ | 0 | 0 | 0 | 0.0 | 0 |
| DO | 13 | 35 | 7 | 3.0 | 47 |
| FinCEN | 0 | 0 | 0 | 0.0 | 0 |
| FMS | 2 | 1 | 14 | 15.0 | 0 |
| IRS | 65 | 3 | 8 | 10.0 | 44 |
| MINT | 0 | 0 | 0 | 0.0 | 0 |
| occ | 142 | 63 | 1 | 2.0 | 200 |
| OTS | 0 | 0 | 0 | 0.0 | 0 |
| TIGTA | 1 | 2 | 5 | 4.0 | 3 |
| ТТВ | 0 | 0 | 0 | 0.0 | 0 |
| Agency Overall | 223 | 105 | 3 | 4.0 | 294 |

B. Requests for Fee Waiver

| | Number Granted | Number Denied | Median Number of Days to Adjudicate | Average Number of Days to Adjudicate |
|----------------|----------------|---------------|--|---|
| BEP | 0 | 2 | 0 | 0.0 |
| BPD | 0 | 0 | 0 | 0.0 |
| СГРВ | 0 | 0 | 0 | 0.0 |
| DO | 160 | 40 | 6 | 10.3 |
| FinCEN | 1 | 0 | 0 | 0.0 |
| FMS | 2 | 9 | 1 | 5.0 |
| IRS | 27 | 3 | 0 | 1.0 |
| MINT | 1 | 5 | 10 | 3.0 |
| occ | 22 | 0 | 1 | 0.1 |
| OTS | 0 | 0 | 0 | 0.0 |
| TIGTA | 1 | 9 | 1 | 2.0 |
| ТТВ | 1 | 0 | 0 | 0.0 |
| Agency Overall | 215 | 68 | 6 | 9.0 |

IX. FOIA PERSONNEL AND COSTS

| | | 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 |
| BEP | 1 | 0.40 | 1.40 | \$148,599.00 | \$0.00 | \$148,599.00 |
| BPD | 1 | 0.40 | 1.40 | \$144,228.00 | \$0.00 | \$144,228.00 |
| СГРВ | 3 | 0.00 | 3.00 | \$462,170.00 | \$0.00 | \$462,170.00 |
| DO | 12 | 4.60 | 16.60 | \$3,691,372.00 | \$163,735.80 | \$3,855,107.80 |
| FinCEN | 0 | 3.15 | 3.15 | \$111,752.00 | \$3,559.00 | \$115,311.00 |
| FMS | 0 | 5.39 | 5.39 | \$618,133.80 | \$8,146.62 | \$626,280.42 |
| IRS | 8 | 64.50 | 72.50 | \$9,877,360.41 | \$247,180.09 | \$10,124,540.50 |
| MINT | 1 | 0.50 | 1.50 | \$164,161.00 | \$0.00 | \$164,161.00 |
| occ | 7 | 0.00 | 7.00 | \$937,228.54 | \$0.00 | \$937,228.54 |
| отѕ | 3 | 1.00 | 4.00 | \$356,483.00 | \$0.00 | \$356,483.00 |
| TIGTA | 0 | 3.84 | 3.84 | \$450,576.30 | \$5,736.00 | \$456,312.30 |
| TTB | 1 | 1.52 | 2.52 | \$144,522.01 | \$0.00 | \$144,522.01 |
| Agency Overall | 30 | 92.30 | 122.30 | \$17,106,586.06 | \$428,357.51 | \$17,534,943.57 |

X. FEES COLLECTED FOR PROCESSING REQUESTS

| | Total Amount of Fees Collected | Percentage of Total Costs |
|----------------|--------------------------------|---------------------------|
| BEP | \$1,295.00 | 0.87% |
| BPD | N/A | N/A |
| СГРВ | N/A | N/A |
| DO | \$21,808.07 | 0.59% |
| FinCEN | N/A | N/A |
| FMS | \$31,997.95 | 5.18% |
| IRS | \$376,928.51 | 3.82% |
| MINT | \$1,242.57 | 0.76% |
| OCC | \$137,630.00 | 14.68% |
| OTS | \$19,450.20 | 5.46% |
| TIGTA | \$200.40 | 0.04% |
| ТТВ | \$8,337.91 | 5.77% |
| Agency Overall | \$598,890.61 | 3.50% |

XI. FOIA REGULATIONS

Agencies must provide an electronic link to their FOIA regulations, including their fee schedule.

DO: http://www.treasury.gov/FOIA/Pages/foiaregs.aspx

CFPB: https://www.federalregister.gov/articles/2011/07/28/2011-19038/disclosure-of-records-and-information

TTB: http://www.treasury.gov/FOIA/Documents/foiaregs.pdf

OCC: http://www.access.gpo.gov/nara/cfr/waisidx 10/12cfr4 10.html

BEP: http://www.treasury.gov/FOIA/Documents/foiaregs.pdf

FMS: http://www.gpo.gov/fdsys/pkg/CFR-2011-title31-vol1/pdf/CFR-2011-title31-vol1-part1.pdf

IRS: http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=26&PART=601&SECTION=702&TYPE=TEXT

MINT: http://www.gpo.gov/fdsys/pkg/CFR-2011-title31-vol1/pdf/CFR-2011-title31-vol1-part1.pdf

BPD: www.treasurydirect.gov/foia.htm and http://edocket.access.gpo.gov/cfr_2001/julqtr/pdf/31cfrl.7.pdf

OTS: http://www.gpo.gov/fdsys/pkg/CFR-2011-title31-vol1/pdf/CFR-2011-title31-vol1-part1.pdf;

http://www.gpo.gov/fdsys/pkg/CFR-2011-title31-vol1/pdf/CFR-2011-title31-vol1-part1.pdf

TIGTA: http://www.treas.gov/tigta/important_foia.shtml; http://www.access.gpo.gov/nara/cfr/waisidx_00/31cfr1_00.html

FinCen: http://www.fincen.gov/foia/foia_fees.html and http://www.fincen.gov/foia/foia_policies.html;

http://www.gpo.gov/fdsys/pkg/CFR-2011-title31-vol1/pdf/CFR-2011-title31-vol1-part1.pdf

XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

A. Backlogs of FOIA Requests and Administrative Appeals

| | Number of Backlogged Requests as of End of Fiscal Year (FY2011) | Number of Backlogged Appeals as of End of Fiscal Year (FY2011) |
|----------------|---|--|
| BEP | N/A | N/A |
| BPD | N/A | N/A |
| СГРВ | 3 | N/A |
| DO | 178 | 34 |
| FinCEN | N/A | N/A |
| FMS | N/A | N/A |
| IRS | 146 | 4 |
| MINT | N/A | N/A |
| occ | 6 | 13 |
| OTS | N/A | N/A |
| TIGTA | N/A | N/A |
| TTB | N/A | N/A |
| Agency Overall | 333 | 51 |

B. Consultations on FOIA Requests - Received, Processed, and Pending Consultations

| | Number of Consultations Received from Other Agencies that Were <u>Pending</u> as of <u>Start</u> of the Fiscal Year (FY2011) | | Number of Consultations Received from Other Agencies that Were Processed by During the Fiscal Year (FY2011) | Number of Consultations Received from Other Agencies that Were <u>Pending</u> at as of <u>End</u> of the Fiscal Year (FY2011) |
|-------------------|--|-----|---|--|
| BEP | 0 | 1 | 1 | 0 |
| BPD | 0 | 0 | 0 | 0 |
| CFPB | 0 | 0 | 0 | 0 |
| DO | 11 | 42 | 34 | 19 |
| FinCEN | 0 | 8 | 8 | 0 |
| FMS | 1 | 45 | 44 | 2 |
| IRS | 6 | 196 | 193 | 9 |
| MINT | 0 | 0 | 0 | 0 |
| OCC | 0 | 0 | 0 | 0 |
| OTS | 0 | 0 | 0 | 0 |
| TIGTA | 1 | 0 | 1 | 0 |
| ТТВ | 0 | 4 | 4 | 0 |
| Agency Overall | 19 | 296 | 285 | 30 |

C. Consultations on FOIA Requests - Ten Oldest Consultations Received from Other Agencies and Pending

| | | 10th Oldest Consultation and Number of Days Pending | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Consultation and Number of Days Pending |
|--------|------------------------------|--|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---|
| BEP | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| BPD | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| CFPB | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| DO | Date Received | 9/26/2011 | 9/9/2011 | 8/23/2011 | 8/16/2011 | 7/14/2011 | 5/27/2011 | 5/18/2011 | 4/27/2011 | 2/1/2011 | 9/30/2010 |
| | Number of Days Pending | 5 days | 16 days | 28 days | 33 days | 56 days | 88 days | 95 days | 110 days | 170 days | 252 days |
| FinCEN | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| FMS | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 9/13/2011 | 8/8/2011 |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 14 days | 39 days |
| IRS | Date Received | N/A | 8/23/2011 | 7/21/2011 | 7/18/2011 | 7/11/2011 | 7/8/2011 | 7/8/2011 | 7/7/2011 | 7/6/2011 | 7/5/2011 |
| | Number of Days Pending | N/A | 28 days | 51 days | 54 days | 59 days | 60 days | 60 days | 61 days | 62 days | 63 days |
| MINT | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| occ | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| OTS | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| TIGTA | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

| TTB | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
|-----|------------------------------|----------|----------|----------|----------|----------|-----------|-----------|-----------|----------|-----------|
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| 0 , | Date Received | 7/8/2011 | 7/8/2011 | 7/7/2011 | 7/6/2011 | 7/5/2011 | 5/27/2011 | 5/18/2011 | 4/27/2011 | 2/1/2011 | 9/30/2010 |
| | Number of Days Pending | 60 days | 60 days | 61 days | 62 days | 63 days | 88 days | 95 days | 110 days | 170 days | 252 days |

D. Comparison of Numbers of Requests from Previous and Current Annual Report - Requests Received, Processed, and Backlogged

| | Number Received During Fiscal Year from Last Year's Annual Report (FY2010) | Number Received During Fiscal Year from Current Annual Report (FY2011) | | Number Processed During Fiscal Year from Current Annual Report (FY2011) |
|----------------|---|--|-------|--|
| BEP | 82 | 65 | 82 | 59 |
| BPD | 135 | 187 | 134 | 187 |
| СГРВ | N/A | 18 | N/A | 7 |
| DO | 922 | 938 | 2338 | 999 |
| FinCEN | 196 | 195 | 197 | 194 |
| FMS | 332 | 301 | 321 | 290 |
| IRS | 12027 | 12242 | 12300 | 12028 |
| MINT | 129 | 83 | 127 | 81 |
| occ | 1946 | 1797 | 1926 | 1839 |
| OTS | 774 | 656 | 778 | 696 |
| TIGTA | 274 | 219 | 267 | 227 |
| TTB | 94 | 75 | 94 | 76 |
| Agency Overall | 16911 | 16776 | 18564 | 16683 |

| | Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report (FY2010) | Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report (FY2011) |
|-------------------|---|--|
| BEP | 0 | 0 |
| BPD | 0 | 0 |
| СГРВ | 0 | 3 |
| DO | 282 | 178 |
| FinCEN | 0 | 0 |
| FMS | 0 | 0 |
| IRS | 118 | 146 |
| MINT | 0 | 0 |
| occ | 10 | 6 |
| OTS | 9 | 0 |
| TIGTA | 0 | 0 |
| TTB | 0 | 0 |
| AGENCY OVERALL | 419 | 333 |

E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report - Appeals Received, Processed, and Backlogged

| | NUMBER OF APP | PEALS <u>RECEIVED</u> | NUMBER OF APPE | EALS <u>PROCESSED</u> |
|-------------------|--|--|---|---|
| | Number Received During Fiscal Year from Last Year's Annual Report (FY2010) | Number Received During Fiscal Year from Current Annual Report (FY2011) | Number Processed During Fiscal Year from Last Year's Annual Report (FY2010) | Number Processed During Fiscal Year from Current Annual Report (FY2011) |
| BEP | 2 | 1 | 2 | 1 |
| BPD | 2 | 5 | 2 | 5 |
| CFPB | 0 | 0 | 0 | 0 |
| DO | 23 | 57 | 20 | 37 |
| FinCEN | 3 | 10 | 3 | 10 |
| FMS | 4 | 3 | 4 | 1 |
| IRS | 263 | 199 | 288 | 230 |
| MINT | 3 | 4 | 3 | 4 |
| occ | 45 | 35 | 46 | 35 |
| OTS | 9 | 4 | 8 | 5 |
| TIGTA | 17 | 24 | 18 | 21 |
| ТТВ | 1 | 5 | 6 | 5 |
| Agency Overall | 372 | 347 | 400 | 354 |

| | Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report (FY2010) | Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report (FY2011) |
|----------------|--|---|
| BEP | 0 | 0 |
| BPD | 0 | 0 |
| СГРВ | 0 | 0 |
| DO | 32 | 34 |
| FinCEN | 0 | 0 |
| FMS | 0 | 0 |
| IRS | 11 | 4 |
| MINT | 0 | 0 |
| occ | 9 | 13 |
| OTS | 1 | 0 |
| TIGTA | 0 | 0 |
| ТТВ | 0 | 0 |
| Agency Overall | 53 | 51 |

Please Note: For the DO backlogged appeals totals from 2010 - the monthly data indicated 30; however, the new tracking system evidently pulled 2 more from our legacy system which totals to 32.

A. Discussion of Other FOIA Activities (Optional)

1.

- a. Treasury implemented a Citizen Web portal in April FY11 for online FOIA request submission which allows requesters to submit online rather than through email boxes. The information is directly populated into the cloud tracking system.
- b. Advantages to this portal are a decrease in the amount of imperfect requests because of the required fields; faster citizen input for requests; and less data entry which encumbers the intake process.

http://www.treas.gov/foia/reading-room/foia-improvement-plan.pdf

The Bureau of Engraving and Printing is working to update and revise its Freedom of Information Act/Privacy Act Reading Room.

OTS merged with OCC on July 21, 2011 TIGTA hired 2 part-time analysts for FOIA.

ⁱ Report increased by 2 from prior annual report, tracking system recovered legacy data

ii Report increased by 1 from prior annual report; correction from last year's data re-run from tracking system.