



# Department of the Treasury

FY2021 Freedom of Information Act Annual Report



## **FY2021 Freedom of Information Act Annual Report to the Attorney General of the United States**

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## I. Basic Information Regarding this Report

1. Questions regarding this report may be directed to:

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2. This report is publicly available and can be downloaded from [Treasury's Freedom of Information Act website](#).
3. Paper copies of this report may be obtained by contacting the Office of Privacy, Transparency, and Records at the address above.

## II. Making a FOIA Request

### 1. Contact Information

The current names, addresses, and contact information for Treasury's FOIA Officers can be found on [Treasury's Freedom of Information Act website](#).

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Ms. Amy Jones  
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## **2. Brief description of why requests are not granted**

The Treasury Department may not grant full access to records because of several reasons. Some records are classified. Others are specifically exempt from disclosure pursuant to statute, such as records that contain Bank Secrecy Act information or certain tax return information. This information falls within the scope of Exemption 3. Still other records and information that are obtained from private businesses and submitted in confidence or that contain proprietary information fall within the scope of Exemption 4. Internal agency communications representing the deliberative process, attorney work product, or attorney-client records fall within the scope of Exemption 5. Private information obtained from individuals may fall within the scope of Exemptions 6 and/or 7(C). Treasury also relies on Exemption 7(E) to protect information that 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 be expected to risk circumvention of the law. Finally, Treasury protects information and records contained in or related to the examination or the supervision of financial institutions under the authority of Exemption 8.

## **3. FOIA Regulations**

[Treasury's FOIA regulations](#) are codified at 31 CFR Part 1, Subpart A.

The Financial Stability Oversight Council (FSOC) FOIA regulations are codified at 12 CFR Part 1301.

### III. Acronyms, Definitions, and Exemptions

#### 1. Agency-specific acronyms used in this Report:

Component Abbreviation	Component Name
BEP	Bureau of Engraving and Printing
DO <sup>1</sup>	Departmental Offices
FinCEN	Financial Crimes Enforcement Network
Fiscal Service	Bureau of the Fiscal Service
IRS	Internal Revenue Service
MINT	United States Mint
OCC	Office of the Comptroller of the Currency
TIGTA	Treasury Inspector General for Tax Administration
TTB	Alcohol Tobacco Tax and Trade Bureau

#### 2. Basic terms used in this Report

- 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 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.

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<sup>1</sup> DO includes the Offices of Domestic Finance, Economic Policy, Financial Research, General Counsel, International Affairs, Legislative Affairs, Management, Public Affairs, Tax Policy, Terrorism and Financial Intelligence, and the Treasurer of the United States. DO statistics in this report also include requests made to the Financial Stability Oversight Council, an entity chaired by the Secretary of the Treasury, the Treasury Office of the Inspector General, the Office of the Special Inspector General for the Troubled Asset Relief Program, and the Office of the Special Inspector General for Pandemic Recovery.

- 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 received 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 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.
- i. **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 granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
  - ii. **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.
  - iii. **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.

- iv. **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.
- k. **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.
- l. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.
- 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. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
- o. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
- p. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily 20 working days from receipt of a "perfected" FOIA request).



### 3. Descriptions of the nine FOIA Exemptions:

- a. **Exemption 1:** classified national defense and foreign relations information
- b. **Exemption 2:** information that is related solely to the internal rules and practices of an agency
- c. **Exemption 3:** information that is prohibited from disclosure by another federal law
- 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 regulation or supervision of financial institutions
- i. **Exemption 9:** geological information on wells

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
21 U.S.C. § 1904(e)(3)	Investigative information	N/A	DO	2	2
31 U.S.C. § 5319	Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports	Turner v. Dep't of Treasury, No. 15-00007, 2017 WL 1106030 at *7 (E.D. Cal. Mar. 23, 2017); Yunes v. DOJ, 263 F. Supp. 3d 82, 87 (D.D.C. 2017); Council on Am.-Islamic Rels., Cal. v. FBI, 749 F. Supp. 2d 1104, 1117 (S.D. Cal. 2010); 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).	FinCEN	57	182
			IRS	124	
			Fiscal Service	1	
50 U.S.C. § 3507	Intelligence sources and methods; certain information pertaining to Agency employees, specifically: "the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency	Assassination Archives & Rsch. Ctr. v. CIA, No. 18-5280, 2019 WL 691517 (D.C. Cir. Feb. 15, 2019) (per curiam); ACLU v. DOJ, 681 F.3d 61, 72-75 (2d Cir. 2012); Berman v. CIA, 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); Makky v. Chertoff, 489 F. Supp. 2d 421, 442 (D.N.J. 2007), aff'd on other grounds, 541 F. 3d 205 (3d Cir. 2008).	DO	3	3
26 U.S.C. §§ 6103, 6105	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Elec. Priv. Info. Ctr. v. IRS, 910 F.3d 1232 (D.C. Cir. 2018); Leonard v. U.S. Dep't of Treasury, 590 F. App'x. 141, 143-44 (3d Cir. 2014) (per curiam); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§	TIGTA	26	1599
			IRS	1573	

		6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).			
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records that would reveal some secret aspect pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Sorin v. DOJ, No. 18-99, 2018 WL 6431027 (2d Cir. Dec. 6, 2018) (per curium); Widi v. McNeil, No. 12-CV-00188, 2016 WL 4394724, at *23 (D. Me. Aug 16, 2016); Durham v. U.S. Att'y 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	4
			IRS	3	
49 U.S.C. § 114(r) (formerly at 49 U.S.C. § 114(s))	Information obtained or developed in carrying out security under the authority of the Aviation and Transportation Security Act or under chapter 449 of this title	Skurow v. DHS, 892 F. Supp. 2d 319, 329-30 (D.D.C. 2012); Gordon v. FBI, 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	TIGTA	1	1
5 U.S.C. § 574(j)	Dispute resolution communications	N/A	TIGTA	1	1
18 U.S.C. § 701	Likeness of any badge, identification card, or other insignia, of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof, or any colorable imitation thereof	Jones v. IRS, No. 06-CV-322, 2008 WL 1901208, at *3-4 (W.D. Mich. Apr. 25, 2008).	IRS	2	2
41 U.S.C. § 4702 (formerly at 41	Contractor proposals that are in the possession or control of an executive agency and that have	Sinkfield v. HUD, No. 10- 885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C.	IRS	4	4

U.S.C. § 253b(m)(1))	not been set forth or incorporated by reference into contracts	2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).			
21 U.S.C. § 387f(c)	Certain information reported to or obtained by the Secretary which is exempt from disclosure under Exemption 4 of the FOIA	Rozema v. HHS, 167 F. Supp. 3d 324, 341 (N.D.N.Y 2016).	DO	2	2

**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
BEP	22	50	46	26
DO	1383	767	805	1345
FinCEN	53	198	217	34
Fiscal Service	39	260	284	15
MINT	8	83	53	38
TTB	3	67	67	3
OCC	137	1450	1511	76
TIGTA	13	245	246	12
IRS	1214	7700	7526	1388

AGENCY OVERALL	2872	10820	10755	2937
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After reviewing its database, Treasury updated the number of requests pending at the start of the Fiscal Year for the following components: BEP, DO, FinCEN, Fiscal Service, IRS, and OCC.

**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	
BEP	5	16	0	6	1	1	0	6	8	1	2	0	46
DO	88	122	16	82	127	70	9	50	18	42	121	60	805
FinCEN	13	28	56	20	0	25	0	3	33	26	13	0	217
Fiscal Service	40	138	9	28	6	4	14	4	19	20	2	0	284
MINT	0	5	1	2	0	2	0	1	41	0	1	0	53
TTB	18	21	8	9	1	2	3	0	0	5	0	0	67
OCC	1142	112	38	60	0	75	3	18	23	37	3	0	1511
TIGTA	10	72	6	9	39	9	0	1	62	36	2	0	246
IRS	1711	1820	226	433	38	358	40	109	1705	40	1037	9	7526

AGENCY OVERALL	3027	2334	360	649	212	546	69	192	1909	207	1181	69	10755
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**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
DO	Litigation	47	60
	Unable to Locate Requester	13	
OCC	N/A	0	0
IRS	Litigation	9	9
BEP	N/A	0	0
FinCEN	N/A	0	0
Fiscal Service	N/A	0	0
MINT	N/A	0	0
TTB	N/A	0	0
TIGTA	N/A	0	0
AGENCY OVERALL			69

**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
BEP	0	0	0	0	5	13	1	0	1	0	1	0	0	0
DO	4	0	5	22	57	118	12	0	19	4	14	1	0	0
FinCEN	0	0	57	0	7	10	0	0	5	0	11	0	1	0
Fiscal Service	0	0	1	3	0	15	0	0	0	0	1	0	0	0
MINT	0	1	0	1	2	1	0	0	0	0	0	0	0	0
TTB	0	0	0	7	3	13	0	0	0	0	2	0	0	0
OCC	0	17	0	37	47	107	0	1	2	0	0	0	53	0
TIGTA	0	0	29	6	15	68	2	0	62	1	26	2	0	0
IRS	0	13	1706	120	218	454	295	0	634	5	702	3	0	0
AGENCY OVERALL	4	31	1798	196	354	799	310	1	723	10	757	6	54	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
BEP	0	0	0	0
DO	45	19	28	36
FinCEN	2	0	2	0
Fiscal Service	1	6	7	0
MINT	1	1	1	1
TTB	0	1	0	1
OCC	2	11	12	1
TIGTA	1	6	6	1
IRS	6	85	85	6
AGENCY OVERALL	58	129	141	46

*After reviewing its database, Treasury updated the number of appeals pending at the start of the Fiscal Year for the following components: DO, Fiscal Service, and MINT.*



**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
BEP	0	0	0	0	0
DO	14	2	1	11	28
FinCEN	1	1	0	0	2
Fiscal Service	3	3	1	0	7
MINT	1	0	0	0	1
TTB	0	0	0	0	0
OCC	5	4	0	3	12
TIGTA	4	1	0	1	6
IRS	79	0	1	5	85
AGENCY OVERALL	107	11	3	20	141

**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
BEP	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DO	1	0	4	1	2	6	3	0	3	0	0	0	0	0
FinCEN	0	1	1	0	0	1	1	0	0	0	0	0	0	0
Fiscal Service	0	0	1	0	1	4	0	0	0	0	2	0	0	0
MINT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TTB	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OCC	0	2	0	1	2	5	0	0	2	0	0	0	5	0
TIGTA	0	0	0	0	1	4	0	0	4	0	0	0	0	0
IRS	0	0	33	0	9	4	11	0	3	0	9	0	0	0
AGENCY OVERALL	1	3	39	2	15	24	15	0	12	0	11	0	5	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
BEP	0	0	0	0	0	0	0	0	0	0	0
DO	2	0	4	0	0	0	1	1	0	1	2
FinCEN	0	0	0	0	0	0	0	0	0	0	0
Fiscal Service	0	0	0	0	0	0	0	0	0	0	0
MINT	0	0	0	0	0	0	0	0	0	0	0
TTB	0	0	0	0	0	0	0	0	0	0	0
OCC	1	0	2	0	0	0	0	0	0	0	0
TIGTA	0	0	0	0	0	0	0	0	0	0	0
IRS	26	0	0	0	3	5	1	0	0	0	11
AGENCY OVERALL	29	0	6	0	3	5	2	1	0	1	13

**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
DO	Request in Litigation	2	2
IRS	Agency Performed Adequate Search	6	11
	Improper Appeal	5	
BEP	N/A	0	0
FinCEN	N/A	0	0
Fiscal Service	N/A	0	0
MINT	N/A	0	0
TTB	N/A	0	0
OCC	N/A	0	0
TIGTA	N/A	0	0
AGENCY OVERALL			13

**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
BEP	<1	<1	<1	<1
DO	413	508	<1	1229
FinCEN	<1	556.00	<1	2361
Fiscal Service	97.00	83.25	<1	118
MINT	<1	67.67	<1	203
TTB	<1	<1	<1	<1
OCC	26.50	29.50	<1	327
TIGTA	<1	4.50	<1	18
IRS	16	15	6	21
AGENCY OVERALL	40.50	247.97	<1	2361

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

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
BEP	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
DO	Date of Appeal	2019-07-16	2019-06-20	2018-10-04	2018-07-25	2018-07-09	2018-01-16	2017-12-20	2017-10-04	2015-11-13	2015-10-01
	Number of Days Pending	553	570	746	796	808	929	945	997	1471	1500
FinCEN	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
Fiscal Service	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
MINT	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2021-09-14
	Number of Days Pending	0	0	0	0	0	0	0	0	0	13

TTB	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2021-09-20
	Number of Days Pending	0	0	0	0	0	0	0	0	0	9
OCC	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2021-05-24
	Number of Days Pending	0	0	0	0	0	0	0	0	0	91
TIGTA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2021-09-13
	Number of Days Pending	0	0	0	0	0	0	0	0	0	14
IRS	Date of Appeal	N/A	N/A	N/A	N/A	2021-09-15	2021-09-15	2021-09-14	2021-09-13	2021-09-13	2021-09-08
	Number of Days Pending	0	0	0	0	12	12	13	14	14	17
AGENCY OVERALL	Date of Appeal	2019-07-16	2019-06-20	2018-10-04	2018-07-25	2018-07-09	2018-01-16	2017-12-20	2017-10-04	2015-11-13	2015-10-01
	Number of Days Pending	553	570	746	796	808	929	945	997	1471	1500

**VII.A. FOIA 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
BEP	25.00	46.44	<1	171	339.50	352.50	5	783	15.00	15.00	15	15
DO	<1	10.67	<1	830	272.00	707.45	<1	3262	89.00	300.40	<1	787
FinCEN	6.00	58.05	<1	1008	320.00	375.85	27	1183	N/A	N/A	N/A	N/A
Fiscal Service	13.50	16.28	<1	126	30.00	301.31	3	792	N/A	N/A	N/A	N/A
MINT	18.00	24.75	<1	124	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TTB	7.50	15.00	1	50	19.50	23.57	1	118	N/A	N/A	N/A	N/A
OCC	1.00	18.14	<1	911	42.00	217.29	<1	1291	75.50	75.50	5	146
TIGTA	2.00	2.72	<1	11	16.00	17.41	<1	159	13.00	13.00	13	13
IRS	N/A	N/A	N/A	N/A	17	45	<1	1596	32	34	2	101
AGENCY OVERALL	2.00	19.81	<1	1008	76.50	464.02	<1	3262	15.00	186.78	<1	787



**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
BEP	27.00	56.84	2	171	472.00	472.00	472	472	15.00	15.00	15	15
DO	3.00	18.64	<1	149	183.00	340.33	1	1721	353.00	375.50	9	787
FinCEN	8.50	47.47	<1	262	230.00	280.60	31	568	N/A	N/A	N/A	N/A
Fiscal Service	14.00	17.38	2	126	78.00	358.06	7	792	N/A	N/A	N/A	N/A
MINT	15.00	25.00	10	66	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TTB	25.00	25.25	1	50	19.00	26.60	4	118	N/A	N/A	N/A	N/A
OCC	1.00	12.15	<1	911	176.00	321.57	64	899	146.00	146.00	146	146
TIGTA	7.50	7.50	4	11	20.00	23.58	2	159	13.00	13.00	13	13
IRS	N/A	N/A	N/A	N/A	28	29	<1	1596	40	47	14	101
AGENCY OVERALL	2.00	14.30	<1	911	58.00	235.19	<1	1721	89.00	239.43	9	787

*According to the DOJ FOIA Annual Guide, the majority of IRS cases are identified as complex, so most IRS cases are recorded as complex.*

**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
BEP	12	5	3	1	1	1	2	0	2	0	0	0	0	27
DO	243	10	1	8	3	1	1	1	0	0	1	1	1	271
FinCEN	102	16	11	4	3	2	3	2	0	1	5	0	5	154
Fiscal Service	165	31	3	1	1	1	1	0	0	0	0	0	0	203
MINT	9	0	0	1	0	1	0	0	0	0	0	0	0	11
TTB	9	1	2	0	0	0	0	0	0	0	0	0	0	12
OCC	1236	88	36	23	7	8	5	5	5	2	11	5	14	1445
TIGTA	54	0	0	0	0	0	0	0	0	0	0	0	0	54
IRS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	1830	151	56	38	15	14	12	8	7	3	17	6	20	2177

**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
BEP	0	0	0	0	0	0	0	0	0	0	1	0	3	4
DO	76	13	18	23	10	8	10	10	11	9	25	30	218	461
FinCEN	0	2	1	0	1	0	0	1	0	0	4	2	8	19
Fiscal Service	13	18	1	1	0	0	0	1	0	0	0	0	23	57
IRS	3328	697	363	307	192	182	136	115	87	68	159	35	26	5695
MINT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OCC	12	0	0	1	2	0	0	1	1	0	0	1	5	23
TIGTA	102	18	4	2	1	0	0	1	0	0	0	0	0	128
TTB	30	15	5	2	0	1	0	0	0	0	0	0	0	53
AGENCY OVERALL	3561	763	392	336	206	191	146	129	99	77	189	68	283	6440

**VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- 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
BEP	1	0	0	0	0	0	0	0	0	0	0	0	0	1
DO	2	0	0	0	1	0	0	0	0	0	0	0	2	5
FinCEN	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fiscal Service	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MINT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TTB	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OCC	1	0	0	0	0	0	0	1	0	0	0	0	0	2
TIGTA	1	0	0	0	0	0	0	0	0	0	0	0	0	1
IRS	5	8	2	0	1	1	0	0	0	0	0	0	0	17
AGENCY OVERALL	10	8	2	0	2	1	0	1	0	0	0	0	2	26

**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
BEP	9	35	49	10	582	596	0	N/A	N/A
DO	19	176	236	1302	543.5	600	3	182	175
FinCEN	20	88	93	13	296	394	0	N/A	N/A
Fiscal Service	10	7	66	3	914	646	0	N/A	N/A
MINT	36	47.5	92	1	584	584	0	N/A	N/A
TTB	0	N/A	N/A	3	90	85	0	N/A	N/A
OCC	63	297	309	11	191	213	0	N/A	N/A
TIGTA	0	N/A	N/A	3	14	25	0	N/A	N/A
IRS	0	N/A	N/A	1312	63	119	4	92	100
AGENCY OVERALL	157	105.00	201.05	2658	533.00	591.65	7	88	232.00

*According to the DOJ FOIA Annual Guide, the majority of IRS cases are identified as complex, so most IRS cases are recorded as complex.*

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
BEP	Date of Receipt	2020-05-26	2019-10-31	2019-10-31	2019-06-26	2019-06-12	2019-06-04	2019-06-04	2019-01-09	2018-06-18	2018-06-08
	Number of Days Pending	338	478	478	566	576	582	582	683	822	828
DO	Date of Receipt	2014-06-25	2014-06-25	2014-06-19	2014-06-17	2014-06-12	2014-05-09	2014-03-21	2013-08-22	2012-05-22	2011-02-09
	Number of Days Pending	1819	1819	1823	1825	1828	1851	1886	2029	2344	2667
FinCEN	Date of Receipt	2020-09-23	2020-09-22	2020-08-13	2020-07-28	2020-06-12	2020-05-26	2020-04-17	2018-03-23	2018-01-10	2017-05-09
	Number of Days Pending	254	255	282	294	325	338	364	882	932	1100
Fiscal Service	Date of Receipt	2021-09-23	2021-09-20	2021-09-20	2021-09-07	2021-08-02	2021-05-25	2020-08-07	2020-07-23	2018-02-12	2018-01-10
	Number of Days Pending	6	8	8	18	43	89	286	297	910	932
MINT	Date of Receipt	2021-02-24	2021-02-10	2020-11-03	2020-10-06	2020-10-06	2020-09-30	2020-09-28	2020-07-16	2020-06-04	2019-06-05
	Number of Days Pending	153	162	226	245	245	249	251	302	331	581

TTB	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2021-09-21	2021-05-24	2021-02-17
	Number of Days Pending	0	0	0	0	0	0	0	8	90	158
OCC	Date of Receipt	2018-07-12	2018-09-26	2018-09-06	2018-01-26	2018-01-19	2017-11-28	2017-10-23	2017-10-10	2017-07-07	2016-11-30
	Number of Days Pending	708	757	771	926	931	966	990	999	1064	1215
TIGTA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2021-09-30	2021-09-10	2021-07-01
	Number of Days Pending	0	0	0	0	0	0	0	0	15	64
IRS	Date of Receipt	2018-05-09	2018-05-09	2018-02-27	2018-03-15	2017-04-17	2016-12-20	2017-03-07	2016-03-18	2016-03-15	2015-12-15
	Number of Days Pending	851	851	902	910	1118	1130	1147	1389	1392	1453
AGENCY OVERALL	Date of Receipt	2014-06-25	2014-06-25	2014-06-19	2014-06-17	2014-06-12	2014-05-09	2014-03-21	2013-08-22	2012-05-22	2011-02-09
	Number of Days Pending	1819	1819	1823	1825	1828	1851	1886	2029	2344	2667

**VIII.A. REQUESTS FOR 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
BEP	1	3	63.5	133	1
DO	7	111	2	43.66	104
FinCEN	0	15	13	60.27	7
Fiscal Service	0	25	1114	617.32	2
MINT	0	5	37	33.4	0
TTB	0	8	2	4.5	6
OCC	4	15	2	23.58	16
TIGTA	1	8	2	3	9
IRS	21	87	2	3	100
AGENCY OVERALL	34	277	3.00	111.82	245



**VIII.B. Requests for Fee Waiver**

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
BEP	1	9	<1	2
DO	0	536	<1	<1
FinCEN	0	39	<1	<1
Fiscal Service	0	127	<1	<1
IRS	90	8	3	3
MINT	0	18	<1	<1
OCC	15	0	<1	5
TIGTA	2	0	<1	<1
TTB	0	26	<1	<1
AGENCY OVERALL	108	763	1	3

**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
BEP	0	1.15	1.15	232600.00	62242.00	294842.00
DO	28	4.50	32.50	3902462.01	722115.00	4624577.01
FinCEN	2	5.00	7.00	345258.10	123000.00	468258.10
Fiscal Service	2	5.00	7.00	750000.00	0.00	750000.00
MINT	1	0.00	1.00	110455.00	0.00	110455.00
TTB	1	0.43	1.43	217924.16	0.00	217924.16
OCC	9	0.63	9.63	13530.00	0.00	13530.00
TIGTA	0	4.32	4.32	644847.40	2784.77	647632.17
IRS	12	75.38	87.38	8482146.30	574841.90	9056988.20
AGENCY OVERALL	55	96.41	151.41	14699222.97	1484983.67	16184206.64

**X. Fees Collected for Processing Requests**

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
BEP	0.00	0.0000
DO	792.00	0.0200
FinCEN	0.00	0.0000
Fiscal Service	24055.23	3.2100
MINT	0.00	0.0000
TTB	997.00	0.4600
OCC	17910.00	132.3700
TIGTA	1101.33	0.1700
IRS	21406.80	0.2500
AGENCY OVERALL	66262.36	0.4500

**XI.A. Number of Times Subsection (C) Used**

Agency / Component	Number of Times Subsection Used
BEP	0
DO	0
FinCEN	0
Fiscal Service	0
MINT	0
TTB	0
OCC	0
TIGTA	1
IRS	0
AGENCY OVERALL	1

**XI.B. Number of Subsection (A)(2) Postings**

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
BEP	3	10
DO	7	1467
FinCEN	3	0
Fiscal Service	5	0
MINT	0	3
TTB	4	1
OCC	216	0
TIGTA	3	170
IRS	1	2669
AGENCY OVERALL	242	4320

**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
BEP	19	0
DO	1307	34
FinCEN	25	0
Fiscal Service	6	0
MINT	28	0
TTB	2	0
OCC	61	1
TIGTA	1	0
IRS	831	0
AGENCY OVERALL	2280	35

**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 <u>Received</u> 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
BEP	0	0	0	0
DO	20	80	70	30
FinCEN	0	1	1	0
Fiscal Service	0	2	1	1
MINT	0	1	0	1
TTB	0	0	0	0
OCC	0	1	1	0
TIGTA	0	8	8	0
IRS	2	64	58	8
AGENCY OVERALL	22	157	139	40

*After reviewing its database, Treasury adjusted the number of consults pending as of the start of the Fiscal Year for the following components: BEP, DO, FinCEN, and IRS.*

**XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY**

Agency / Component		10th Oldest Consultation	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation
BEP	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
DO	Date	2020-03-30	2019-10-25	2019-06-21	2019-05-16	2019-04-26	2018-10-16	2018-07-31	2018-07-02	2017-12-01	2014-08-05
	Number of Days	378	482	569	594	608	739	792	812	958	1791
FinCEN	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
Fiscal Service	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2021-09-09
	Number of Days	0	0	0	0	0	0	0	0	0	16
MINT	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2021-07-09
	Number of Days	0	0	0	0	0	0	0	0	0	59
TTB	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0



OCC	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
TIGTA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
IRS	Date	N/A	N/A	2021-09-30	2021-09-30	2021-09-27	2021-09-20	2021-09-08	2021-09-08	2021-09-07	2021-09-02
	Number of Days	0	0	1	1	4	9	17	17	18	20
AGENCY OVERALL	Date	2020-03-30	2019-10-25	2019-06-21	2019-05-16	2019-04-26	2018-10-16	2018-07-31	2018-07-02	2017-12-01	2014-08-05
	Number of Days	378	482	569	594	608	739	792	812	958	1791

**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	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from	Number Processed During Fiscal Year from Current Annual Report

	Last Year's Annual Report		Last Year's Annual Report	
BEP	37	50	41	46
DO	1368	767	1121	805
FinCEN	211	198	187	217
Fiscal Service	382	260	401	284
MINT	113	83	109	53
TTB	91	67	91	67
OCC	1349	1450	1325	1511
TIGTA	209	245	212	246
IRS	8156	7700	7773	7526
AGENCY OVERALL	11916	10820	11260	10755

**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

BEP	16	19
DO	1224	1307
FinCEN	39	25
Fiscal Service	28	6
MINT	2	28
TTB	0	2
OCC	93	61
TIGTA	2	1
IRS	719	831
AGENCY OVERALL	2123	2280

**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
BEP	1	0	1	0

DO	24	19	71	28
FinCEN	0	0	0	2
Fiscal Service	8	6	10	7
MINT	1	1	1	1
TTB	0	1	0	0
OCC	20	11	18	12
TIGTA	14	6	13	6
IRS	98	85	98	85
AGENCY OVERALL	166	129	212	141

**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
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BEP	0	0
DO	43	34
FinCEN	2	0
Fiscal Service	3	0
MINT	0	0
TTB	0	0
OCC	1	1
TIGTA	0	0
IRS	0	0
AGENCY OVERALL	49	35