



# Department of the Treasury

FY2020 Freedom of Information Act Annual Report



## **FY2020 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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## **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, and the Office of the Special Inspector General for the Troubled Asset Relief Program.

- 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 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.
- 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
31 U.S.C. § 5319 (Bank Secrecy Act)	Reports pertaining to monetary instruments transactions filed under sub-chapter 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 Relations, 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	47	142
			IRS	88	
			TIGTA	7	
26 U.S.C. § 6103 (Internal Revenue Code)	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); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition).	DO	20	1656
			IRS	1590	
			TIGTA	26	
			TTB	20	
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	5	5

26 U.S.C. § 6105 (Internal Revenue Code)	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. Privacy 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. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).	IRS	15	15
41 U.S.C. § 4702	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts.	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-CV-00421, 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), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	Fiscal Service	1	6
			IRS	5	
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, § 2 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 curiam); Widi v. McNeil, No. 12-CV-00188, 2016 WL 4394724, at *23 (D. Me. Aug 16, 2016); 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).	IRS	3	6
			TIGTA	3	
50 U.S.C. § 4565(c) (formerly at 50 U.S.C. app. § 2170 (c))	Information or documentary material filed with the Committee on Foreign Investment in the United States	N/A	DO	23	23

**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	37	41	18
DO	1063	1368	1121	1310
FinCEN	26	211	187	50
Fiscal Service	56	382	401	37
IRS	836	8156	7773	1219
MINT	4	113	109	8
OCC	116	1349	1325	140
TIGTA	16	209	212	13
TTB	3	91	91	3
AGENCY OVERALL	2142	11916	11260	2798

**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	12	14	1	4	2	0	1	1	3	1	2	0	41
DO	159	180	40	137	140	61	1	90	92	119	101	1	1121
FinCEN	11	41	46	32	2	1	0	18	15	10	11	0	187
Fiscal Service	43	179	7	57	27	4	9	1	51	22	1	0	401
IRS	2060	1710	366	592	0	351	39	44	1605	26	968	12	7773
MINT	25	24	7	29	2	4	1	4	3	7	3	0	109
OCC	1039	73	25	48	0	39	3	20	42	31	5	0	1325
TIGTA	12	66	14	7	38	6	0	1	52	14	2	0	212
TTB	12	24	10	20	0	13	1	3	0	2	6	0	91
AGENCY OVERALL	3373	2311	516	926	211	479	55	182	1863	232	1099	13	11260

**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
BEP	N/A	0	0
DO	Litigation	1	1
FinCEN	N/A	0	0
Fiscal Service	N/A	0	0
IRS	Litigation	12	12
MINT	N/A	0	0
OCC	N/A	0	0
TIGTA	N/A	0	0
TTB	N/A	0	0
AGENCY OVERALL			13

**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	1	0	0	1	5	0	0	0	0	1	0	0	0
DO	1	0	29	26	37	67	5	1	18	0	1	0	0	0
FinCEN	0	0	51	4	13	43	0	0	7	3	16	0	1	0
Fiscal Service	0	0	1	14	4	157	0	0	0	0	5	0	0	0
IRS	0	11	1600	92	269	402	304	1	558	6	752	6	0	0
MINT	0	1	0	4	5	17	0	0	8	0	5	3	0	0
OCC	0	10	0	13	24	76	0	0	0	0	1	0	30	0
TIGTA	0	0	26	1	9	73	9	0	71	2	14	0	0	0
TTB	0	0	21	9	3	19	1	0	1	0	4	0	1	0
AGENCY OVERALL	1	23	1728	163	365	859	319	2	663	11	799	9	32	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	1	1	0
DO	93	24	71	46
FinCEN	2	0	0	2
Fiscal Service	5	8	10	3
IRS	6	98	98	6
MINT	0	1	1	0
OCC	0	20	18	2
TIGTA	0	14	13	1
TTB	0	0	0	0
AGENCY OVERALL	106	166	212	60

*After reviewing its database, Treasury adjusted the number of appeals pending as of the start of the Fiscal Year.*

**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	1	0	0	0	1
DO	51	3	3	14	71
FinCEN	0	0	0	0	0
Fiscal Service	7	0	3	0	10
IRS	92	0	0	6	98
MINT	1	0	0	0	1
OCC	7	2	1	8	18
TIGTA	7	1	1	4	13
TTB	0	0	0	0	0
AGENCY OVERALL	166	6	8	32	212

**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	0	0	4	5	5	2	1	0	0	0	0	0	0	0
FinCEN	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fiscal Service	0	0	0	0	0	1	0	0	0	0	0	0	0	0
IRS	0	2	44	2	21	15	13	0	8	0	14	0	0	0
MINT	0	0	0	0	0	1	0	0	1	0	0	0	0	0
OCC	0	1	0	2	1	3	0	0	0	0	0	0	1	0
TIGTA	0	1	2	0	1	6	2	0	6	0	1	0	0	0
TTB	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	4	50	9	28	28	16	0	15	0	15	0	1	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	0	0	2	0	0	1	0	0	3	8	0
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
IRS	27	0	0	7	7	4	1	2	0	0	0
MINT	0	0	0	0	0	0	0	0	0	0	0
OCC	0	0	2	0	0	1	3	1	0	0	1
TIGTA	1	0	2	0	0	0	0	1	0	0	0
TTB	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	28	0	6	7	7	6	4	4	3	8	1

**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
BEP	N/A	0	0
DO	N/A	0	0
FinCEN	N/A	0	0
Fiscal Service	N/A	0	0
IRS	N/A	0	0
MINT	N/A	0	0
OCC	Untimely	1	1
TIGTA	N/A	0	0
TTB	N/A	0	0
AGENCY OVERALL			1

**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	14	14	14	14
DO	897	989	<1	2217
FinCEN	N/A	N/A	N/A	N/A
Fiscal Service	27	39	20	84
IRS	12	13	3	69
MINT	112	112	112	112
OCC	19	17	<1	51
TIGTA	17	16	7	30
TTB	N/A	N/A	N/A	N/A
AGENCY OVERALL	17	343	<1	2217

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

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
DO	Date of Appeal	2016-11-09	2016-09-06	2015-12-07	2015-10-01	2013-06-10	2012-06-19	2012-06-18	2011-11-03	2011-09-01	2011-07-15
	Number of Days Pending	977	1022	1211	1255	1836	2082	2083	2245	2290	2324
FinCEN	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2017-09-29	2012-03-26
	Number of Days Pending	0	0	0	0	0	0	0	0	754	2143
Fiscal Service	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-01-08	2018-01-16	2017-12-12
	Number of Days Pending	0	0	0	0	0	0	0	186	683	705
IRS	Date of Appeal	N/A	N/A	N/A	N/A	2020-09-25	2020-09-24	2020-09-14	2020-09-09	2020-09-09	2020-09-08
	Number of Days Pending	0	0	0	0	3	4	12	15	15	16

OCC	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-02	2020-04-03
	Number of Days Pending	0	0	0	0	0	0	0	0	19	125
TIGTA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-25
	Number of Days Pending	0	0	0	0	0	0	0	0	0	3
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
MINT	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

TTB	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
AGENCY OVERALL	Date of Appeal	2016-09-06	2015-12-07	2015-10-01	2013-06-10	2012-06-19	2012-06-18	2012-03-26	2011-11-03	2011-09-01	2011-07-15
	Number of Days Pending	1022	1211	1255	1836	2082	2083	2143	2245	2290	2324

# **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	12	20	<1	114	39	173	4	805	N/A	N/A	N/A	N/A
DO	2	4	<1	29	57	222	<1	2441	349	316	31	677
FinCEN	4	8	<1	60	68	161	<1	807	N/A	N/A	N/A	N/A
Fiscal Service	14	16	<1	91	25	27	<1	218	N/A	N/A	N/A	N/A
IRS	N/A	N/A	N/A	N/A	18	36	<1	1123	31	91	6	756
MINT	6	9	<1	34	52	66	3	173	N/A	N/A	N/A	N/A
OCC	1	17	<1	695	N/A	N/A	N/A	N/A	16	25	14	46
TIGTA	2	5	<1	21	15	15	<1	52	7	7	5	9
TTB	3	5	<1	16	24	32	<1	169	N/A	N/A	N/A	N/A
AGENCY OVERALL	2	13	<1	695	13	39	<1	2441	31	118	5	756

**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	21	29	2	114	39	173	4	805	N/A	N/A	N/A	N/A
DO	3	6	<1	24	105	274	<1	2441	349	324	31	649
FinCEN	8	13	2	60	70	158	24	730	N/A	N/A	N/A	N/A
Fiscal Service	14	17	<1	91	25	28	<1	218	N/A	N/A	N/A	N/A
IRS	N/A	N/A	N/A	N/A	19	39	<1	999	31	96	6	756
MINT	13	12	<1	33	44	58	3	173	N/A	N/A	N/A	N/A
OCC	1	13	<1	695	N/A	N/A	N/A	N/A	16	25	14	46
TIGTA	11	12	3	21	18	19	4	52	7	7	5	9
TTB	3	3	<1	6	25	32	2	158	N/A	N/A	N/A	N/A
AGENCY OVERALL	2	13	<1	695	20	53	<1	2441	31	123	5	756

# **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	15	6	2	1	0	1	0	0	0	0	0	0	0	25
DO	469	15	0	0	0	0	0	0	0	0	0	0	0	484
FinCEN	102	12	2	0	0	0	0	0	0	0	0	0	0	116
Fiscal Service	204	40	10	2	2	0	0	0	0	0	0	0	0	258
IRS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MINT	78	11	0	0	0	0	0	0	0	0	0	0	0	89
OCC	1024	113	50	23	11	6	8	6	1	2	7	1	8	1260
TIGTA	39	1	0	0	0	0	0	0	0	0	0	0	0	40
TTB	7	0	0	0	0	0	0	0	0	0	0	0	0	7
AGENCY OVERALL	1938	198	64	26	13	7	8	6	1	2	7	1	8	2279

**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	4	2	1	1	0	0	1	0	0	0	0	1	2	12
DO	83	73	37	33	17	8	15	8	9	6	41	17	99	446
FinCEN	3	7	5	6	2	4	0	2	0	0	1	2	4	36
Fiscal Service	29	53	2	1	0	2	0	1	0	0	1	0	0	89
IRS	3995	837	482	250	163	110	78	42	30	16	60	13	30	6106
MINT	1	0	7	2	1	0	0	1	1	0	0	0	0	13
OCC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TIGTA	103	11	3	0	0	0	0	0	0	0	0	0	0	117
TTB	38	23	9	3	3	0	1	1	1	0	0	0	0	79
AGENCY OVERALL	4256	1006	546	296	186	124	95	55	41	22	103	33	135	6898

**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	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DO	0	3	0	1	0	0	0	0	0	0	0	1	4	9
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
IRS	7	8	1	2	0	1	1	1	0	0	1	1	1	24
MINT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OCC	2	0	1	0	0	0	0	0	0	0	0	0	0	3
TIGTA	2	0	0	0	0	0	0	0	0	0	0	0	0	2
TTB	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	11	11	2	3	0	1	1	1	0	0	1	2	5	38

**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	1	7	7	17	319	317	0	N/A	N/A
DO	16	10	12	1251	388	457	43	452	466
FinCEN	11	12	16	39	171	262	0	N/A	N/A
Fiscal Service	5	13	25	32	632	457	0	N/A	N/A
IRS	0	N/A	N/A	1126	48	81	6	216	268
MINT	6	4	11	1	334	334	0	N/A	N/A
OCC	125	87	177	2	355	355	0	N/A	N/A
TIGTA	0	N/A	N/A	11	12	19	0	N/A	N/A
TTB	0	N/A	N/A	3	8	9	0	N/A	N/A
AGENCY OVERALL	164	54	141	2482	128	280	49	432	442

# **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	2019-08-23	2019-06-26	2019-06-21	2019-06-04	2019-06-04	2019-03-21	2019-01-09	2018-06-19	2018-06-18	2017-09-13
	Number of Days Pending	278	319	322	335	335	387	436	575	576	766
DO	Date of Receipt	2014-06-17	2014-06-12	2014-05-09	2014-03-21	2014-01-31	2013-08-23	2012-05-22	2011-05-31	2011-02-09	2008-01-28
	Number of Days Pending	1580	1583	1606	1641	1675	1783	2102	2357	2436	3228
FinCEN	Date of Receipt	2019-03-08	2019-01-31	2018-10-11	2018-08-14	2018-06-08	2018-03-23	2018-01-10	2018-01-10	2017-05-09	2016-03-31
	Number of Days Pending	396	421	496	536	582	636	686	686	854	1132
Fiscal Service	Date of Receipt	2018-02-28	2018-02-28	2018-02-28	2018-02-27	2018-02-27	2018-02-27	2018-02-27	2018-02-27	2018-02-27	2018-02-27
	Number of Days Pending	653	653	653	654	654	654	654	654	654	654
IRS	Date of Receipt	2018-02-27	2018-02-23	2018-02-14	2017-04-17	2017-03-07	2016-12-20	2016-03-18	2016-03-15	2016-03-08	2014-10-21
	Number of Days Pending	652	654	660	868	897	948	1139	1142	1147	1492

MINT	Date of Receipt	N/A	N/A	N/A	2020-09-30	2020-09-30	2020-09-28	2020-09-24	2020-09-22	2020-07-16	2019-06-05
	Number of Days Pending	0	0	0	1	1	3	5	7	54	334
OCC	Date of Receipt	2018-02-14	2018-01-30	2018-01-26	2018-01-25	2018-01-19	2017-11-28	2017-11-09	2017-10-23	2017-10-10	2016-07-06
	Number of Days Pending	661	672	674	675	679	714	725	738	747	1064
TIGTA	Date of Receipt	2020-09-30	2020-09-29	2020-09-29	2020-09-28	2020-09-18	2020-09-08	2020-09-08	2020-09-03	2020-07-31	2020-05-22
	Number of Days Pending	<1	1	1	2	8	16	16	18	42	89
TTB	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-28	2020-09-21	2020-09-07
	Number of Days Pending	0	0	0	0	0	0	0	3	8	17
AGENCY OVERALL	Date of Receipt	2014-06-17	2014-06-12	2014-05-09	2014-03-21	2014-01-31	2013-08-23	2012-05-22	2011-05-31	2011-02-09	2008-01-28
	Number of Days Pending	1580	1583	1606	1641	1675	1783	2102	2357	2436	3228

# **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	0	2	<1	<1	2
DO	15	313	<1	<1	328
FinCEN	0	25	<1	<1	25
Fiscal Service	0	36	<1	<1	36
IRS	24	45	5	4	67
MINT	0	21	<1	<1	21
OCC	3	3	19	19	2
TIGTA	2	5	7	7	6
TTB	0	16	<1	<1	16
AGENCY OVERALL	44	466	1	2	503

### 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	1.20	1.20	262501.00	0.00	262501.00
DO	23	14.44	37.44	4283728.77	709776.52	4993505.29
FinCEN	2	5.00	7.00	342000.00	121000.00	463000.00
Fiscal Service	2	11.00	13.00	750000.00	0.00	750000.00
IRS	12	53.23	65.23	7131069.97	628977.16	7760047.13
MINT	1	0.00	1.00	106483.00	0.00	106483.00
OCC	9	0.61	9.61	2184116.00	0.00	2184116.00
TIGTA	0	4.34	4.34	624208.66	0.00	624208.66
TTB	1	0.55	1.55	232534.02	0.00	232534.02
AGENCY OVERALL	50	90.37	140.37	15916641.42	1459753.68	17376395.10

**X. Fees Collected for Processing Requests**

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
BEP	1619.66	0.6200
DO	700.00	0.0200
FinCEN	0.00	0.0000
Fiscal Service	19088.50	2.5500
IRS	26626.75	0.3700
MINT	0.00	0.0000
OCC	68960.00	3.1600
TIGTA	259.00	0.0400
TTB	1386.00	0.6000
AGENCY OVERALL	118639.91	0.7500

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

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

**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	39	16
DO	10	357
FinCEN	1	18
Fiscal Service	18	21
IRS	4	3025
MINT	1	72
OCC	105	346
TIGTA	3	192
TTB	3	0
AGENCY OVERALL	184	4047

## **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	16	0
DO	1224	43
FinCEN	39	2
Fiscal Service	28	3
IRS	719	0
MINT	2	0
OCC	93	1
TIGTA	2	0
TTB	0	0
AGENCY OVERALL	2123	49

## 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	4	3	1
DO	18	43	42	19
FinCEN	3	15	15	3
Fiscal Service	0	0	0	0
IRS	8	52	59	1
MINT	0	0	0	0
OCC	0	0	0	0
TIGTA	0	4	4	0
TTB	0	0	0	0
AGENCY OVERALL	29	118	123	24

*After reviewing its database, Treasury adjusted the number of consultations pending at the start of the fiscal year.*

**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	2020-05-19
	Number of Days	0	0	0	0	0	0	0	0	0	94
DO	Date	2019-07-17	2019-05-16	2019-05-02	2018-10-17	2018-08-13	2018-07-31	2018-06-12	2017-12-01	2017-02-27	2014-08-05
	Number of Days	305	347	357	492	537	546	580	712	905	1546
FinCEN	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-02-24	2020-01-30	2018-08-14
	Number of Days	0	0	0	0	0	0	0	155	171	536
Fiscal Service	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	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-06-18
	Number of Days	0	0	0	0	0	0	0	0	0	72
MINT	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
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
AGENCY OVERALL	Date	2019-05-16	2019-05-02	2018-10-17	2018-08-14	2018-08-13	2018-07-31	2018-06-12	2017-12-01	2017-02-27	2014-08-05
	Number of Days	347	357	492	536	537	546	580	712	905	1546

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

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
BEP	70	37	67	41
DO	1195	1368	1301	1121
FinCEN	222	211	226	187
Fiscal Service	415	382	400	401
IRS	8128	8156	8006	7773
MINT	113	113	111	109
OCC	1430	1349	1447	1325
TIGTA	225	209	222	212
TTB	138	91	141	91
AGENCY OVERALL	11936	11916	11921	11260

**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	13	16
DO	991	1224
FinCEN	15	39
Fiscal Service	37	28
IRS	369	719
MINT	1	2
OCC	68	93
TIGTA	0	2
TTB	1	0
AGENCY OVERALL	1495	2123

**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	1	1	1
DO	19	24	9	71
FinCEN	0	0	0	0
Fiscal Service	7	8	4	10
IRS	101	98	101	98
MINT	5	1	5	1
OCC	9	20	9	18
TIGTA	6	14	8	13
TTB	0	0	0	0
AGENCY OVERALL	148	166	137	212

**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
BEP	0	0
DO	93	43
FinCEN	1	2
Fiscal Service	3	3
IRS	0	0
MINT	3	0
OCC	0	1
TIGTA	0	0
TTB	0	0
AGENCY OVERALL	100	49