The Department of the Treasury

The Departmental Offices

- Bureau of Alcohol, Tobacco and Firearms
- Office of the Comptroller of the Currency
- United States Customs Service
- Bureau of Engraving and Printing
- Federal Law Enforcement Training Center
- Financial Management Service

Internal Revenue Service

- United States Mint
- Bureau of the Public Debt
- Office of Thrift Supervision
- Treasury Inspector General for Tax Administration
- United States Secret Service
1. BASIC INFORMATION REGARDING REPORT.

This is the Fiscal Year 2001 FOIA Report for the Department of the Treasury. For purposes of administering the FOIA, the Department is divided into 13 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.
Questions about the report may be directed to:
Alana Johnson, 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 home page at “FY 2001 FOIA Report to the Attorney General.”

II. How To Make A FOIA Request for Treasury Department records.

The Department of the Treasury’s Guide to Accessing Treasury Records is available at www.treas.gov/foia by clicking on the link of the same name on the left side, or by contacting Disclosure Services, as described above.
II.A. Names, addresses, and numbers of Treasury bureau FOIA officers.

<table>
<thead>
<tr>
<th>Bureau</th>
<th>Name</th>
<th>Phone</th>
<th>Fax</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Departmental Offices (DO)</td>
<td>Alana Johnson</td>
<td>202/622-0930</td>
<td>202/622-3895</td>
<td>FOIA Request, Department of the Treasury, Washington, DC 20220</td>
</tr>
<tr>
<td>Bureau of Alcohol, Tobacco and Firearms (ATF)</td>
<td>Dorothy Chambers</td>
<td>202/927-8480</td>
<td>202/927-8866</td>
<td>FOIA OFFICE, 650 Massachusetts Avenue, NW, Washington, DC 20226</td>
</tr>
<tr>
<td>Bureau of Engraving &amp; Printing (BEP)</td>
<td>Patricia Warden</td>
<td>202/874-2582</td>
<td>202/874-3529</td>
<td>FOIA OFFICE, Room 646 PD, 14th &amp; C Streets, SW, Washington, DC 20228</td>
</tr>
<tr>
<td>Federal Law Enforcement Training Center (FLETC)</td>
<td>Jerome Nicklay</td>
<td>912/267-2119</td>
<td>912/267-3113</td>
<td>FOIA OFFICE, Department of the Treasury, Townhouse #389C, Glynsco, GA 31524</td>
</tr>
<tr>
<td>Financial Management Service (FMS)</td>
<td>Marty Weber</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>United States Secret Service (USSS)</td>
<td>Gary Edwards</td>
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</tbody>
</table>
II.B. Brief description of Treasury Department’s response-time ranges.

For a breakdown of each bureau’s response times, see Section VII of this report, “Compliance with Time Limits/Status of Pending Requests.”

II.C. Brief description of why some requests are not granted.
The most common reasons reported by the bureaus regarding why requests for records could not be granted were: (1) procedural requirements were not followed; (2) the records reflected the internal practices involved in investigations or inspections; (3) the records contained confidential taxpayer information and other statutorily protected information; (4) the records contained contractor confidential and proprietary commercial information; and (5) the records could not be located or did not exist. Others: protecting personal privacy, deliberative process privilege, bank examination-related material, and thrift examination information.

III. Definition of Terms.

A. Agency-specific:
   N/A

B. Basic Terms Used in This Report

1. FOIA/PA request -- Freedom of Information Act/Privacy Act request. A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for records concerning oneself; such requests are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)

2. Initial Request -- a request to a federal agency for access to records under the Freedom of Information Act.

3. Appeal -- a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other FOIA determination such as a matter pertaining to fees.

4. Processed Request or Appeal -- a request or appeal for which an agency has taken a final action on the request or the appeal in all respects.

5. Multi-track processing -- a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first-out basis. A requester who has an urgent need for records may request expedited processing (see below).

6. Expedited processing -- an agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.
7. Simple request -- a FOIA request that an agency using multi-track processing places in its fastest (nonexpedited) track based on the volume and/or simplicity of records requested.

8. Complex request -- a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.

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

10. Partial grant -- an agency decision to disclose a record in part in response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions; or a decision to disclose some records in their entirities, but to withhold others in whole or in part.

11. Denial -- an agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA request).

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

13. "Perfected" request -- a FOIA request for records which adequately describes the records sought, which has been received by the FOIA office of the agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.

14. Exemption 3 statute -- a separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection b)(3).

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

16. 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.
IV. Exemption 3 statutes relied on by the Department during current fiscal year.

<table>
<thead>
<tr>
<th>STATUTE</th>
<th>TYPE OF INFORMATION</th>
<th>UPHELD BY COURTS</th>
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<tbody>
<tr>
<td>18 U.S.C. 701</td>
<td>Official identification records</td>
<td>Not decided by the courts</td>
</tr>
<tr>
<td>26 U.S.C. 6103, 6103(a), 6103(b)(2), 6103(e)(7)</td>
<td>Federal taxpayer information and National Firearms Act Registry information.</td>
<td>All courts have upheld the confidentiality of §6103; see Church of Scientology v. IRS, 484 U.S. 9 (1987).</td>
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<tr>
<td>--------------------------------------------------</td>
<td>---------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>26 U.S.C. 6106a(b)</td>
<td>Information concerning Trusts</td>
<td>Not decided by courts.</td>
</tr>
<tr>
<td>31 U.S.C. 5319</td>
<td>Contractor proposals</td>
<td>Not decided; Public Law 104-201</td>
</tr>
<tr>
<td>41 U.S.C. 4701(a)</td>
<td>CIA employee names</td>
<td>Could not determine</td>
</tr>
<tr>
<td>Tax Treaty Clauses</td>
<td>Tax information provided by foreign governments</td>
<td>Treaties are ratified by the U.S. Senate, not decided by the courts.</td>
</tr>
</tbody>
</table>

V. Initial FOIA/PA Access Requests.

A. Number of initial requests.

1. Pending 10/01/00: 6,826
2. Received FY 2001: 56,590
3. Processed FY 2001: 54,469
4. Pending 9/30/01: 8,947

B. Disposition of initial requests.

1. Total grants: 24,192
2. Partial grants: 5,175
3. Denials: 1,157
a. number of times each FOIA exemption used:

<table>
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<tr>
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<tbody>
<tr>
<td>2001-2002</td>
<td>2,222</td>
<td>2,182</td>
<td>1,222</td>
<td>2,182</td>
<td>2,762</td>
<td>328</td>
<td>568</td>
<td>1,891</td>
<td>744</td>
<td>24</td>
<td>1,009</td>
<td>66</td>
<td>378</td>
<td>0</td>
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4. Other reasons for non-disclosure (total): 23,945
   a. no records: 9,056
   b. referrals: 3,042
   c. withdrawn: 663
   d. fee-related: 331

   e. records not reasonably described: 251
   f. not a proper FOIA request: 7,397
   g. not an agency record: 180
   h. duplicate: 113
   i. lack ID or Third Party auth: 135
   j. closed administratively: 2,236
   k. handled by Tel/Fax: 111

VI. Appeals of initial denials.
A. Number of Appeals.
   1. Received FY 2001: 1,307
   2. Processed FY 2001: 2,017
B. Disposition of appeals.
   1. Number completely upheld: 604 (full denial)
   2. Number partially reversed: 202 (partial denial)
   3. Number completely reversed: 108 (full release)
   a. number of times each exemption used:
4. Other reasons for non-disclosure (total): 1,103
   a. no records 240
   b. referrals 6
   c. withdrawn 140
   d. fee-related 3
   e. records not reasonably described 5
   f. not a proper request/appeal 688
   g. duplicate 2
   h. records previously furnished 4
   i. closed administratively 15

VII. Compliance with Time Limits/Status of Pending Requests.

A. Median time for processing requests.

1. Simple Requests.
   a. number of requests processed: FMS: 111
   b. median number of days to process: FMS: 18
      CS: 1,354
      DO: 301 (Tax Policy) 20
      FLETC: 49

2. Complex Requests (for any and all tracks used).
   a. number of requests processed (all bureaus): 52,654
   b. median numbers of days to process, by bureau:

<table>
<thead>
<tr>
<th>Bureau</th>
<th>Days</th>
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<tbody>
<tr>
<td>DO</td>
<td>232</td>
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<tr>
<td>ATF</td>
<td>12</td>
</tr>
<tr>
<td>BPD</td>
<td>10</td>
</tr>
<tr>
<td>OCC</td>
<td>30</td>
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<tr>
<td>CS</td>
<td>25</td>
</tr>
<tr>
<td>FLETC</td>
<td>0</td>
</tr>
<tr>
<td>IRS</td>
<td>23</td>
</tr>
<tr>
<td>MINT</td>
<td>15</td>
</tr>
<tr>
<td>OTS</td>
<td>17</td>
</tr>
<tr>
<td>TIGTA</td>
<td>21</td>
</tr>
<tr>
<td>USSS</td>
<td>174</td>
</tr>
</tbody>
</table>

3. Requests accorded expedited processing.
   a. number of requests processed: 8
   b. median number of days to process: 3

B. Status of pending requests.

1. Number of requests pending at end of FY 2001 (all bureaus): 8,947
2. Median number of days that requests were pending, by bureau:

<table>
<thead>
<tr>
<th>Bureau</th>
<th>Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>DO</td>
<td>67</td>
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<tr>
<td>ATF</td>
<td>98</td>
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<td>BPD</td>
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<tr>
<td>OCC</td>
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<tr>
<td>CS</td>
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<td>FLETC</td>
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<td>IRS</td>
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<td>OTS</td>
<td>90</td>
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<tr>
<td>TIGTA</td>
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<tr>
<td>USSS</td>
<td>303</td>
</tr>
</tbody>
</table>
VIII. Comparisons with Previous Years.
N/A

IX. Costs/FOIA Staffing.
A. Staffing levels.
   1. Full time FOIA personnel: 81.67
   2. Personnel with part-time or occasional FOIA duties (in total work years): 119.84 FTE
   3. Total personnel (in work years): 201.51 FTE

B. Total costs (staff and resources combined):
   1. FOIA processing (including appeals): $12,360,213.45
   2. Litigation-related activities: $1,056,810.47
   3. Total Costs: $13,417,023.92

X. Fees.
A. Total fees collected FY 2001: $583,445.16
B. Percentage of total costs: 4.35%

XI. Treasury Department FOIA Implementing Regulations.
The Department’s FOIA regulations can be found at 31 CFR Part 1, Subpart A. Attached is a paper copy of the final rule. It can also be accessed at www.treas.gov/foia/foiaregs.pdf.