



**United States Environmental Protection
Agency
Freedom of Information Act
Annual Report**

Fiscal Year 2019

Section I: Basic Information Regarding This Report

1. Contact for questions about the report:

Timothy R. Epp, Associate General Counsel
National FOIA Office
U. S. Environmental Protection Agency (EPA)
1200 Pennsylvania Ave, NW
Washington, DC 20460
202-564-2830

2. Access this report on the Agency website:

<https://www.epa.gov/foia/foia-reports#annual>

3. Obtain a paper copy of this report by contacting:

National FOIA Office, Office of General Counsel
U. S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Mail Code 2310 A
Washington, DC 20460
202-564-4080

Section II: Making a Freedom of Information Act (FOIA) Request

1. Submit a FOIA request directly to EPA through FOIAonline:

<https://www.foiaonline.gov/foiaonline/action/public/home>

2. Send a FOIA request by regular mail or via courier services to:

National FOIA Office, Office of General Counsel
U. S. Environmental Protection Agency
1200 Pennsylvania Ave, NW
Mail Code 2310 A
Washington, DC 20460

3. Search for property environmental data:

For information regarding a specific property, perform a search immediately and without filing a FOIA request, by using the EPA's *MyProperty* tool:

<https://enviro.epa.gov/facts/myproperty/>

4. Review EPA FOIA Regulations:

<https://www.ecfr.gov/cgi-bin/text-idx?SID=3a1ffcabdac3b04788a29bcf8c3da98c&node=40:1.0.1.1.2&rgn=div5>

Section III: Acronyms, Definitions, and Exemptions

1. Agency component abbreviations:

Component Abbreviation	Component Name
HQ	Headquarters
Region 01	Region 1 States: CT, ME, MA, NH, RI, VT
Region 02	Region 2 States: NJ, NY, PR VI, and 7 Tribal Nations
Region 03	Region 3 States: DE, DC, MD, PA, VA, WV
Region 04	Region 4 States: AL, FL, GA, KY, MS, NC, SC, TN
Region 05	Region 5 States: IL, IN, MI, MN, OH, WI
Region 06	Region 6 States: AR, LA, NM, OK, TX
Region 07	Region 7 States: IA, KS, MO, NE
Region 08	Region 8 States: CO, MT, ND, SD, UT, WY
Region 09	Region 9 States: AZ, CA, HI, NV, AS, GU
Region 10	Region 10 States: AK, ID, OR, WA

2. Definitions of 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. For requests, the statutory time period is twenty working days from receipt of the perfected request, see 5 U.S.C. § 552(a)(6)(A)(i), unless there are "unusual circumstances," in which case the time period may be extended for an additional ten working days, see *id.* § 552(a)(6)(B)(i). Although requesters might agree to an alternate time period for the agency to respond, or the agency may advise the requester that the "unusual circumstances" presented will require more than ten additional days to process,

for purposes of the Annual FOIA Report, the request should be counted as backlogged once it is past the basic twenty-day (or, if applicable, the thirty-day) statutory response date. (*DOJ Handbook...for Preparing the Annual Report p 19, November 4, 2019*)

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 or component within the same 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 or component within the same 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.

k. 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.

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 multi-track 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.

l. 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. Pending Request or Pending Administrative Appeal – a request or administrative appeal for which an agency has not taken final action in all respects.

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 has taken final action in all respects.

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. Concise 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 personnel 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 26 Department of Justice Annual FOIA Report Handbook 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

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
5 U.S.C. § 7114(b)(4), 7132 (Civil Service Reform Act)	Certain labor relations training and guidance materials	(Dubin v. Dep't of Treasury, 555 F. Supp. 408, 412 (N.D. Ga. 1981) (5 U.S.C. §7114(b)(4)), aff'd, 697 F.2d 1093 (11th Cir. 1983) (unpublished table decision); NTEU v. OPM, No. 76-695, slip op. at 3-4 (D.D.C. July 9, 1979) (5 U.S.C. § 7114(b)(4) and 5 U.S.C. § 7132)	HQ	2	2
7 U.S.C. § 136i-1 (Federal Insecticide, Fungicide, and Rodenticide Act)	"[D]ata, including the location from which the data was derived, that would directly or indirectly reveal the identity of individual producers [of certain pesticides]"	Doe v. Veneman, 380 F. 3d 807, 818 (5th Cir. 2004).	HQ	2	2
5 U.S.C. app. 107(a) (Ethics and Govt Act of 1978)	Confidential financial disclosure report pertaining to certain government employees	Meyerhoff v. EPA, 958 F.2d 1498, 1500-02 (9th Cir. 1992); Boyd v. Exec. Office for U.S. Attorneys, 161 F. Supp. 3d 1, 7 (D.D.C. 2015); Seife v. NIH, 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012).	Region 10	1	1
42 U.S.C. § 7412 (r)(7)(H)(iii)	Certain off-site consequence analysis information and any	N/A	Region 06	1	

	ranking of stationary sources derived from the information.				1
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 curium); 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).	HQ	2	3
			Region 10	1	

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
HQ	2,781	4,707	5,009	2,479
Region 01	19	206	185	40
Region 02	188	493	538	143
Region 03	124	282	365	41
Region 04	99	621	666	54
Region 05	267	1,127	1,241	153
Region 06	79	419	429	69
Region 07	35	259	285	9
Region 08	13	173	174	12
Region 09	79	343	384	38
Region 10	67	239	249	57
AGENCY OVERALL	3,751	8,869	9,525	3,095

EPA audited its reports and, based upon that audit, adjusted the total number of requests pending at the start of the Fiscal Year for the following components: HQ, and Regions 2,3,4,5,6,7,8,9, and 10.

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	*Explain in Chart Below	
HQ	3,054	975	60	289	3	362	2	59	17	10	160	18	5,009
Region 01	72	9	4	53	0	18	0	0	1	0	28	0	185
Region 02	279	15	0	106	0	77	4	26	1	0	30	0	538
Region 03	130	51	1	93	1	64	2	4	1	1	17	0	365
Region 04	229	59	1	305	0	49	0	2	1	0	20	0	666
Region 05	365	39	1	506	1	238	25	18	1	2	45	0	1,241
Region 06	167	35	0	90	1	84	5	39	0	0	8	0	429
Region 07	123	18	1	106	0	29	0	0	0	0	8	0	285
Region 08	63	31	1	28	0	30	0	1	1	0	19	0	174
Region 09	120	56	1	124	0	56	2	4	1	2	18	0	384
Region 10	63	55	0	38	2	54	6	7	4	1	19	0	249
AGENCY OVERALL	4,665	1,343	70	1,738	8	1,061	46	160	28	16	372	18	9,525

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
HQ	Litigation	18	18
			0
			0
			0
			0
			0
			0
			0
			0
			0
			0
AGENCY OVERALL			18

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
HQ	0	0	6	75	303	606	29	8	185	0	35	56	0	0
Region 01	0	0	0	1	1	0	0	0	0	0	0	0	0	0
Region 02	0	0	0	1	3	5	3	1	1	0	0	0	0	0
Region 03	0	0	0	29	9	28	1	0	2	1	0	0	0	10
Region 04	0	0	0	6	24	46	10	0	5	0	0	0	0	0
Region 05	0	0	0	6	9	18	4	0	0	0	0	0	0	2
Region 06	0	0	1	1	7	17	1	0	1	0	1	0	0	0
Region 07	0	0	0	1	0	1	1	0	0	0	0	0	0	0
Region 08	0	0	0	6	15	20	6	0	4	0	0	0	0	0
Region 09	0	0	0	4	21	33	5	2	0	1	1	0	0	5
Region 10	0	0	2	13	18	44	3	0	2	0	1	0	0	0
AGENCY OVERALL	0	0	9	143	410	818	63	11	200	2	38	56	0	17

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
HQ	132	124	187	69
AGENCY OVERALL	132	124	187	69

EPA audited its FY reports and, based upon that audit, adjusted the total number of requests pending in component HQ at 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
HQ	37	22	37	91	187
AGENCY OVERALL	37	22	37	91	187

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
HQ	0	0	2	4	12	15	3	0	2	0	0	0	0	0
AGENCY OVERALL	0	0	2	4	12	15	3	0	2	0	0	0	0	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
HQ	7	1	15	7	0	2	0	10	11	2	48
AGENCY OVERALL	7	1	15	7	0	2	0	10	11	2	48

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
HQ	Moot	35	48
	Appeal Withdrawn	8	
	Untimely	1	
	Unable to Locate or Contact Requester	4	
AGENCY OVERALL			48

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
HQ	107.00	256.93	<1	2,377.00
AGENCY OVERALL	107.00	256.93	<1	2,377.00

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

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
HQ	Date of Appeal	2016-04-29	2015-05-28	2015-03-31	2014-12-12	2014-07-10	2014-06-20	2014-04-16	2013-11-20	2013-09-27	2013-05-30
	Number of Days Pending	856	1088	1129	1201	1308	1321	1367	1467	1503	1587
AGENCY OVERALL	Date of Appeal	2016-04-29	2015-05-28	2015-03-31	2014-12-12	2014-07-10	2014-06-20	2014-04-16	2013-11-20	2013-09-27	2013-05-30
	Number of Days Pending	856	1088	1129	1201	1308	1321	1367	1467	1503	1587

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
HQ	14	60.49	<1	903	168.5	240.46	<1	1504	493	459.23	5	631
Region 01	7	12.55	<1	101	100.5	108.61	26	273	N/A	N/A	N/A	N/A
Region 02	36	67.39	<1	687	72	142.51	<1	557	6	6	6	6
Region 03	22	28.76	<1	219	56	150.38	<1	1615	1205	1184.29	1031	1233
Region 04	14	14.56	<1	59	28	41.97	<1	459	N/A	N/A	N/A	N/A
Region 05	23	30.33	<1	355	46	65.56	<1	500	N/A	N/A	N/A	N/A
Region 06	17	16.62	<1	38	28	59.4	<1	1438	N/A	N/A	N/A	N/A
Region 07	10	11.2	<1	38	20	29.76	<1	266	N/A	N/A	N/A	N/A
Region 08	9	10.26	<1	47	25.5	43.11	<1	722	N/A	N/A	N/A	N/A
Region 09	14	14.46	<1	39	44	84.5	<1	1091	N/A	N/A	N/A	N/A
Region 10	14	15.73	<1	186	55	120	1	1141	N/A	N/A	N/A	N/A
AGENCY OVERALL	16	48.77	<1	903	44	117.95	<1	1615	493	541.77	5	1233

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
HQ	12	49.41	<1	631	128.5	206.6	<1	1504	449	482.12	5	631
Region 01	16.5	17.08	<1	99	84	107.53	26	273	N/A	N/A	N/A	N/A
Region 02	41	78.14	2	687	67.5	144.87	<1	557	N/A	N/A	N/A	N/A
Region 03	26	33.57	<1	138	60	92.19	<1	511	N/A	N/A	N/A	N/A
Region 04	14	15.23	<1	59	33	49.81	<1	459	N/A	N/A	N/A	N/A
Region 05	23	29.5	6	226	61	93.63	16	500	N/A	N/A	N/A	N/A
Region 06	19	18.93	1	38	36	79.11	8	1438	N/A	N/A	N/A	N/A
Region 07	9	11.18	<1	34	24	38.47	1	266	N/A	N/A	N/A	N/A
Region 08	12	14.19	3	47	30	56.49	8	722	N/A	N/A	N/A	N/A
Region 09	17	16.52	<1	39	52.5	88.13	<1	1091	N/A	N/A	N/A	N/A
Region 10	17.5	20.96	3	186	61.5	141.73	2	1141	N/A	N/A	N/A	N/A
AGENCY OVERALL	14	45.93	<1	687	55.5	126.32	<1	1504	449	428.12	5	631

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
HQ	2,549	540	138	92	77	55	60	41	68	61	181	173	103	4,138
Region 01	137	20	3	2	1	1	0	0	0	0	0	0	0	164
Region 02	120	127	55	27	30	13	21	11	5	2	19	9	5	444
Region 03	99	103	13	10	4	5	1	1	0	0	1	0	0	237
Region 04	286	60	3	0	0	0	0	0	0	0	0	0	0	349
Region 05	223	240	62	13	5	5	2	1	2	1	6	1	0	561
Region 06	56	17	0	0	0	0	0	0	0	0	0	0	0	73
Region 07	167	20	0	0	0	0	0	0	0	0	0	0	0	187
Region 08	54	2	1	0	0	0	0	0	0	0	0	0	0	57
Region 09	211	44	0	0	0	0	0	0	0	0	0	0	0	255
Region 10	86	17	0	1	0	0	0	0	0	1	0	0	0	105
AGENCY OVERALL	3,988	1,190	275	145	117	79	84	54	75	65	207	183	108	6,570

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
HQ	86	74	49	33	26	22	15	12	10	20	70	90	141	648
Region 01	0	2	4	1	2	1	1	5	0	1	1	0	0	18
Region 02	4	7	10	4	3	4	0	2	0	1	3	1	6	45
Region 03	12	20	19	7	5	7	5	1	1	0	7	1	7	92
Region 04	103	96	46	15	8	4	9	4	6	1	1	1	1	295
Region 05	38	160	130	61	42	15	13	5	2	4	15	7	3	495
Region 06	83	103	32	15	7	4	4	4	1	3	5	4	4	269
Region 07	49	37	6	0	0	2	0	0	0	0	2	0	0	96
Region 08	44	33	6	7	1	2	1	0	2	0	0	0	2	98
Region 09	21	21	24	13	6	1	6	5	2	2	2	1	3	107
Region 10	20	17	12	8	4	1	2	3	1	4	8	1	6	87
AGENCY OVERALL	460	570	338	164	104	63	56	41	25	36	114	106	173	2,250

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
HQ	1	0	0	0	0	0	0	0	0	0	0	11	36	48
Region 02	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Region 03	0	0	0	0	0	0	0	0	0	0	0	0	7	7
AGENCY OVERALL	2	0	0	0	0	0	0	0	0	0	0	11	43	56

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
HQ	1271	330	303.1	876	358	382.16	40	568.5	573.95
Region 01	12	11.5	26.08	25	27	41.76	0	N/A	N/A
Region 02	97	80	170.45	30	100	204.93	0	N/A	N/A
Region 03	15	15	38.93	16	13.5	152	1	1406	1406
Region 04	7	8	12.29	31	13	37.45	0	N/A	N/A
Region 05	69	48	105.93	52	58.5	91.35	0	N/A	N/A
Region 06	2	5.5	5.5	55	57	113.47	0	N/A	N/A
Region 07	3	7	10.67	3	24	305	0	N/A	N/A
Region 08	0	N/A	N/A	11	43	38.91	0	N/A	N/A
Region 09	20	10.5	29.65	7	23	59.86	0	N/A	N/A
Region 10	21	26	72	35	169	243.37	0	N/A	N/A
AGENCY OVERALL	1517	275	272.15	1141	265	321.5	41	573	594.24

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
HQ	Date of Receipt	2013-05-17	2013-05-16	2012-12-28	2012-11-02	2012-09-10	2012-06-11	2012-04-13	2012-03-22	2012-02-21	2011-08-22
	Number of Days Pending	1592	1595	1678	1728	1760	1824	1840	1882	1908	2030
Region 01	Date of Receipt	2019-08-12	2019-08-09	2019-08-05	2019-07-12	2019-06-27	2019-05-10	2019-03-28	2019-03-25	2018-12-19	2018-12-11
	Number of Days Pending	27	35	36	54	56	98	119	121	195	201
Region 02	Date of Receipt	2017-05-25	2017-05-09	2017-03-31	2017-03-15	2017-02-17	2017-02-06	2016-12-21	2016-02-10	2015-09-15	2014-05-23
	Number of Days Pending	574	579	627	639	647	658	694	912	1013	1304
Region 03	Date of Receipt	2019-06-18	2019-05-16	2019-03-06	2019-03-04	2018-12-18	2018-11-21	2018-04-03	2017-06-14	2014-07-28	2014-02-14
	Number of Days Pending	71	92	129	133	174	214	346	575	1294	1406
Region 04	Date of Receipt	2019-07-29	2019-07-09	2019-07-02	2019-06-17	2019-06-13	2019-06-10	2019-05-28	2018-12-17	2018-10-04	2018-06-27
	Number of Days Pending	43	56	62	73	75	78	87	196	238	313
Region 05	Date of Receipt	2018-02-23	2018-02-21	2018-01-19	2018-01-17	2017-09-26	2017-06-28	2017-06-02	2017-05-08	2017-04-25	2016-11-08

	Number of Days Pending	397	401	409	425	489	554	579	600	609	724
Region 06	Date of Receipt	2019-03-29	2019-03-20	2019-02-28	2019-02-11	2019-01-28	2018-12-03	2018-11-21	2018-11-06	2017-10-13	2010-04-07
	Number of Days Pending	114	134	145	160	165	203	212	224	458	2377
Region 07	Date of Receipt	N/A	N/A	N/A	N/A	2019-09-17	2019-09-13	2019-09-03	2019-08-26	2019-07-30	2016-03-01
	Number of Days Pending	0	0	0	0	7	11	18	24	43	882
Region 08	Date of Receipt	2019-08-27	2019-07-29	2019-07-12	2019-06-27	2019-06-26	2019-06-20	2019-06-12	2019-05-10	2019-05-01	2019-04-15
	Number of Days Pending	18	43	54	65	66	70	76	98	105	117
Region 09	Date of Receipt	2019-08-21	2019-07-23	2019-07-12	2019-06-14	2019-06-14	2019-06-03	2019-05-14	2019-03-15	2019-03-08	2018-07-10
	Number of Days Pending	24	48	55	71	74	83	96	117	141	299
Region 10	Date of Receipt	2017-12-18	2017-11-07	2017-11-02	2017-09-28	2017-09-13	2017-07-25	2017-06-19	2017-01-27	2016-04-25	2016-04-19
	Number of Days Pending	317	473	477	501	509	541	547	608	731	751
AGENCY OVERALL	Date of Receipt	2013-05-16	2012-12-28	2012-11-02	2012-09-10	2012-06-11	2012-04-13	2012-03-22	2012-02-21	2011-08-22	2010-04-07
	Number of Days Pending	1595	1678	1728	1760	1824	1840	1882	1908	2030	2377

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
HQ	1	190	7	12.17	129
Region 01	0	5	10	10.8	3
Region 02	1	39	8	11.13	27
Region 03	0	17	13	17.88	7
Region 04	0	43	9	12.51	24
Region 05	0	46	14	19.5	15
Region 06	0	32	9.5	15.47	17
Region 07	0	11	8	12.91	7
Region 08	0	19	6	9.53	14
Region 09	0	26	10	11.46	16
Region 10	0	20	5	6.65	17
AGENCY OVERALL	2	448	8	12.91	276

VIII.B. REQUESTS FOR FEE WAIVER

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
HQ	69	147	13	3.76
Region 01	2	11	1	8.23
Region 02	3	17	1	2.5
Region 03	2	14	20	2.13
Region 04	8	31	0	2.23
Region 05	6	67	0	3.77
Region 06	3	17	18	6.3
Region 07	0	11	0	0.5
Region 08	1	9	34	0.5
Region 09	2	31	19	0.61
Region 10	14	13	1	1
AGENCY OVERALL	110	367	13	3.16

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
HQ	53	67.13	120.13	16,983,018	2,132,910.00	15,313,345.84
Region 01	2	.82	2.82	398,669	\$0.00	398,669
Region 02	2	.82	2.82	398,669	\$0.00	398,669
Region 03	2	6.28	8.28	1,170,560	\$0.00	1,170,560
Region 04	8	2.74	10.74	1,518,335	\$0.00	1,518,335
Region 05	13	15.07	28.07	3,938,312	\$0.00	3,938,312
Region 06	5	8.22	13.22	1,868,938	\$0.00	1,868,938
Region 07	1	31.21	32.21	4,553,592	\$0.00	4,553,592
Region 08	3	.3	3.3	466,527	\$0.00	466,527
Region 09	2	.3	2.3	325,155	\$0.00	325,155
Region 10	3	4.11	7.11	1,005,155	\$0.00	1,005,155
AGENCY OVERALL	94	136.46	231	\$32,626,930	\$2,132,910.00	\$34,759,840

X. FEES COLLECTED FOR PROCESSING REQUESTS

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
HQ	\$32,822.56	0.19%
Region 01	\$17,579.39	4.41%
Region 02	\$11,380.06	2.85%
Region 03	\$1,679.31	0.14%
Region 04	\$5,198.58	0.34%
Region 05	\$8,975.72	0.23%
Region 06	\$12,749.14	0.68%
Region 07	\$5,782.64	0.13%
Region 08	\$12,062.78	2.59%
Region 09	\$9,969.75	3.07%
Region 10	\$14,840.62	1.48%
AGENCY OVERALL	\$133,040.55	0.41%

XI.A. NUMBER OF TIMES SUBSECTION (C) USED

Agency / Component	Number of Times Subsection Used
HQ	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
HQ	3	3,395
AGENCY OVERALL	3	3,395

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
HQ	1,960	64
Region 01	9	0
Region 02	107	0
Region 03	13	0
Region 04	10	0
Region 05	81	0
Region 06	37	0
Region 07	1	0
Region 08	6	0
Region 09	6	0
Region 10	42	0
AGENCY OVERALL	2,272	64

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
HQ	6	45	33	18
Region 02	0	1	1	0
Region 03	0	1	1	0
Region 04	0	1	0	1
Region 05	0	4	4	0
Region 06	1	1	1	1
Region 07	0	1	1	0
Region 10	0	4	4	0
Region 01	0	0	0	0
AGENCY OVERALL	7	58	45	20

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
HQ	Date	2019-04-10	2019-03-11	2019-03-04	2019-02-13	2019-02-08	2018-12-10	2018-09-24	2018-06-13	2017-09-12	2017-09-11
	Number of Days	120	142	147	159	162	202	324	324	512	513
Region 04	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2019-09-17
	Number of Days	0	0	0	0	0	0	0	0	0	9
Region 06	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-09-12
	Number of Days	0	0	0	0	0	0	0	0	0	261
Region 01	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
Region 02	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
Region 03	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
Region 05	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
Region 07	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

Region 08	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
Region 09	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
Region 10	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	2019-03-11	2019-03-04	2019-02-13	2018-09-24	2018-09-19	2018-09-17	2018-09-12	2018-06-13	2017-09-12	2017-09-11
	Number of Days	142	147	159	162	202	253	261	324	512	513

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
HQ	3,565	4,707	2,640	5,009
Region 01	371	206	375	185
Region 02	2,051	493	2,107	538
Region 03	699	282	709	365
Region 04	830	621	815	666
Region 05	1,581	1,127	1,529	1,241
Region 06	613	419	626	429
Region 07	451	259	451	285
Region 08	219	173	227	174
Region 09	661	343	646	384
Region 10	323	239	317	249
AGENCY OVERALL	11,364	8,869	10,442	9,525

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
HQ	2,360	1,960
Region 01	10	9
Region 02	128	107
Region 03	76	13
Region 04	22	10
Region 05	80	81
Region 06	24	37
Region 07	3	1
Region 08	2	6
Region 09	19	6
Region 10	37	42
AGENCY OVERALL	2,761	2,272

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
HQ	183	124	187	187
AGENCY OVERALL	183	124	187	187

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
HQ	132	64
AGENCY OVERALL	132	64