

Department of the Treasury

FY2018 Freedom of Information Act Annual Report





FY2018 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:

Paul Levitan
Director for FOIA and Transparency
Privacy, Transparency, and Records
Department of the Treasury
(202) 622-0930 Phone
(202) 622-3895 Fax
FOIA@treasury.gov

Address:
FOIA and Transparency
Department of the Treasury
Washington, DC 20220

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](#).

Departmental Offices (DO)
Mr. Paul Levitan
Director for FOIA and Transparency
Privacy, Transparency, and Records
Department of the Treasury
(202) 622-0930 Phone
(202) 622-3895 Fax

Alcohol and Tobacco Tax and Trade
Bureau (TTB)
Mr. Quinton Mason
1310 G Street, N.W., Box 12
Washington, DC 20005
(202) 882-9904 Phone
(202) 453-2331 Fax

Bureau of Engraving and Printing (BEP)
Disclosure Officer
Office of the Chief Counsel
FOIA and Transparency
14th & C Streets, S.W., Room 419A
Washington, DC 20228
(202) 874-2500 Phone
(202) 874-2951 Fax

Bureau of the Fiscal Service (Fiscal
Service)
Ms. Cynthia Sydnor/Ms. Denise Nelson
Disclosure Office
401 14th Street, S.W., Room 508B
Washington, DC 20227
(202) 874-5602 Phone
(202) 874-5484 Fax

Office of the Comptroller of the Currency
(OCC)
Mr. Frank Vance
Disclosure Services
400 7th Street, S.W.
Suite 3E-218, Mail Stop 6W-11
Washington, DC 20219
(202) 649-6758 Phone

Financial Crimes Enforcement Network
(FinCen)
Ms. Rosemary Law
ATTN: FOIA Request
P.O. Box 39
Vienna, VA 22183
(703) 905-5034 Phone

Internal Revenue Service (IRS)
HQ Stop 211
P.O. Box 621506
Atlanta, GA 30362-3006
(801) 620-7638 Phone

United States Mint (Mint)
Ms. Lateau Jones
ATTN: FOIA Request
801 9th Street, N.W., 8th Floor
Washington, DC 20220
(202) 354-4600 Phone
(202) 756-6153 Fax

Treasury Inspector General for Tax Administration (TIGTA)
Ms. Amy Jones
ATTN: FOIA Request
TIGTA Chief Counsel
1401 H Street, N.W., Suite 469
Washington, DC 20005
(202) 622-4068 Phone
(202) 622-3339 Fax

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 ¹	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.

¹ 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 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
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
26 U.S.C. §§ 6103, 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); 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	2,070	2,140
			TIGTA	31	
			TTB	30	
			DO	9	

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)	Information related to foreign narcotics traffickers	N/A	DO	3	3
31 U.S.C. § 5319 (Bank Secrecy Act)	Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports	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).	IRS	130	498
			FinCEN	367	
			TIGTA	1	
41 U.S.C. § 4702 (formerly at 41 U.S.C. § 253b(m)(1))	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or 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,	IRS	3	4

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
		No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).			
			MINT	1	
5 U.S.C. app. 3 § 7(b)	Names of employees who provide information or complaints to the Inspector General	N/A	TIGTA	1	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); Widi v. McNeil, No. 12-CV00188, 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	18	22
			TIGTA	4	
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	10	10
Foreign Relations Authorization Act, Fiscal Years 1986 and 1987, Pub. L.	Information related to the settlement of claims before the Iran Tribunal.		DO	1	1

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
No. 99-93, § 505, 99 Stat. 405, 438-39 (1985)					
					0
					0
					0

V. FOIA Requests

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	12	66	67	11
DO	825	1,255	936	1,144
FinCEN	64	575	552	87
Fiscal Service	45	382	382	45
IRS	672	7,909	7,859	722
MINT	10	143	151	2
OCC	72	1,829	1,768	133
TIGTA	20	254	261	13
TTB	8	122	122	8
AGENCY OVERALL	1,728	12,535	12,098	2,165

After reviewing its database, Treasury adjusted the number of requests pending as of the end of FY17 for BEP, IRS, MINT, OCC and TTB.

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	34	9	1	10	1	2	5	2	2	0	1	0	67
DO	108	139	25	89	127	105	15	138	36	78	63	13	936
FinCEN	7	58	353	60	0	4	0	18	28	18	4	2	552
Fiscal Service	54	169	1	37	24	7	11	1	43	27	8	0	382
IRS	2,050	2,405	66	643	15	257	54	10	2,085	25	231	18	7,859
MINT	38	36	2	45	2	8	0	6	10	1	3	0	151
OCC	1,433	58	21	84	2	63	14	21	16	48	8	0	1,768
TIGTA	25	79	13	22	34	10	1	2	53	8	14	0	261
TTB	27	28	19	23	1	13	3	1	0	0	7	0	122
AGENCY OVERALL	3,776	2,981	501	1,013	206	469	103	199	2,273	205	339	33	12,098

**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	13	13
FinCEN	Litigation	2	2
Fiscal Service	N/A	0	0
IRS	Litigation	18	18
MINT	N/A	0	0
OCC	N/A	0	0
TIGTA	N/A	0	0
TTB	N/A	0	0
AGENCY OVERALL			33

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	1	5	10	0	0	0	0	0	0	1	0
DO	2	2	23	45	73	119	10	0	34	1	38	0	2	0
FinCEN	1	1	367	1	13	35	4	0	8	3	54	0	1	0
Fiscal Service	0	0	0	20	8	124	0	0	0	0	2	0	0	0
IRS	0	10	2,223	53	485	428	525	1	1,008	11	1,270	5	0	0
MINT	0	5	1	2	7	28	0	0	8	0	4	4	0	0
OCC	0	10	0	26	30	46	1	0	0	1	5	0	27	0
TIGTA	0	2	37	1	9	82	4	0	81	2	16	0	0	0
TTB	0	0	30	14	3	28	0	0	1	0	1	0	0	0
AGENCY OVERALL	3	30	2,681	163	633	900	544	1	1,140	18	1,390	9	31	0

VI. Administrative Appeals

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	4	4	0
DO	85	25	9	101
FinCEN	6	1	2	5
Fiscal Service	1	10	9	2
IRS	6	107	110	3
MINT	0	9	5	4
OCC	2	9	11	0
TIGTA	0	12	10	2
TTB	0	0	0	0
AGENCY OVERALL	100	177	160	117

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	3	0	1	0	4
DO	7	0	2	0	9
FinCEN	0	2	0	0	2
Fiscal Service	8	0	1	0	9
IRS	106	4	0	0	110
MINT	4	1	0	0	5
OCC	5	5	1	0	11
TIGTA	8	0	0	2	10
TTB	0	0	0	0	0
					0
AGENCY OVERALL	141	12	5	2	160

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	3	2	7	8	0	0	1	0	2	0	2	0
FinCEN	0	0	6	0	0	0	0	0	0	0	0	0	0	0
Fiscal Service	0	0	0	1	0	0	0	0	0	0	0	0	0	0
IRS	0	2	46	1	26	19	19	0	14	0	30	0	0	0
MINT	0	0	0	2	0	0	0	0	0	0	0	0	0	0
OCC	0	0	0	4	5	2	0	0	0	0	0	0	4	0
TIGTA	0	0	1	0	1	5	1	0	5	0	0	0	0	0
TTB	0	0	1	0	1	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	1	2	57	10	40	34	20	0	20	0	32	0	6	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	1	0	0	1	0	0	0	0	0	0	0
DO	0	0	0	0	4	0	0	0	0	0	0
FinCEN	1	0	0	0	0	0	0	0	0	0	0
Fiscal Service	4	0	0	0	0	0	2	0	0	0	0
IRS	22	0	0	0	0	29	0	0	0	0	0
MINT	2	0	0	0	0	0	0	0	0	0	0
OCC	0	0	0	0	0	0	0	0	0	0	0
TIGTA	0	0	0	0	0	0	2	0	0	0	0
TTB	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	30	0	0	1	4	29	4	0	0	0	0

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	N/A	0	0
TIGTA	N/A	0	0
TTB	N/A	0	0
AGENCY OVERALL			0

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	10.00	11.80	9.00	18.00
DO	210.00	304.80	2.00	1,725.00
FinCEN	33.00	33.00	32.00	34.00
Fiscal Service	20.00	19.40	18.00	20.00
IRS	11.00	11.33	3.00	24.00
MINT	16.00	18.40	14.00	28.00
OCC	19.50	17.90	9.00	24.00
TIGTA	14.00	13.40	3.00	20.00
TTB	0.00	0.00	0.00	0.00
AGENCY OVERALL	15.00	29.38	2.00	1,725.00

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

Agency / Component	Date of Appeal/Number of Days Pending	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	2012-02-23	2011-11-03	2011-09-07	2011-09-01	2011-08-31	2011-07-26	2011-07-15	2011-04-06	2011-02-02	2010-09-06
	Number of Days Pending	1660	1734	1774	1777	1778	1804	1811	1881	1925	2026
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	252	1638
Fiscal Service	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-01-16	2017-12-12
	Number of Days Pending	0	0	0	0	0	0	0	0	180	202
IRS	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-09-20	2018-09-12	2018-09-12
	Number of Days Pending	0	0	0	0	0	0	0	6	13	13
MINT	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	2018-09-28	2018-07-31	2018-02-28	2017-11-07
	Number of Days Pending	0	0	0	0	0	0	1	43	150	225
OCC	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
TIGTA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2017-09-26	2016-09-10
	Number of Days Pending	0	0	0	0	0	0	0	0	182	1814
TTB	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Agency / Component	Date of Appeal/Number of Days Pending	10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date of Appeal	2012-02-23	2011-11-03	2011-09-07	2011-09-01	2011-08-31	2011-07-26	2011-07-15	2011-04-06	2011-02-02	2010-09-06
	Number of Days Pending	1660	1734	1774	1777	1778	1804	1811	1881	1925	2026

VII. Processed and Pending FOIA Requests

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	19	19.8	<1	68	29	43.1	1	185	N/A	N/A	N/A	N/A
DO	4	9.4	<1	232	163	280.1	<1	1402	150	130.5	17	207
FinCEN	2	3.3	<1	39	26	39.6	<1	119	N/A	N/A	N/A	N/A
Fiscal Service	15	14.4	<1	64	25	32.9	<1	158	56	55.5	22	89
IRS	N/A	N/A	N/A	N/A	15	27	1	959	29	39	8	209
MINT	9	12.1	<1	135	38	48.1	<1	156	N/A	N/A	N/A	N/A
OCC	4	9.72	<1	265	113	136.09	2	627	18	20.11	3	49
TIGTA	3.5	5.27	<1	18	17	16.65	<1	81	6.5	6.5	3	10
TTB	2	3.8	<1	15	18	16.9	<1	30	N/A	N/A	N/A	N/A
AGENCY OVERALL	4	14	<1	265	17	39	<1	1402	25	63	3	209

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	18	17.3	1	39	23	30.5	1	93	N/A	N/A	N/A	N/A
DO	5	14.8	<1	232	133	210.9	<1	1391	150	137.6	17	174
FinCEN	4	9	<1	39	52	54.1	17	119	N/A	N/A	N/A	N/A
Fiscal Service	16	16	<1	64	26	35.2	3	158	22	22	22	22
IRS	N/A	N/A	N/A	N/A	13	38.1	1	254	28	27	10	49
MINT	14	15.8	<1	135	51	69.1	30	156	N/A	N/A	N/A	N/A
OCC	3	8.22	<1	265	87.5	147	2	627	20	22.86	8	49
TIGTA	9	8.33	<1	18	19	20.72	1	81	N/A	N/A	N/A	N/A
TTB	5	4.6	<1	15	23	19.8	<1	30	N/A	N/A	N/A	N/A
AGENCY OVERALL	6	11	<1	265	23	58	<1	1391	29	65	22	174

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	26	12	1	2	0	0	0	0	0	0	0	0	0	41
DO	342	14	1	1	1	0	0	0	0	0	2	0	0	361
FinCEN	458	13	0	0	0	0	0	0	0	0	0	0	0	471
Fiscal Service	192	32	4	1	0	0	0	0	0	0	0	0	0	229
IRS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MINT	113	5	1	2	0	0	1	0	0	0	0	0	0	122
OCC	1,488	155	33	15	6	4	5	3	0	0	2	0	0	1,711
TIGTA	1	47	0	0	0	0	0	0	0	0	0	0	0	48
TTB	17	0	0	0	0	0	0	0	0	0	0	0	0	17
AGENCY OVERALL	2,637	278	40	21	7	4	6	3	0	0	4	0	0	3,000

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	5	6	1	1	1	0	0	0	0	1	0	0	3	18
DO	70	34	23	20	13	6	17	14	13	9	54	23	101	397
FinCEN	8	9	3	2	1	3	0	0	0	0	0	0	8	34
Fiscal Service	24	54	6	3	7	1	0	1	0	0	0	0	13	109
IRS	3,036	1,255	706	299	156	99	50	41	32	15	41	16	18	5,764
MINT	3	4	4	0	0	0	1	1	0	0	0	0	0	13
OCC	3	0	1	1	0	1	1	1	1	1	0	0	1	11
TIGTA	3	77	11	8	1	1	0	0	0	0	0	0	0	101
TTB	57	39	0	0	0	0	0	0	0	0	0	0	8	104
AGENCY OVERALL	3,209	1,478	755	334	179	111	69	58	46	26	95	39	152	6,551

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	1	0	1	1	0	0	2	4	2	0	1	0	0	12
FinCEN	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fiscal Service	0	1	0	0	1	0	0	0	0	0	0	0	0	2
IRS	13	0	0	0	0	0	0	0	0	0	0	0	0	13
MINT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OCC	6	2	1	0	0	0	0	0	0	0	0	0	0	9
TIGTA	0	2	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	20	5	2	1	1	0	2	4	2	0	1	0	0	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	9	104	180	2	589	589	0	N/A	N/A
DO	129	152	205	883	279	370	32	232	204
FinCEN	24	122	147	24	93	153	0	N/A	N/A
Fiscal Service	10	14	138	29	178	181	0	N/A	N/A
IRS	0	N/A	N/A	722	20	77	5	82	145
MINT	2	13	13	0	N/A	N/A	0	N/A	N/A
OCC	125	20	58	0	N/A	N/A	0	N/A	N/A
TIGTA	0	N/A	N/A	5	14	12	0	N/A	N/A
TTB	0	N/A	N/A	6	18	16	0	N/A	N/A
AGENCY OVERALL	299	82	133	1671	143	235	37	191	188

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

Agency / Component	Date of Receipt/Number of Days Pending	10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
BEP	Date of Receipt	2018-09-10	2018-06-22	2018-06-22	2018-06-18	2018-01-23	2017-12-14	2017-10-05	2017-09-13	2016-10-26	2015-05-11
	Number of Days Pending	15	69	69	73	175	200	247	263	482	852
DO	Date of Receipt	2013-07-26	2013-07-25	2013-07-25	2012-05-22	2012-02-07	2011-09-21	2011-05-31	2011-02-09	2010-07-27	2008-01-28
	Number of Days Pending	1300	1336	1336	1597	1671	1764	1843	1920	2055	2885
FinCEN	Date of Receipt	2017-11-21	2017-11-21	2017-11-20	2017-11-20	2017-11-20	2017-10-16	2017-10-02	2017-06-20	2017-05-09	2016-03-11
	Number of Days Pending	216	216	217	217	217	241	250	322	351	643
Fiscal Service	Date of Receipt	2018-02-27	2018-02-27	2018-02-27	2018-02-27	2018-02-12	2018-01-10	2017-10-02	2017-06-14	2016-09-29	2013-04-03
	Number of Days Pending	151	151	151	151	161	183	250	326	502	1380
IRS	Date of Receipt	2015-09-15	2015-09-15	2015-09-15	2015-08-19	2015-08-08	2015-08-08	2015-04-27	2015-04-06	2014-10-21	2014-08-08
	Number of Days Pending	765	765	765	783	784	784	863	878	990	1041
MINT	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-09-21	2018-09-11
	Number of Days Pending	0	0	0	0	0	0	0	0	5	18
OCC	Date of Receipt	2017-11-28	2017-11-09	2017-11-03	2017-10-26	2017-10-26	2017-10-23	2017-10-17	2017-10-10	2017-07-18	2016-07-06
	Number of Days Pending	211	222	226	232	232	235	239	244	302	561
TIGTA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	2018-09-21	2018-09-11	2018-09-10	2018-09-06	2018-09-06
	Number of Days Pending	0	0	0	0	0	5	13	14	16	16
TTB	Date of Receipt	N/A	N/A	N/A	N/A	2018-09-25	2018-09-25	2018-09-25	2018-09-14	2018-09-13	2018-09-12

Agency / Component	Date of Receipt/Number of Days Pending	10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
	Number of Days Pending	0	0	0	0	3	3	3	10	11	12
AGENCY OVERALL	Date of Receipt	2013-07-26	2013-07-25	2013-04-03	2012-05-22	2012-02-07	2011-09-21	2011-05-31	2011-02-09	2010-07-27	2008-01-28
	Number of Days Pending	1332	1332	1411	1627	1702	1794	1874	1950	2084	2712

VIII. Requests for Expedited Processing and Fee Wavier

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	7	1	1	7
DO	32	230	1	1	252
FinCEN	0	41	1	1	41
Fiscal Service	1	66	1	1	67
IRS	13	23	4	5	34
MINT	0	20	1	1	20
OCC	12	5	8	15.18	10
TIGTA	3	2	1	1.6	5
TTB	0	18	1	1	18
AGENCY OVERALL	61	412	1	1.75	454

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	0	0	N/A	N/A
DO	51	12	1	1
FinCEN	0	0	N/A	N/A
Fiscal Service	3	1	1	1
IRS	90	14	4	7
MINT	0	0	N/A	N/A
OCC	27	1	1	4.43
TIGTA	0	0	N/A	N/A
TTB	0	0	N/A	N/A
AGENCY OVERALL	171	27	2	4.6

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	1.9	1.9	\$302,784.00	\$0.00	\$302,784.00
DO	20	13.34	33.34	\$5,428,651.73	\$291,197.56	\$5,719,849.29
FinCEN	2	5	7	\$336,284.40	\$130,969.80	\$467,254.20
Fiscal Service	2	11	13	\$1,973,032.79	\$0.00	\$1,973,032.79
IRS	10	53.6	63.6	\$5,800,177.72	\$746,016.17	\$6,546,193.89
MINT	1	1	2	\$359,370.00	\$0.00	\$359,370.00
OCC	9	0.59	9.59	\$2,148,798.27	\$0.00	\$2,148,798.27
TIGTA	0	3.84	3.84	\$594,683.00	\$27,198.00	\$621,881.00
TTB	1	1.53	2.53	\$208,549.98	\$0.00	\$208,549.98
AGENCY OVERALL	45	91.8	136.8	\$17,152,331.89	\$1,195,381.53	\$18,347,713.42

X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
BEP	\$0.00	0.00%
DO	\$5,070.90	0.09%
FinCEN	\$0.00	0.00%
Fiscal Service	\$12,645.63	0.64%
IRS	\$39,678.00	0.68%
MINT	\$0.00	0.00%
OCC	\$144,435.00	6.72%
TIGTA	\$41.00	0.01%
TTB	\$1,520.93	0.73%
AGENCY OVERALL	\$203,391.46	1.19%

XI. Use of Subsection c. Exclusions and Proactive Disclosures

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	0	9
DO	12	156
FinCEN	1	71
Fiscal Service	18	37
IRS	4	2,837
MINT	3	103
OCC	138	398
TIGTA	9	27
TTB	56	78
AGENCY OVERALL	241	3,716

XII. Backlogs, Consultations, and Comparisons

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	9	1
DO	1,045	103
FinCEN	22	2
Fiscal Service	29	2
IRS	282	0
MINT	0	5
OCC	66	0
TIGTA	0	0
TTB	0	2
AGENCY OVERALL	1,453	115

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	1	0	1
DO	9	38	34	13
FinCEN	2	30	31	1
Fiscal Service	0	1	1	0
IRS	6	72	73	5
MINT	0	0	0	0
OCC	0	2	2	0
TIGTA	0	4	4	0
TTB	0	0	0	0
AGENCY OVERALL	17	148	145	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
BEP	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-09-13
	Number of Days	0	0	0	0	0	0	0	0	0	12
DO	Date	2018-06-12	2018-06-06	2018-05-14	2018-03-19	2017-12-01	2017-12-01	2017-02-27	2016-05-16	2016-02-09	2014-08-05
	Number of Days	77	81	97	137	209	209	402	597	665	1043
FinCEN	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-02-23
	Number of Days	0	0	0	0	0	0	0	0	0	153
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	2018-09-14	2018-09-14	2018-09-05	2018-09-05	2018-08-22
	Number of Days	0	0	0	0	0	11	11	18	18	27
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	2018-06-06	2018-05-14	2018-03-19	2018-02-23	2017-12-01	2017-12-01	2017-02-27	2016-05-16	2016-02-09	2014-08-05
	Number of Days	77	81	97	153	209	209	402	597	665	1043

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	57	66	41	67
DO	1,204	1,255	961	936
FinCEN	459	575	442	552
Fiscal Service	376	382	339	382
IRS	8,262	7,909	8,512	7,859
MINT	120	143	110	151
OCC	1,609	1,829	1,613	1,768
TIGTA	260	254	250	261
TTB	129	122	124	122
AGENCY OVERALL	12,476	12,535	12,392	12,098

After reviewing its database, Treasury adjusted the number of requests received and processed in FY17.

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	1	9
DO	738	1,045
FinCEN	41	22
Fiscal Service	17	29
IRS	276	282
MINT	3	0
OCC	17	66
TIGTA	0	0
TTB	2	0
AGENCY OVERALL	1,095	1,453

After reviewing its database, Treasury adjusted the number of backlogged requests for OCC as of the end of FY17.

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	4	4	4	4
DO	22	25	6	9
FinCEN	13	1	12	2
Fiscal Service	4	10	3	9
IRS	123	107	120	110
MINT	2	9	2	5
OCC	2	9	12	11
TIGTA	12	12	14	10
TTB	0	0	0	0
AGENCY OVERALL	182	177	173	160

After reviewing its database, the agency adjusted the number of appeals received in FY17 for DO, FinCEN, OCC, and BEP.

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	1	1
DO	77	103
FinCEN	0	2
Fiscal Service	0	2
IRS	0	0
MINT	0	5
OCC	0	0
TIGTA	0	0
TTB	0	2
AGENCY OVERALL	78	115

After reviewing its database, Treasury adjusted the number of backlogged appeals as of the end of FY17 for BEP, DO, and FinCEN