



U.S. DEPARTMENT OF THE TREASURY

FREEDOM OF INFORMATION ACT

ANNUAL REPORT TO THE ATTORNEY GENERAL

FOR FISCAL YEAR 2012

Disclosure Services

December 7, 2012

DEPARTMENT OF THE TREASURY

The Departmental Offices (DO)

Alcohol and Tobacco Tax and Trade Bureau (TTB)

Office of the Comptroller of the Currency (OCC)

Bureau of Engraving and Printing (BEP)

Financial Management Service (FMS)

Internal Revenue Service (IRS)

United States Mint (MINT)

Bureau of the Public Debt (BPD)

Treasury Inspector General for Tax Administration (TIGTA)

Financial Crimes Enforcement Network (FinCEN)

Consumer Financial Protection Bureau (CFPB)



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 FREEDOM OF INFORMATION ACT ANNUAL REPORT
 FOR FISCAL YEAR 2012

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I. BASIC INFORMATION REGARDING REPORT.

This is the Fiscal Year 2012 Freedom of Information Act (FOIA) Report for the Department of the Treasury. For purposes of the FOIA this year, the Department was divided into 10¹ 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 this report in collaboration with the bureau FOIA Officers.

¹ This report also includes information for the Consumer Financial Protection Bureau (CFPB). Although CFPB is not a Treasury bureau, Treasury was responsible for CFPB's FOIA administration for a portion of FY 12. The data for Departmental Offices (DO) also includes data for the Financial Stability Oversight Council (FSOC), a separate agency whose FOIA requests were processed in FY12 by DO.

Questions about this report may be directed to:

Hugh Gilmore, 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 website at: [insert Web site after posting]

MAKING A FOIA REQUEST.

The Department of the Treasury's Guide to Accessing Treasury Records is available at www.treas.gov/foia/, or by contacting Disclosure Services, as described above.

1. Contact information for Treasury bureau FOIA officers.

Departmental Offices (DO)

Hugh Gilmore
Disclosure Services
Ph: 202/622-0930
Fax: 202/622-3895
Address:
FOIA Request
Department of the Treasury
Washington, DC 20220

Comptroller of the Currency (CC)

Frank Vance
Ph: 202/874-4700
Fax: 202/874-5274
Address:
Disclosure (FOIA) Office
Washington, DC 20219

Alcohol and Tobacco Tax and Trade

Bureau (TTB)
Quinton Mason
Ph: 202/882-9904
Fax: 202/453-2331
Address:
Disclosure Services
1310 G Street, NW, Box 12
Washington, DC 20005

Bureau of Engraving & Printing (BEP)

Sonya White & Sherrylyn Bell
Ph: 202/874-3733
Fax: 202/874-2951
Address:
FOIA OFFICE
Room 419-A
14th & C Streets, SW
Washington, DC 20228

Financial Management Service (FMS)

Cynthia Sydnor
Ph: 202/874-0765
Fax: 202/874-2391
Address:
Disclosure Branch
401 14th Street, SW
Washington, DC 20227

Bureau of the Public Debt (BPD)

Denise Nelson
Ph: 304/480-8402
Fax: 304/480-8188
Address:
FOIA Request
200 3rd Street, Rm. A4-A
Parkersburg, WV 26106

Internal Revenue Service (IRS)

Marie Twarog
 Phone: 770-234-4374
 Fax: 770-234-4346
 Address: (Headquarters only)
 Internal Revenue Service
 FOIA Requests
 Headquarters Disclosure Office
 Room 2012
 1111 Constitution Ave., NW,
 Washington, DC 20224-0001

United States Mint (Mint)

Kathleen Saunders-Mitchell
 Ph: 202/354-7292
 Fax: 202/756-6100
 Address:
 FOIA Request
 801 9th Street, NW – 8th Floor
 Washington, DC 20220

*Financial Crimes Enforcement Network
(FinCEN)*

Amanda Michanczyk
 Ph: 703/905-3537
 Fax: 703/905-3885
 Address: FOIA Request
 PO Box 39
 Vienna, VA 22183

*Treasury Inspector General for
Tax Administration (TIGTA)*

Amy P. Jones
 Ph: 202/927-7044
 Fax: 202/622-3339
 Address: FOIA Request
 TIGTA Chief Counsel
 1125 15TH Street, NW, Suite 700
 Washington, DC 20005

*Consumer Financial Protection
Bureau (CFPB)*

Martin Michalosky
 Ph: 202/435-7198
 Fax: 202/435-7244
 Address: Chief FOIA Officer
 Consumer Financial Protection Bureau
 1500 Pennsylvania Avenue, NW
 (Attn: 1801 L Street)
 Washington, DC 20220

2. Brief description of why some requests are not granted and an overview of certain general categories of the Department's records to which the FOIA exemptions apply.

The most common reasons reported by the bureaus regarding why requests for records could not be granted include: (1) protecting personal privacy; (2) deliberative process privilege; (3) the records reflected the internal practices involved in investigations or inspections; (4) the records contained confidential taxpayer information and other statutorily protected information; and (5) the records contained contractor confidential and proprietary commercial information. Others: records did not exist; procedural requirements were not followed.

III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Agency-specific acronyms or terms used in this Report:

| | |
|--------|---|
| BEP | Bureau of Engraving and Printing |
| BPD | Bureau of the Public Debt |
| CFPB | Consumer Financial Protection Bureau |
| DO | Departmental Offices |
| FinCEN | Financial Crimes Enforcement Network |
| FMS | Financial Management Service |
| IRS | Internal Revenue Service |
| MINT | United States Mint |
| OCC | Office of the Comptroller of the Currency |
| TIGTA | Treasury Inspector General for Tax Administration |
| TTP | Alcohol and 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.
- 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.
- 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 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

A. Exemption 3 Statutes Relied upon to Withhold Information

| Statute | Type of Information Withheld | Case Citation | Component | Number of Times Relied upon per Component | Total Number of Times Relied upon per Agency |
|----------------|-------------------------------------|---|-----------|---|--|
| 26 U.S.C. 6103 | Certain tax information information | None | DO | 1 | 2554 |
| | | None | FMS | 29 | |
| | | <i>The Church of Scientology of California v. IRS</i> | IRS | 2446 | |
| | | | OCC | 2 | |
| | | | TIGTA | 57 | |
| | | None | TTB | 19 | |

| Statute | Type of Information Withheld | Case Citation | Component | Number of Times Relied upon per Component | Total Number of Times Relied upon per Agency |
|----------------|---|--|-----------|---|--|
| 31 U.S.C. 5319 | Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports. | Cuban v. Securities and Exchange Commission, 2011 U.S. Dist. LEXIS 71064 *45 (D.D.C. July 1, 2011) (SARs); Berger v. Internal Revenue Service, 487 F. Supp. 2d 482, 496-97 (D. N.J. 2007, aff'd on other grounds, 288 F. App's 829 (3d Cir. 2008), cert. denied, 129 S. Ct. 2789 (U.S. 2009); Sciba v. Bd. Of Governors of the Fed. Reserve Sys., No 04-1011, 2005 WL 3201206, at *6 (D.D.C. Nov. 4, 2005) (SARs and CTRs); Davis v. U.S. Dept. of Justice, 2003 U.S. Dist. LEXIS 27467 *14 (D.D.C. March 21, 2003) (BSA records); Maydak v. U.S. Department of Justice, 2004 U.S. Dist. Lexis 27538 *12 (D.D.C. Aug. 23, 2004) (CTRs); Radcliffe v. Internal Revenue Service, 536 F. Supp.2d 423, 431 (S.D.N.Y. 2008) (CTRs); Linn v. U.S. Department of Justice, 1995 WL 631847 *30 (D.D.C. Aug. 22, 1995) (CTRs); Small v. Internal Revenue Service, 820 F. Supp. 163 (D.N.J. 1992); Vosburgh v. Internal Revenue Service, 1994 WL 564699 *4 (D.Ore. July 5, 1994) (CTRs). | FinCEN | 197 | 250 |
| | | Small v. IRS, 820 F. Supp 163 (D.N.J. 1992) | IRS | 53 | |

| Statute | Type of Information Withheld | Case Citation | Component | Number of Times Relied upon per Component | Total Number of Times Relied upon per Agency |
|---|--|---|-----------|---|--|
| 41 U.S.C. 4702(b) | Contractor proposals that are in possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts | <i>Hornbostel v. US Dept of the Interior</i> | MINT | 3 | 4 |
| | | | BPD | 1 | |
| 26 U.S.C. 6105 | Certain tax convention information | Tax Analysts v. IRS, 217 F.Supp.2d 23 (D.D.C. 2002) | IRS | 55 | 55 |
| Rule 6(e) of the Federal Rules of Criminal Procedure P.L. 95-78, 91 Stat. 319 | Certain records related to | | IRS | 2 | 2 |
| | Grand Jury proceedings | | | | |

V. FOIA REQUESTS.

A. Received, Processed and Pending FOIA Requests.

| | Number of Requests Pending as of Start of Fiscal Year | Number of Requests Received in Fiscal Year | Number of Requests Processed Fiscal Year | Number of Requests Pending as of End of Fiscal Year |
|----------------|---|--|--|---|
| BEP | 7 ² | 57 | 57 | 7 |
| BPD | 2 ³ | 117 | 117 | 2 |
| CFPB | 8 ⁴ | 184 | 176 | 16 |
| DO | 231 ⁵ | 1221 | 1297 | 155 |
| FinCEN | 2 | 252 | 254 | 0 |
| FMS | 24 | 281 | 259 | 46 |
| IRS | 822 | 12137 | 12198 | 761 |
| MINT | 6 | 128 | 127 | 7 |
| OCC | 67 ⁶ | 1933 | 1924 | 76 |
| TIGTA | 15 | 227 | 226 | 16 |
| TTB | 0 | 73 | 70 | 3 |
| AGENCY OVERALL | 1184 | 16610 | 16705 | 1089 |

² BEP had one case in suspense end FY11; perfected

³ BPD had one case in suspense end of FY11; perfected

⁴ CFPB had three cases in suspense end FY11; perfected

⁵ DO had 52 appeals inadvertently mixed in pending at FY start; six cases in suspense end FY11; closed

⁶ OCC had seven cases in suspense end FY11; perfected

B. (1) Disposition of FOIA Requests – All Processed Requests (continued below)

| | 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 | |
| BEP | 12 | 20 | 0 | 13 | 3 | 2 | 1 | 5 | 0 | 0 | 1 | 0 | 57 |
| BPD | 9 | 17 | 4 | 44 | 12 | 2 | 0 | 1 | 5 | 22 | 1 | 0 | 117 |
| CFPB | 50 | 65 | 5 | 23 | 2 | 5 | 2 | 2 | 3 | 17 | 2 | 0 | 176 |
| DO | 103 | 192 | 234 | 44 | 349 | 96 | 202 | 0 | 1 | 2 | 68 | 6 | 1297 |
| FinCEN | 10 | 71 | 117 | 41 | 2 | 0 | 0 | 0 | 9 | 4 | 0 | 0 | 254 |
| FMS | 30 | 98 | 1 | 21 | 2 | 48 | 1 | 0 | 2 | 44 | 12 | 0 | 259 |
| IRS | 4272 | 2772 | 214 | 793 | 46 | 128 | 142 | 639 | 2687 | 35 | 470 | 0 | 12198 |
| MINT | 56 | 15 | 2 | 28 | 5 | 2 | 3 | 1 | 7 | 3 | 5 | 0 | 127 |
| OCC | 1339 | 133 | 78 | 75 | 10 | 46 | 1 | 11 | 64 | 117 | 19 | 31 | 1924 |
| TIGTA | 14 | 84 | 21 | 18 | 24 | 3 | 2 | 0 | 50 | 8 | 2 | 0 | 226 |
| TTB | 16 | 21 | 10 | 14 | 2 | 1 | 2 | 1 | 3 | 0 | 0 | 0 | 70 |
| Agency Overall | 5911 | 3488 | 686 | 1114 | 457 | 333 | 356 | 660 | 2831 | 252 | 580 | 37 | 16705 |

B. (2) Disposition of FOIA Requests – “Other” Reasons for “Full Denials Based on Reasons Other than Exemptions (from Section V. B (1) Chart

| Component | Description of "Other" Reasons for Denials from Chart B (1) & Number of Times Those Reasons Were Relied upon. | TOTAL |
|----------------|---|-------|
| DO | Aggregated similar requests- 6 | 6 |
| OCC | NOT FOIA- 17, Records previously furnished- 3 N0-Records exist-11 | 31 |
| Agency Overall | | 37 |

B. (3) Disposition of FOIA Requests - Number of Times Exemptions Applied:

| | 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 | N/A | 2 | N/A | 4 | 7 | 15 | N/A | N/A | N/A | 1 | N/A | N/A | N/A | N/A |
| BPD | N/A | N/A | 1 | 5 | 1 | 11 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| CFPB | N/A | 3 | N/A | 4 | 26 | 56 | 5 | N/A | 2 | 3 | 1 | N/A | 5 | N/A |
| DO | 5 | 2 | 7 | 13 | 27 | 50 | 1 | N/A | 4 | N/A | N/A | N/A | N/A | N/A |
| FinCEN | N/A | N/A | 197 | 2 | 5 | 18 | 1 | 1 | 29 | 7 | 41 | 1 | 3 | N/A |
| FMS | N/A | N/A | 29 | 7 | 4 | 56 | N/A | N/A | N/A | N/A | 2 | N/A | N/A | N/A |
| IRS | N/A | 86 | 2463 | 31 | 518 | 420 | 368 | 7 | 1051 | 58 | 1100 | 16 | N/A | N/A |
| MINT | N/A | 1 | 3 | 3 | 4 | 9 | N/A | N/A | N/A | N/A | 1 | 1 | N/A | N/A |
| OCC | N/A | 2 | 2 | 89 | 46 | 53 | N/A | N/A | N/A | N/A | N/A | N/A | 174 | N/A |
| TIGTA | N/A | N/A | 48 | 2 | 6 | 91 | 6 | N/A | 92 | 16 | 13 | N/A | N/A | N/A |
| TTB | N/A | 1 | 19 | 17 | 13 | 20 | 2 | N/A | 1 | N/A | 3 | N/A | N/A | N/A |
| AGENCY OVERALL | 5 | 97 | 2769 | 177 | 657 | 799 | 383 | 8 | 1179 | 85 | 1161 | 18 | 182 | N/A |

VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

A. Received, Processed, and Pending Administrative Appeals

| | Number of Appeals Pending as of Start of Fiscal Year | Number of Appeals Received in Fiscal Year | Number of Appeals Processed in Fiscal Year | Number of Appeals Pending as of End of Fiscal Year |
|-----------------------|--|---|--|--|
| BEP | 0 | 0 | 0 | 0 |
| BPD | 0 | 0 | 0 | 0 |
| CFPB | 0 | 12 | 8 | 4 |
| DO | 52 | 23 | 22 | 53 |
| FinCEN | 0 | 14 | 13 | 1 |
| FMS | 2 | 6 | 7 | 1 |
| IRS | 4 | 184 | 178 | 10 |
| MINT | 0 | 3 | 3 | 0 |
| OCC | 12 | 47 | 54 | 5 |
| TIGTA | 3 | 23 | 25 | 1 |
| TTB | 0 | 1 | 1 | 0 |
| AGENCY OVERALL | 73 | 313 | 311 | 75 |

B. Disposition of Administrative Appeals – All Processed Appeals

| | Number Affirmed on Appeal | Number Partially Affirmed & Partially Reversed/Remanded on Appeal | Number Completely Reversed/Remanded on Appeal | Number of Appeals Closed for Other Reasons | Total |
|-----------------------|---------------------------|---|---|--|------------|
| BEP | 0 | 0 | 0 | 0 | 0 |
| BPD | 0 | 0 | 0 | 0 | 0 |
| CFPB | 6 | 1 | 1 | 0 | 8 |
| DO | 9 | 6 | 4 | 3 | 22 |
| FinCEN | 11 | 1 | 0 | 1 | 13 |
| FMS | 5 | 2 | 0 | 0 | 7 |
| IRS | 178 | 0 | 0 | 0 | 178 |
| MINT | 2 | 1 | 0 | 0 | 3 |
| OCC | 11 | 25 | 10 | 8 | 54 |
| TIGTA | 17 | 6 | 1 | 1 | 25 |
| TTB | 0 | 1 | 0 | 0 | 1 |
| AGENCY OVERALL | 239 | 43 | 16 | 13 | 311 |

C. (1) Reasons for Denial on Appeal – Number of Times Exemptions Applied

| | 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 |
| BPD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CFPB | 0 | 0 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DO | 0 | 0 | 1 | 1 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| FinCEN | 0 | 0 | 10 | 0 | 0 | 1 | 0 | 0 | 2 | 0 | 3 | 0 | 0 | 0 |
| FMS | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IRS | 1 | 4 | 67 | 0 | 29 | 14 | 10 | 1 | 15 | 4 | 15 | 1 | 0 | 0 |
| MINT | 0 | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCC | 0 | 0 | 0 | 9 | 9 | 18 | 0 | 0 | 12 | 0 | 0 | 1 | 8 | 0 |
| TIGTA | 0 | 0 | 9 | 0 | 1 | 21 | 3 | 0 | 22 | 0 | 4 | 0 | 0 | 0 |
| TTB | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AGENCY OVERALL | 1 | 4 | 90 | 11 | 44 | 61 | 13 | 1 | 51 | 4 | 22 | 2 | 9 | 0 |

C. (2) Reasons for Denial on Appeal – Reasons Other than Exemptions

| | No Records | Records Referred at Initial Request Level | 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 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| BPD | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| CFPB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DO | 3 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| FinCEN | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| FMS | 1 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 |
| IRS | 48 | 6 | 0 | 2 | 0 | 15 | 0 | 0 | 11 |
| MINT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCC | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 1 | 3 |
| TIGTA | 2 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| TTB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Agency Overall | 54 | 6 | 1 | 3 | 0 | 17 | 5 | 1 | 14 |

| C(2) cont..... | Request in litigation | Appeal Denial /Expedited Processing |
|-------------------|-----------------------|-------------------------------------|
| BEP | N/A | N/A |
| BPD | N/A | N/A |
| CFPB | N/A | N/A |
| DO | N/A | 1 |
| FINCEN | N/A | N/A |
| IRS | N/A | N/A |
| FMS | N/A | N/A |
| MINT | N/A | N/A |
| OCC | N/A | N/A |
| TIGTA | N/A | N/A |
| TTB | N/A | N/A |
| overall | N/A | 1 |

C. (3) Reasons for Denial on Appeal – “Other” Reasons from Section VI. C (2) Chart

| | Description of "Other" Reasons for Denials from Chart B (1) & Number of Times Those Reasons Were Relied Upon. | TOTAL |
|---------|---|-------|
| OCC | Not FOIA-1; | 3 |
| | | 3 |
| | Records previously furnished-2 | 3 |
| IRS | 9-late filed, | 11 |
| | 2-not authorized | 11 |
| Overall | | 14 |

C. (4) response Time for Administrative Appeals

| | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days |
|----------------|-----------------------|------------------------|-----------------------|------------------------|
| BEP | 0 | 0 | 0 | 0 |
| BPD | 0 | 0 | 0 | 0 |
| CFPB | 19.50 | 18.25 | 10 | 24 |
| DO | 25 | 70 | 3 | 255 |
| FinCEN | 12 | 14 | 3 | 34 |
| FMS | 19 | 18 | 13 | 20 |
| IRS | 17 | 18 | 3 | 62 |
| MINT | 17 | 14 | 6 | 19 |
| OCC | 44 | 86 | 0 | 537 |
| TIGTA | 16 | 16 | 2 | 21 |
| TTB | 13 | 13 | 13 | 13 |
| AGENCY OVERALL | 18 | 33 | 0 | 537 |

C. (5) Ten Oldest Pending Administrative Appeals

| | | 10th Oldest Appeal | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Appeal |
|---------------------------|------------------------|--------------------|---------|---------|---------|---------|---------|----------|----------|----------|---------------|
| BEP TTB BPD MINT | Date of Receipt | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| CFPB | Date of Receipt | N/A | N/A | N/A | N/A | N/A | N/A | 9/11/11 | 9/10/12 | 9/7/12 | 8/23/12 |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | 13 | 14 | 15 | 25 |
| DO | Date of Receipt | 7/15/11 | 6/13/11 | 6/10/11 | 6/7/11 | 4/15/10 | 4/6/11 | 12/29/10 | 11/30/10 | 11/03/10 | 6/8/08 |
| | Number of Days Pending | 316 | 340 | 341 | 344 | 381 | 388 | 458 | 479 | 498 | 1125 |
| FinCEN | Date of Receipt | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 12/9/19 |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 8 |
| FMS | Date of Receipt | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 12/7/10 |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 57 |
| IRS | Date of Receipt | 9/26/12 | 9/24/12 | 9/24/12 | 9/21/12 | 9/21/12 | 9/20/12 | 9/17/12 | 9/17/12 | 9/14/12 | 9/6/12 |
| | Number of Days Pending | 3 | 5 | 5 | 6 | 6 | 7 | 10 | 10 | 11 | 17 |
| OCC | Date of Receipt | N/A | N/A | 9/24/12 | 9/18/12 | 8/27/12 | 8/27/12 | 8/27/12 | 7/31/12 | 7/27/12 | 1/19/11 |
| | Number of Days Pending | N/A | N/A | 4 | 8 | 23 | 23 | 23 | 42 | 296 | 428 |
| TIGTA | Date of Receipt | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 9/26/12 |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 2 |
| Agency Overall | Date of Receipt | 7/15/11 | 6/13/11 | 6/10/11 | 6/7/11 | 4/15/10 | 4/6/11 | 12/29/10 | 11/30/10 | 11/03/10 | 6/8/08 |
| | Number of Days Pending | 316 | 340 | 341 | 344 | 381 | 388 | 458 | 479 | 498 | 1125 |

VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS

A. Processed Requests

| | 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 | 2 | 6 | 1 | 34 | 14 | 19 | 23 | 45 | 3 | 3 | 3 | 3 |
| BPD | 0 | 0 | 0 | 0 | 4 | 6 | 1 | 34 | 13 | 10.3 | 1 | 20 |
| CFPB | 8 | 8.5 | 1 | 39 | 48 | 48.5 | 1 | 180 | 0 | 0 | 0 | 0 |
| DO | 199 | 39 | 0 | 398 | 1268 | 54 | 0 | 2536 | 562 | 587 | 230 | 895 |
| FinCEN | 1 | 1 | 0 | 6 | 5 | 6 | 0 | 64 | N/A | N/A | N/A | N/A |
| FMS | 12 | 12 | 1 | 118 | 9 | 12 | 1 | 46 | 0 | 0 | 0 | 0 |
| IRS | 0 | 0 | 0 | 0 | 17 | 21.87 | 0 | 757 | 8 | 10 | 11 | 22 |
| MINT | 8 | 10 | 1 | 20 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| OCC | 3 | 9 | 0 | 254 | 26 | 39 | 0 | 187 | 21 | 26 | 0 | 139 |
| TIGTA | 4 | 4 | 1 | 8 | 16 | 15 | 1 | 109 | 10 | 12 | 7 | 20 |
| TTB | 5 | 7.25 | 2 | 19 | 13 | 14.23 | 1 | 30 | 2 | 2 | 2 | 2 |
| Agency Overall | 5 | 17.26 | 0 | 398 | 14 | 25.75 | 0 | 2536 | 6 | 31.8 | 0 | 895 |

B. Processed Requests – Response Time for Perfected Requests in Which Information Was Granted

| | 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 | 8 | 10 | 2 | 18 | 10 | 15 | 22 | 44 | N/A | N/A | N/A | N/A |
| BPD | 0 | 0 | 0 | 0 | 7 | 9.92 | 1 | 34 | 16 | 15 | 1 | 20 |
| CFPB | 8 | 10.32 | 1 | 39 | 24 | 35.79 | 1 | 114 | 0 | 0 | 0 | 0 |
| DO | 200 | 80 | 2 | 398 | 1268 | 181 | 0 | 2536 | 562 | 587 | 230 | 895 |
| FinCEN | 1 | 1 | 0 | 4 | 3 | 6 | 0 | 64 | N/A | N/A | N/A | N/A |
| FMS | 14 | 16 | 3 | 118 | 20 | 19 | 2 | 46 | N/A | N/A | N/A | N/A |
| IRS | N/A | N/A | N/A | N/A | 17 | 22.8 | 0 | 757 | 7 | 7 | 11 | 11 |
| MINT | 8 | 10 | 1 | 20 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| OCC | 3 | 8 | 0 | 254 | 34 | 51 | 4 | 197 | 22 | 27 | 0 | 107 |
| TIGTA | 0 | 0 | 0 | 0 | 20 | 25 | 4 | 109 | 12 | 12 | 7 | 19 |
| TTB | 3 | 4.43 | 2 | 10 | 15 | 15.85 | 2 | 30 | 2 | 2 | 2 | 2 |
| Agency Overall | 5 | 12.8 | 0 | 398 | 17 | 32.06 | 0 | 2536 | 10 | 22.18 | 0 | 895 |

C. Processed Requests – Response Time in Day Increments

Simple Requests

| | 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 | 27 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 33 |
| BPD | 115 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 117 |
| CFPB | 90 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 104 |
| DO | 81 | 12 | 6 | 3 | 3 | 1 | 2 | 2 | 2 | 0 | 5 | 4 | 0 | 121 |
| FinCEN | 133 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 133 |
| FMS | 188 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 208 |
| IRS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| MINT | 127 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 127 |
| OCC | 1526 | 152 | 24 | 12 | 8 | 6 | 4 | 3 | 2 | 1 | 2 | 0 | 0 | 1740 |
| 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 | 2289 | 205 | 30 | 15 | 11 | 8 | 6 | 5 | 4 | 1 | 7 | 4 | 0 | 2585 |

Complex Requests

| | 1-20 Days | 21-40 Days | 41-60 Days | 61-80 Days | 81- 100 Days | 101- 120 Days | 121- 140 Days | 141- 160 Days | 161- 180 Days | 181- 200 Days | 201- 300 Days | 301- 400 Days | 401+ Days | TOTAL |
|-------------------|--------------|---------------|---------------|---------------|--------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------|-------|
| BEP | 12 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 17 |
| BPD | 115 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 117 |
| CFPB | 22 | 14 | 12 | 0 | 6 | 4 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 59 |
| DO | 801 | 73 | 48 | 36 | 26 | 27 | 12 | 12 | 9 | 12 | 28 | 14 | 37 | 1135 |
| FinCEN | 119 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 120 |
| FMS | 38 | 12 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 51 |
| IRS | 5516 | 1829 | 520 | 160 | 49 | 26 | 24 | 12 | 8 | 4 | 13 | 11 | 7 | 8179 |
| MINT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCC | 46 | 32 | 17 | 6 | 4 | 5 | 2 | 2 | 0 | 2 | 0 | 0 | 0 | 116 |
| TIGTA | 180 | 28 | 3 | 4 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 217 |
| TTB | 41 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 57 |
| Agency Overall | 6890 | 2011 | 601 | 207 | 85 | 64 | 38 | 26 | 18 | 18 | 41 | 25 | 44 | 10068 |

Requests Granted Expedited Processing

| | 1-20 Days | 21-40 Days | 41- 60 Days | 61-80 Days | 81- 100 Days | 101- 120 Days | 121- 140 Days | 141- 160 Days | 161- 180 Days | 181- 200 Days | 201- 300 Days | 301- 400 Days | 401+ Days | TOTAL |
|-------------------|--------------|---------------|-------------------|---------------|--------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|--------------|-------|
| BEP | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| BPD | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 13 |
| CFPB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DO | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 2 | 4 |
| FinCEN | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| FMS | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| IRS | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 |
| MINT | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |
| OCC | 47 | 31 | 9 | 5 | 2 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 97 |
| TIGTA | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 |
| TTB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Agency Overall | 77 | 31 | 9 | 5 | 2 | 1 | 2 | 0 | 0 | 0 | 1 | 1 | 2 | 131 |

D. Pending Requests

1.

| | 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 | 0 | 0 | 0 | 4 | 9 | 10.25 | N/A | N/A | N/A |
| BPD | N/A | N/A | N/A | 2 | 9.5 | 9.5 | N/A | N/A | N/A |
| CFPB | 6 | 22.5 | 18 | 10 | 18 | 27 | N/A | N/A | N/A |
| DO | 25 | 46 | 120 | 206 | 263 | 446 | 2 | 283 | 283 |
| FinCEN | 0 | 0 | 0 | 0 | 0 | 0 | N/A | N/A | N/A |
| FMS | 8 | 13 | 12 | 3 | 121 | 100 | N/A | N/A | N/A |
| IRS | 0 | 0 | 0 | 761 | 13 | 22.04 | 0 | 0 | 120 |
| MINT | 6 | 11 | 12 | N/A | N/A | N/A | N/A | N/A | N/A |
| OCC | 75 | 5 | 7 | 2 | 14 | 14 | 3 | 15 | 13 |
| TIGTA | 0 | 0 | 0 | 15 | 3 | 5 | 1 | 3 | 3 |
| TTB | 0 | 0 | 0 | 3 | 24 | 25 | N/A | N/A | N/A |
| Agency overall | 120 | 21 | 31 | 1006 | 13 | 109 | 6 | 3 | 101.33 |

E. Pending Requests – Ten Oldest Pending Perfected Requests

| Date of Receipt of Ten Oldest Pending | 10th Oldest Request and Number of Days Pending | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Request and Number of Days Pending |
|---------------------------------------|--|------------------------|------------------------|------------------------|------------------------|-----------------------|-----------------------|------------------------|-------------------------|---|
| BEP | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | 9/24/12 4 | 9/17/12 9 days | 9/17/12 9 days | 8/31/12 19 days |
| BPD | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | 9/26/2012 3 days | 9/7/2012 16 days |
| CFPB | 9/7/2012 15 | 8/29/2012 21 | 8/29/2012 21 days | 8/24/2012 24 days | 8/24/2012 24 days | 8/23/2012 25 days | 8/21/2012 27 days | 8/16/2012 30 days | 7/30/12 43 days | 4/4/12 124 days |
| DO | 3/5/2007 1429 days | 2/13/2007 1443 days | 1/22/2007 1459 days | 10/3/2005 1799 days | 9/12/2005 1814 days | 8/8/2005 1839 days | 6/9/2005 1881 days | 12/6/2004 2014 days | 11/18/2003 2288 days | 10/30/2003 2301 days |
| FinCEN | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A |
| FMS | 9/19/2012 7 days | 9/19/2012 7 days | 9/19/2012 7days | 9/11/2012 13 days | 9/6/2012 16 days | 9/5/2012 17 days | 9/4/2012 18 days | 7/1720/12 52 days | 4/9/2012 121 days | 3/29/2012 128 days |
| IRS | 12/28/2011 191 days | 11/29/2011 211 | 10/31/2011 230 days | 9/29/2011 251 days | 8/26/2011 274 days | 7/25/2011 298 days | 7/7/2010 311 days | 6/7/2011 331 days | 5/6/2011 352 days | 9/27/10 504 days |
| MINT | N/A N/A | N/A N/A | N/A N/A | N/A N/A | 9/19/2012 8 days | 9/19/2012 8 days | 9/18/2012 9 days | 9/12/2012 13 days | 9/12/2012 13 days | 8/28/2012 24 days |
| OCC | 9/11/2012 13 days | 9/11/2012 13 days | 9/11/2012 13 days | 9/7/2012 15 days | 8/31/2012 19 days | 8/30/2012 20 | 8/17/2012 29 days | 8/6/2012 38 | 7/24/2012 47 days | 7/20/2012 49 days |
| TIGTA | 9/26/2012 2 days | 9/25/2012 3 days | 9/25/2012 3 days | 9/21/2012 5 days | 9/21/2012 5 days | 9/17/2012 9 days | 9/12/2012 12 days | 9/12/2012 12 days | 9/11/2012 13 days | 9/11/2012 13 days |
| TTB | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A N/A | N/A | 9/5/2012 18 | 8/31/2012 19 | 8/29/12 22 |
| Agency Overall | 3/15/2007 1429 | 2/13/2007 1443 | 1/22/2007 1459 days | 10/3/2005 1799 days | 9/12/2005 1814 days | 8/8/2005 1839 days | 6/9/2005 1881 days | 12/6/2004 2014 days | 11/18/2003 2288 days | 10/30/2003 2301 days |

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

A. Requests for Expedited Processing

| | Number Granted | Number Denied | Median Number of Days to Adjudicate | Average Number of Days to Adjudicate | Number Adjudicated Within Ten Calendar Days |
|----------------|----------------|---------------|-------------------------------------|--------------------------------------|---|
| BEP | 1 | 2 | 5 | 4 | 3 |
| BPD | 12 | 1 | 16 | 10.3 | 6 |
| CFPB | 0 | 8 | 6.5 | 11.12 | 5 |
| DO | 5 | 47 | 6 | 2 | 51 |
| FinCEN | 0 | 0 | 0 | 0 | 0 |
| FMS | 0 | 3 | 8 | 8 | 2 |
| IRS | 3 | 18 | 7 | 6 | 20 |
| MINT | 2 | 4 | 5 | 6 | 2 |
| OCC | 108 | 116 | 0 | 0 | 219 |
| TIGTA | 8 | 4 | 2 | 6 | 11 |
| TTB | 1 | 3 | 7 | 6 | 4 |
| Agency Overall | 140 | 206 | 5 | 1.79 | 323 |

B. Requests for Fee Waiver

| | Number Granted | Number Denied | Median Number of Days to Adjudicate | Average Number of Days to Adjudicate |
|----------------|----------------|---------------|-------------------------------------|--------------------------------------|
| BEP | 1 | 5 | 1 | 2 |
| BPD | 13 | 0 | 16 | 10.3 |
| CFPB | 4 | 7 | 1 | .55 |
| DO | 15 | 445 | 65 | 65 |
| FinCEN | 0 | 0 | 0 | 0 |
| FMS | 1 | 3 | 7 | 8 |
| IRS | 74 | 42 | 6 | 17 |
| MINT | 2 | 7 | 8 | 14 |
| OCC | 4 | 8 | 0 | 2.5 |
| TIGTA | 10 | 6 | 1 | 3 |
| TTB | 0 | 4 | 5 | 5 |
| Agency Overall | 124 | 527 | 6 | 49.58 |

IX. FOIA PERSONNEL AND COSTS

| | 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 | 04.55 | 4.55 | \$356,941.20 | \$0.00 | \$356,941.20 |
| BPD | 1 | 0.20 | 1.20 | \$ 160,000 | \$0.00 | \$160,000 |
| CFPB | 4 | 0.12 | 4.12 | \$397,139 | \$0.00 | \$397,139 |
| DO | 15 | 5.10 | 20.10 | \$2,524,941 | \$112,399.64 | \$2,637,340.64 |
| FinCEN | 0 | 1.22 | 1.22 | \$145,430 | \$0 | \$145,430 |
| FMS | 0 | 6 | 6 | \$557,185.78 | \$0 | \$557,185.78 |
| IRS | 10.85 | 53.63 | 64.48 | \$8,974,782.85 | \$240,427.08 | \$9,215,209.93 |
| MINT | 1 | 1 | 2 | \$201,081.67 | \$0.00 | \$201,081.67 |
| OCC | 9 | 2.00 | 11.00 | \$167,069 | \$0.00 | \$167,069 |
| TIGTA | 0 | 3.31 | 3.31 | \$477,085 | .00 | \$477,085 |
| TTB | 1 | .36 | 1.36 | \$149,923.99 | \$0.00 | \$149,923.99 |
| Agency Overall | 41.85 | 77.49 | 119.34 | \$14,111,579.49 | \$352,826.72 | \$14,464,406.21 |

X. FEES COLLECTED FOR PROCESSING REQUESTS

| | Total Amount of Fees Collected | Percentage of Total Costs |
|----------------|--------------------------------|---------------------------|
| BEP | \$600.61 | .17% |
| BPD | \$0 | 0 |
| CFPB | \$2,602 | .66% |
| DO | \$28,901.76 | 1.14% |
| FinCEN | \$0 | 0 |
| FMS | \$16,187.36 | 2.91% |
| IRS | \$260,520.34 | 2.90% |
| MINT | \$472.71 | .24% |
| OCC | \$165,910 | 99.31% |
| TIGTA | \$773.28 | .16% |
| TTB | \$0 | 0% |
| Agency Overall | \$475,968.06 | 3.37% |

XI. FOIA REGULATIONS

DO: http://www.access.gpo.gov/nara/cfr/waisidx_09/31cfr1_09.html

TTB: <http://www.ttb.gov/foia/>

OCC: <http://www.occ.treas.gov/foia/foia.htm> and <http://www.occ.treas.gov/foia/foiafees.htm>

BEP: <http://www.moneyfactory.gov/section.cfm/14>

FMS: <http://fms.treas.gov/foia>

IRS: <http://frwebgate.access.gpo.gov/cgi-bin/get-cfr.cgi?TITLE=26&PART=601&SECTION=702&TYPE=TEXT>

MINT: www.usmint.gov

BPD: <http://www.treasurydirect.gov/foia.htm> and

http://edocket.access.gpo.gov/cfr_2001/julqtr/pdf/31cfr1.7.pdf

OCC: <http://www.ots.treas.gov/?p=FreedomOfInformationAct>

TIGTA: http://www.treas.gov/tigta/important_foia.shtml

FinCEN: http://www.fincen.gov/foia/foia_fees.html and http://www.fincen.gov/foia/foia_policies.html

CFPB: <http://www.federalregister.gov/articles/2011/07/28/2011-19038/disclosure-of-records-and-information>

XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

A. Backlogs of FOIA Requests and Administrative Appeals

| | Number of Backlogged Requests as of End of Fiscal Year (FY2012) | Number of Backlogged Appeals as of End of Fiscal Year (FY2012) |
|-------------------|---|--|
| BEP | N/A | N/A |
| BPD | N/A | N/A |
| CFPB | 6 | 0 |
| DO | 155 | 27 |
| FinCEN | N/A | N/A |
| FMS | 3 | 1 |
| IRS | 118 | 0 |
| MINT | N/A | N/A |
| OCC | 0 | 4 |
| TIGTA | N/A | N/A |
| TTB | N/A | N/A |
| Agency Overall | 282 | 32 |

Note: N/A applies to components with no backlog carried forward from prior year.

3. Discuss/explain the backlog here (optional).

Treasury continues to eliminate our FOIA request backlog and achieved a 15.3% reduction overall this year.

B. Consultations on FOIA Requests – Received, Processed, and Pending Consultations

| | Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of <u>Start</u> of the Fiscal Year (FY2012) | Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year (FY2012) | Number of Consultations Received from Other Agencies that Were <u>Processed</u> by Your Agency During the Fiscal Year (FY2012) | Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of <u>End</u> of the Fiscal Year (FY2012) |
|----------------|---|---|--|---|
| BEP | 0 | 0 | 0 | 0 |
| BPD | 0 | 0 | 0 | 0 |
| CFPB | 0 | 2 | 2 | 0 |
| DO | 19 | 38 | 40 | 17 |
| FinCEN | 0 | 10 | 10 | 0 |
| FMS | 2 | 63 | 57 | 8 |
| IRS | 9 | 206 | 212 | 3 |
| MINT | 0 | 0 | 0 | 0 |
| OCC | 0 | 0 | 0 | 0 |
| TIGTA | 0 | 4 | 4 | 0 |
| TTB | 0 | 1 | 1 | 0 |
| Agency Overall | 30 | 324 | 326 | 28 |

C. Consultations on FOIA Requests – Ten Oldest Consultations received from other agencies and Pending at your Agency

| | | 10th Oldest Consultation and Number of Days Pending | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Consultation and Number of Days Pending |
|-----------------------------|------------------------|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--|
| BEP BPD CFPB | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| DO | Date Received | N/A | N/A | 9/28/2012 | 9/27/2012 | 9/25/2012 | 9/5//2012 | 2/1/2012 | 1/25/2012 | 8/23/2011 | 2/1/2011 |
| | Number of Days Pending | 0 days | 0days | 1 days | 2 days | 4 days | 18 days | 141 days | 265 days | 278days | 420 days |
| FinCEN | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| FMS | Date Received | N/A | N/A | 9/27/2012 | 9/5/2012 | 9/5/2012 | 8/22/2012 | 7/18/2012 | 7/17/2012 | 7/17/2012 | 3/29/2012 |
| | Number of Days Pending | N/A | N/A | 1 | 17 | 17 | 26 | 51 | 52 | 52 days | 128 days |
| IRS | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 9/5/2012 | 9/5/2012 | 8/30/2012 |
| | Number of Days Pending | N/A | 0 days | 0 days | 0 days | 0 days | 0 days | 0 days | 17 days | 17days | 20 days |
| OCC TIGTA MINT TTB | Date Received | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| | Number of Days Pending | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Agency Overall | Date Received | 8/30/2012 | 8/22/2012 | 7/18/2012 | 7/17/2012 | 7/17/2012 | 3/29/2012 | 2/1/2012 | 1/25/2012 | 8/23/2011 | 2/1/2011 |
| | Number of Days Pending | 20 days | 26 days | 51 days | 52 days | 52 days | 128 days | 141 days | 265 days | 278 days | 420 days |

D. Comparison of numbers of requests from previous and current annual report – requests received, processed, and backlogged

| | Number Received During Fiscal Year from Last Year's Annual Report (FY2011) | Number Received During Fiscal Year from Current Annual Report (FY2012) | Number Processed During Fiscal Year from Last Year's Annual Report (FY2011) | Number Processed During Fiscal Year from Current Annual Report (FY2012) |
|----------------|--|--|---|---|
| BEP | 65 | 57 | 59 | 57 |
| BPD | 187 | 117 | 187 | 117 |
| CFPB | 18 | 184 | 7 | 176 |
| DO | 938 | 1221 | 999 | 1297 |
| FinCEN | 195 | 252 | 194 | 254 |
| FMS | 301 | 281 | 290 | 2259 |
| IRS | 12242 | 12137 | 12028 | 12198 |
| MINT | 83 | 128 | 81 | 127 |
| OCC /OTS | 2453 | 1933 | 2535 | 1924 |
| TIGTA | 219 | 227 | 227 | 226 |
| TTB | 75 | 73 | 76 | 70 |
| Agency Overall | 16776 | 16610 | 16683 | 16705 |

| | Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report (FY2011) | Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report (FY2012) |
|----------------|---|--|
| BEP | 0 | 0 |
| BPD | 0 | 0 |
| CFPB | 3 | 6 |
| DO | 178 | 155 |
| FinCEN | 0 | 0 |
| FMS | 0 | 3 |
| IRS | 146 | 118 |
| MINT | 0 | 0 |
| OCC | 6 | 0 |
| TIGTA | 0 | 0 |
| TTB | 0 | 0 |
| Agency Overall | 333 | 282 |

E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report – Appeals Received, Processed, and Backlogged.

| E (1) | NUMBER OF APPEALS RECEIVED | | NUMBER OF APPEALS PROCESSED | |
|----------------|--|--|---|---|
| | Number Received During Fiscal Year from Last Year's Annual Report (FY2011) | Number Received During Fiscal Year from Current Annual Report (FY2012) | Number Processed During Fiscal Year from Last Year's Annual Report (FY2011) | Number Processed During Fiscal Year from Current Annual Report (FY2012) |
| BEP | 1 | 0 | 1 | 0 |
| BPD | 5 | 0 | 5 | 0 |
| CFPB | 0 | 12 | 0 | 8 |
| DO | 57 | 23 | 37 | 22 |
| FinCEN | 10 | 14 | 10 | 13 |
| FMS | 3 | 6 | 1 | 7 |
| IRS | 199 | 184 | 230 | 178 |
| MINT | 4 | 3 | 4 | 3 |
| OCC | 35 | 47 | 35 | 54 |
| TIGTA | 24 | 23 | 21 | 25 |
| TTB | 5 | 1 | 5 | 1 |
| Agency Overall | 347 ⁷ | 313 | 354 ⁸ | 311 |

⁷ OTS had 4 received.

⁸ OTS had 5 processed.

| E (2) | Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report (FY2011) | Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report (FY2012) |
|----------------|--|---|
| BEP | 0 | 0 |
| BPD | 0 | 0 |
| CFPB | 0 | 0 |
| DO | 34 | 27 |
| FinCEN | 0 | 0 |
| FMS | 0 | 1 |
| IRS | 4 | 0 |
| MINT | 0 | 0 |
| OCC | 13 | 4 |
| TIGTA | 0 | 0 |
| TTB | 0 | 0 |
| Agency Overall | 51 | 32 |

F. Discussion of Other FOIA Activities (Optional)

1. Provide any further agency efforts to improve FOIA administration

- a. Treasury implemented a Citizen Web portal in April FY11 for online FOIA request submission which allows requesters to submit online rather than through email boxes. The information is directly populated into the cloud tracking system.
- b. Benefits of this portal are a decrease in the amount of imperfect requests because of the required fields; faster citizen input for requests; and less data entry, which results in less of an encumbrance on the intake process. In FY12, the public submitted 6 times more online requests than the previous fiscal year FY11.

<http://www.treas.gov/foia/reading-room/foia-improvement-plan.pdf>