



**U.S. OFFICE OF PERSONNEL MANAGEMENT  
FREEDOM OF INFORMATION ACT  
REPORT FOR  
OCTOBER 1, 1999  
THROUGH  
SEPTEMBER 30, 2000  
FEBRUARY 2001**

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

The following Office of Personnel Management **Annual Freedom of Information Act** report covers the period October 1, 1999, through September 30, 2000, as required by 5 U.S.C. 552.

**I. Basic Information Regarding Report**

*A. Name, Title, Address, and Telephone Number*

Mary Beth Smith-Toomey  
OPM FOIA Officer  
Office of Personnel Management  
Office of the Chief Information Officer  
1900 E Street NW., Room 5415  
Washington, DC 20415-7900  
202-606-8358

*B. Electronic Address for report on World Wide Web*

Our Web Site address is <http://www.opm.gov/efoia>.

*C. How to obtain copy in paper form*

Paper copies of this report can be obtained from the address above.

**II. How to make a FOIA Request**

Our FOIA Reference Guide (located at <http://www.opm.gov/efoia> ) includes information regarding how to make a FOIA request to OPM.

**III. Definitions of Terms and Acronyms Used in the Report**

*A. Agency-specific acronyms*

1. OPM - Office of Personnel Management
2. OCIO - Office of the Chief Information Officer

*B. Basic terms, expressed in common terminology*

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

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

3. Appeal - a request to a Federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other FOIA determination such as a matter pertaining to fees.
4. Processed Request or Appeal - a request or appeal for which an agency has taken a final action on the request or the appeal in all respects.
5. Multi-track processing - a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests in each track are processed on a first-in/first-out basis. A requester who has an urgent need for records may request expedited processing (see below).
6. Expedited processing - an agency will process a FOIA request on an expedited basis when a requester has shown an exceptional need or urgency for the records that warrants prioritization of his or her request over other requests that were made earlier.
7. Simple request - a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the volume or simplicity of records requested.
8. Complex request - a FOIA request that an agency using multi-track processing places in a slower track based on the volume or complexity of records requested.
9. Grant - an agency decision to disclose all records in full response to a FOIA request.
10. Partial grant - an agency decision to disclose a record in part in response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA's exemptions; or a decision to disclose some records in their entirety, but to withhold others in whole or in part.
11. Denial - an agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as because no record is located in response to a FOIA request).
12. Time limits - the time period in the Freedom of Information Act for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

Aperfected@FOIA request).

13. Aperfected@request - a FOIA request for records that adequately describes the records sought, that has been received by the FOIA office of each agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.
14. Exemption 3 statute - a separate Federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (b) (3).
15. Median number - the middle, not average number. For example, of 3, 7 and 14, the median number is 7.
16. Average number - the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7 and 14, the average number is 8.

**IV. Exemption 3 Statutes**

OPM did not rely on any Exemption 3 statutes during this reporting period.

**V. Initial FOIA/PA Access Requests**

<b>A. Number of Initial Requests</b>	
1. Pending at the end of FY 1999	17
2. Received during FY 2000	2716
3. Processed during FY 2000	2716
4. Pending at the end of FY 2000	17

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

<b>B. Disposition of Initial Requests</b>	
1. Number of total grants	2312
2. Number of partial grants	140
3. Number of denials	38
a. Number of times each FOIA exemption used (counting each exemption once per request)	
(1) Exemption 1	0
(2) Exemption 2	19
(3) Exemption 3	0
(4) Exemption 4	15
(5) Exemption 5	12
(6) Exemption 6	92
(7) Exemption 7(A)	0
(8) Exemption 7(B)	0
(9) Exemption 7(C)	26
(10) Exemption 7(D)	6
(11) Exemption 7(E)	4
(12) Exemption 7(F)	0
(13) Exemption 8	0
(14) Exemption 9	0
4. Other reasons for nondisclosure (total)	226
a. No records	73
b. Referrals	94

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

<b>B. Disposition of Initial Requests</b>	
c. Request withdrawn	5
d. Fee-related reason	17
e. Records not reasonably described	9
f. Not a proper FOIA request for some other reason	6
g. Not an agency record	23
h. Duplicate request	8
i. Other (specify)	2
(1) Advised to contact health plan directly	1
(2) Report not ready when requested; will be sent when released as a public document	1

**VI. Appeals of Initial Denials of FOIA/PA Requests**

<b>A. Number of Appeals</b>	
1. Number of appeals received during FY 2000	36
2. Number of appeals processed during FY 2000	32

<b>B. Disposition of Appeals</b>	
1. Number completely upheld	16
2. Number partially reversed	5
3. Number completely reversed	5
a. Number of times each FOIA exemption used (counting each exemption once per appeal)	

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

<b>B. Disposition of Appeals</b>	
(1) Exemption 1	0
(2) Exemption 2	5
(3) Exemption 3	0
(4) Exemption 4	1
(5) Exemption 5	1
(6) Exemption 6	7
(7) Exemption 7(A)	0
(8) Exemption 7(B)	0
(9) Exemption 7(C)	0
(10) Exemption 7(D)	1
(11) Exemption 7(E)	2
(12) Exemption 7(F)	0
(13) Exemption 8	0
(14) Exemption 9	0
4. Other reasons for nondisclosure (total)	6
a. No records	5
b. Referrals	0
c. Request withdrawn	0
d. Fee-related reason	0
e. Records not reasonably described	0
f. Not a proper FOIA request for some other reason	0

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

<b>B. Disposition of Appeals</b>	
g. Not an agency record	0
h. Duplicate request	0
i. Other (specify)	1
(1) Records not in Office of Inspector General	1

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

<b>A. Median Processing Time for Requests Processed During the Year</b>	
1. Simple requests	
a. Number of requests processed	2691
b. Median number of days to process	7
2. Complex requests	
a. Number of requests processed	25
b. Median number of days to process	16.5
3. Requests accorded expedited processing	
a. Number of requests processed	0
b. Median number of days to process	0

<b>B. Status of Pending Requests</b>	
1. Number of requests pending at the end of FY 2000	17
2. Median number of days that such requests were pending at the end of FY 2000	23



U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

**VIII. Comparisons with Previous Year**

<b>A. Comparison of Number of Requests Received</b>	
<i>FY 1999</i>	2381
<i>FY 2000</i>	2716
<i>Percent of change</i>	+14%

<b>B. Comparison of Number of Requests Processed</b>	
<i>FY 1999</i>	2386
<i>FY 2000</i>	2716
<i>Percent of change</i>	+14%

<b>C. Other Significant Statistics - Processing Costs</b>	
<i>FY 1999</i>	\$191,243.00
<i>FY 2000</i>	\$326,126.00
<i>Percent of change</i>	+71%
<b>Other Significant Statistics - Fees</b>	
<i>FY 1999</i>	\$39,064.00
<i>FY 2000</i>	\$40,515.00
<i>Percent of change</i>	+1%

**D. Narrative Statement**

The increase in number of requests is directly related to the increased number of email FOIA requests we received. The increase in costs is related to the increased number of requests processed and better accounting. Our fee collections have remained relatively stable, but the percentage of total costs recovered has decreased from 20% in FY 1999 to 12% in FY 2000 due to our increased processing costs. The majority of our requests are from individuals for personnel, investigation and retirement files and fees are not chargeable for these requests.

U.S. Office of Personnel Management  
Annual Freedom of Information Act Report

**IX. Costs/FOIA Staffing**

<b>A. Staffing levels</b>	
1. Number of full-time FOIA personnel	0
2. Number of personnel with part-time or occasional FOIA duties (in total work-years)	4.896
3. Total number of personnel (in work-years)	4.896

<b>B. Total costs (including staff and all resources)</b>	
1. FOIA processing (including appeals)	\$326,126.00
2. Litigation-related activities (estimated)	0
3. Total costs	\$326,126.00

**X. Fees**

A. Total amount of fees collected by agency for processing requests	\$40,514.87
B. Percentage of total costs	12%

**XI. FOIA Regulations (Including Fee Schedule)**

OPM's regulations (5 CFR 294) are available through [www.access.gpo.gov/nara/cfr](http://www.access.gpo.gov/nara/cfr). Our fee schedule is explained in our FOIA reference guide at [www.opm.gov/efoia](http://www.opm.gov/efoia).