

DEPARTMENT OF THE INTERIOR
Freedom of Information Act 2013 Annual Report
(October 1, 2012 – September 30, 2013)

I. BASIC INFORMATION REGARDING REPORT

1. Questions about the report should be directed to:

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2. The electronic address for this report on DOI's FOIA website is <http://www.doi.gov/foia/upload/13anrep.pdf>
3. A copy of the report in paper form may be obtained by contacting the Departmental FOIA Officer (see 1 above).

II. MAKING A FOIA REQUEST

1. FOIA requests should be submitted to the FOIA contact at the bureau/office where the records are maintained (see DOI's FOIA contacts page at <http://www.doi.gov/foia/contacts.cfm>). A list of the Department's bureaus/offices is located in the Acronyms section below.
2. DOI protects America's natural resources and heritage, honors our cultures and tribal communities, and supplies the energy to power our future. When DOI withholds records requested under the FOIA, it most frequently does so under Exemption 5 (which safeguards inter-agency or intra-agency records which would normally be privileged in the civil discovery context) and Exemption 6 (which safeguards personal privacy interests). However, DOI's diverse mission and records ensures a wide variety of FOIA exemptions may sometimes be appropriately used.

III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Provide any agency-specific acronyms or terms used in this Report.

BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
BOEM	Bureau of Ocean Energy Management
BOR	Bureau of Reclamation
BSEE	Bureau of Safety and Environmental Enforcement
DOI	Department of the Interior
EFTS	Electronic FOIA Tracking System
FOIA/PA Appeals	FOIA/Privacy Act Appeals Office
FWS	United States Fish and Wildlife Service
N/A	Not Applicable

NPS	National Park Service
OES	Office of the Executive Secretariat and Regulatory Affairs
OIG	Office of Inspector General
OS	Office of the Secretary
OSM	Office of Surface Mining
SOL	Office of the Solicitor
USGS	United States Geological Survey

2. 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 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 within DOI's multi-track processing system that a DOI bureau/office can process within 1-5 workdays based on the low volume and/or simplicity of the records requested.

iii. **Normal Request** – a FOIA request within DOI's multi-track processing system that a DOI bureau/office can process within 20 workdays.

iv. **Complex Request** – a FOIA request within DOI's multi-track processing system that a DOI bureau/office requires more than 20 workdays to process based on the high volume and/or complexity of the records requested.

l. **Partial Grant/Partial Denial** – in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.

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

n. **Perfected Request** – a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.

o. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.

p. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.

q. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).

3. The nine FOIA exemptions authorize Federal agencies to withhold information:

a. **Exemption 1:** classified national defense and foreign relations information

b. **Exemption 2:** information that is related solely to the internal agency 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 supervision of financial institutions

i. **Exemption 9:** geological information on wells

IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Bureau / Office	Number of Times Relied upon by Component	Total Number of Times Relied upon by Agency Overall
41 U.S.C. § 2102(a) (Procurement Integrity Act)	Contractor bid or proposal information; source selection information	Legal & Safety Employer Research, Inc. v. U.S. Dep't of the Army, No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal. May 4, 2001) (dictum).	BIA	1	10
			BLM	3	
			NPS	3	
			OS	3	
41 U.S.C. § 4702 (National Defense Authorization Act of 1997)	Certain information in contractor proposals; proposals of unsuccessful bidders	Hodes v. U.S. Dep't of Treasury, 2013 U.S. Dist. LEXIS 137377, at *9-10 (D.D.C. 2013); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 29-30 (D.D.C. 2003)	BLM	2	7
			BOR	1	
			FWS	2	
			NPS	2	
Fed. R. Crim. P. 6(e)(2)(B), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Fund for Constitutional Gov't v. Nat'l Archives & Records Serv., 656 F.2d 856, 867-68 (D.C. Cir. 1981); 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).	FWS	2	4
			OIG	2	
16 U.S.C. § 470hh (Archaeological Resources Protection Act of 1979)	Information pertaining to the nature and location of certain archaeological resources	Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	BIA	3	28
			BLM	19	
			NPS	4	
			OSM	2	

16 U.S.C. § 5937 (National Parks Omnibus Management Act)	Information pertaining to: "endangered, threatened, rare, or commercially valuable" National Park System resources; "mineral or paleontological objects within units of the National Park System"; or "objects of cultural patrimony within units of the National Park System"	Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004); Sw. Ctr. for Biological Diversity v. USDA, 170 F. Supp. 2d 931, 945 (D. Ariz. 2000), aff'd, 314 F.3d 1060, 1062 (9th Cir. 2002); Pease v. U.S. Dep't of Interior, No. 1:99CV113, slip op. at 2, 4 (D. Vt. Sept. 17, 1999).	BLM	2	4
			NPS	2	
25 U.S.C. § 2103(c) (Indian Mineral Development Act)	Information related to decisions to grant/disapprove minerals agreements for Indian tribes	Jicarilla Apache v. U.S., 60 Fed. Cl. 611, 613-14 (2004) (dictum) (overturned on other grounds by U.S. v. Jicarilla Apache Nation, 131 S. Ct. 2313 (2011))	BIA	5	5
16 U.S.C. § 470w-3 (National Historic Preservation Act Amendments)	Information about the location, character or ownership of a historic resource	Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 32-33 (D.D.C. 2003) (dictum), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004)	BIA	1	9
			BLM	3	
			NPS	3	
			OSM	2	

V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS

Bureau / Office	Number of Requests Pending as of Start of Fiscal Year ¹	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
BIA	109	2,011	1,956	164
BLM	155	942	939	158
BOEM	25	87	94	18
BOR	9	234	219	24
BSEE	87	183	238	32
FWS	148	1,265	1,242	171
NPS	134	800	810	124
OIG	67	98	113	52
OS	83	403	431	55
OSM	12	61	63	10
SOL	62	72	90	44
USGS	15	169	168	16
AGENCY OVERALL	906	6,325	6,363	868

¹ DOI reported that 893 requests were pending at the end of FY12. We now know that the actual number pending was 906. This is reflected in the following corrections in the "Number of Requests Pending as of Start of Fiscal Year" column: BIA's pending number increased from 105 to 109; BLM's pending number increased from 154 to 155; BSEE's pending number decreased from 93 to 87; FWS's pending number increased from 138 to 148; NPS's pending number increased from 132 to 134; OIG's pending number increased from 66 to 67; and USGS's pending number increased from 14 to 15.

V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS

Bureau / Office	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	
BIA	1,044	460	44	214	35	27	58	15	30	4	6	19	1,956
BLM	330	284	23	89	42	33	22	13	16	6	23	58	939
BOEM	29	17	0	9	5	4	0	0	1	0	1	28	94
BOR	77	41	3	24	5	14	2	1	1	2	2	47	219
BSEE	95	68	5	35	7	6	0	0	0	11	4	7	238
FWS	597	204	28	87	21	12	7	7	4	8	13	254	1,242
NPS	374	234	37	64	5	31	23	4	8	1	6	23	810
OIG	14	59	10	13	3	5	0	0	0	0	2	7	113
OS	129	98	3	52	19	12	25	10	11	20	5	47	431
OSM	26	5	0	11	0	10	2	1	0	1	2	5	63
SOL	32	18	4	15	9	6	1	0	1	0	2	2	90
USGS	101	16	4	26	4	6	2	1	0	0	2	6	168
AGENCY OVERALL	2,848	1,504	161	639	155	166	142	52	72	53	68	503	6,363

**V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS
BASED ON REASONS OTHER THAN EXEMPTIONS"**

Bureau / Office	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
BIA	Requester failed to provide requested clarification	8	19
	Assigned to Other Bureau/Office for Response	9	
	Improper FOIA Request for Other Reason	2	
BLM	Requester failed to provide requested clarification	19	58
	Assigned to Other Bureau/Office for Response	23	
	Request administratively closed	16	
BOEM	Requester failed to provide requested clarification	1	28
	Assigned to Other Bureau/Office for Response	26	
	Request administratively closed	1	
BOR	Requester failed to provide requested clarification	4	47
	Assigned to Other Bureau/Office for Response	31	
	Request administratively closed	12	
BSEE	Requester failed to provide requested clarification	5	7
	Assigned to Other Bureau/Office for Response	2	
FWS	Requester failed to provide requested clarification	19	254
	Assigned to Other Bureau/Office for Response	222	
	Request administratively closed	13	
NPS	Requester failed to provide requested clarification	12	23
	Assigned to Other Bureau/Office for Response	2	
	Improper FOIA Request for Other Reason	2	
	Request administratively closed	7	
OIG	Assigned to Other Bureau/Office for Response	1	7
	Request administratively closed	6	
OS	Requester failed to provide requested clarification	4	47
	Assigned to Other Bureau/Office for Response	27	

	Improper FOIA Request for Other Reason	1	
	Request administratively closed	15	
OSM	Assigned to Other Bureau/Office for Response	4	5
	Request administratively closed	1	
SOL	Assigned to Other Bureau/Office for Response	2	2
USGS	Requester failed to provide requested clarification	2	6
	Assigned to Other Bureau/Office for Response	2	
	Request administratively closed	2	
AGENCY OVERALL			503

V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED

Bureau / Office	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
BIA	0	0	10	49	32	332	50	9	88	1	1	0	0	0
BLM	0	3	25	55	110	186	20	5	43	1	6	7	0	11
BOEM	0	0	0	4	12	11	0	0	2	0	0	0	0	3
BOR	0	1	1	13	13	22	0	0	2	0	0	1	0	0
BSEE	0	0	0	29	21	44	4	0	3	0	4	1	0	12
FWS	0	3	4	41	103	132	35	1	42	10	33	7	0	0
NPS	1	11	11	23	58	188	28	2	74	1	14	11	0	1
OIG	0	0	2	5	13	56	8	0	43	0	2	0	0	0
OS	0	0	3	26	39	71	3	1	12	0	6	0	0	0
OSM	0	1	2	1	3	3	0	0	0	0	0	0	0	0
SOL	0	0	0	0	19	4	1	0	0	0	0	0	0	0
USGS	0	0	0	7	8	3	1	0	0	0	0	0	0	0
AGENCY OVERALL	1	19	58	253	431	1,052	150	18	309	13	66	27	0	27

VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS

Bureau / Office	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
AGENCY OVERALL	197	175	177	195

VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS

Bureau / Office	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
AGENCY OVERALL	43	7	41	86	177

VI.C.(1). REASONS FOR DENIAL ON APPEAL -- NUMBER OF TIMES EXEMPTIONS APPLIED

Bureau / Office	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
AGENCY OVERALL	0	0	3	2	13	13	1	0	5	0	0	1	0	0

VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS

Bureau / Office	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	*Explain in chart below
AGENCY OVERALL	16	0	3	1	0	0	0	0	11	0	55

VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS

Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
Adequate search was conducted	17	55
Administratively closed	7	
Appeal withdrawn	5	
Appeal not proper	3	
New FOIA Request	1	
Bureau failed to timely respond	19	
Bureau issued complete response	1	
Premature appeal	1	
Search certificate not required at admin level	1	
AGENCY OVERALL		55

VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS

Bureau / Office	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
AGENCY OVERALL	190	416	1	1,420

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

	10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
Date of Appeal	2009-01-09	2008-11-17	2008-10-21	2008-10-06	2008-10-03	2008-10-03	2008-09-04	2008-08-20	2008-05-07	2008-04-22
Number of Days Pending	1,233	1,270	1,290	1,300	1,303	1,303	1,324	1,335	1,410	1,420

VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Bureau / Office	SIMPLE				COMPLEX ²				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
BIA	1	2	<1	22	14	23	<1	620	12	13	8	20
BLM	3	4	<1	17	21	45	<1	653	106	106	106	106
BOEM	2	4	1	10	30	95	<1	361	99	99	<1	99
BOR	3	4	<1	13	16	17	<1	94	25	25	25	25
BSEE	3	3	1	7	29	86	<1	617	48	224	46	579
FWS	3	5	<1	43	17	41	<1	894	3	11	3	46
NPS	14	13	<1	27	13	28	<1	545	16	22	2	64
OIG	4	18	<1	120	81	354	<1	1,492	50	102	1	353
OS	16	16	16	16	19	63	<1	983	5	5	5	5
OSM	N/A	N/A	N/A	N/A	18	49	<1	766	N/A	N/A	N/A	N/A
SOL	N/A	N/A	N/A	N/A	44	139	<1	1,140	N/A	N/A	N/A	N/A
USGS	2	2	<1	3	8	15	<1	585	N/A	N/A	N/A	N/A
AGENCY OVERALL	1	3	<1	120	17	43	<1	1,492	19	63	<1	579

² Please note that the Complex category (both here and elsewhere in this document whenever the Complex category is discussed) includes information from both DOI's "normal," "complex," and "exceptional/voluminous" processing tracks.

VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED

Bureau / Office	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
BIA	1	1	<1	22	14	23	<1	620	16	16	12	20
BLM	4	3	<1	8	22	47	<1	653	106	106	106	106
BOEM	2	4	1	10	30	100	<1	361	99	99	<1	99
BOR	3	4	<1	13	17	18	<1	94	N/A	N/A	N/A	N/A
BSEE	3	3	1	7	30	87	<1	617	48	224	46	579
FWS	3	4	<1	18	19	43	<1	894	3	11	3	46
NPS	14	13	<1	27	13	30	<1	545	13	24	2	64
OIG	6	24	<1	120	128	404	<1	1,492	50	105	1	353
OS	16	16	16	16	24	74	<1	983	5	5	5	5
OSM	N/A	N/A	N/A	N/A	20	63	<1	766	N/A	N/A	N/A	N/A
SOL	N/A	N/A	N/A	N/A	44	163	<1	1,140	N/A	N/A	N/A	N/A
USGS	<1	<1	<1	<1	9	17	<1	585	N/A	N/A	N/A	N/A
AGENCY OVERALL	1	3	<1	120	18	45	<1	1,492	14	65	<1	579

VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Bureau / Office	<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
BIA	1,090	211	47	25	16	8	3	4	4	1	13	6	4	1,432
BLM	322	161	64	41	26	18	8	6	4	3	15	3	7	678
BOEM	21	8	4	0	0	2	4	1	0	2	4	6	0	52
BOR	100	25	3	3	1	0	0	0	0	0	0	0	0	132
BSEE	70	31	16	6	6	3	7	9	4	3	7	2	11	175
FWS	506	144	64	32	27	10	13	4	5	9	20	5	9	848
NPS	454	117	50	23	15	9	8	4	2	3	7	4	2	698
OIG	20	4	7	6	1	4	0	3	0	1	3	2	24	75
OS	144	53	20	16	6	5	3	3	4	4	8	9	7	282
OSM	28	9	1	1	0	1	0	0	0	0	2	0	1	43
SOL	19	13	15	5	1	2	0	1	0	0	7	1	7	71
USGS	125	13	5	1	0	0	0	0	0	0	0	0	1	145
AGENCY OVERALL	2,899	789	296	159	99	62	46	35	23	26	86	38	73	4,631

VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- RESPONSE TIME IN DAY INCREMENTS

Bureau / Office	<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
BIA	3	0	0	0	0	0	0	0	0	0	0	0	0	3
BLM	0	0	0	0	0	1	0	0	0	0	0	0	0	1
BOEM	1	0	0	0	0	0	0	0	0	0	0	0	0	1
BOR	0	1	0	0	0	0	0	0	0	0	0	0	0	1
BSEE	0	0	2	0	0	0	0	0	0	0	0	0	1	3
FWS	5	0	1	0	0	0	0	0	0	0	0	0	0	6
NPS	6	0	1	1	0	0	0	0	0	0	0	0	0	8
OIG	4	0	2	0	0	0	1	2	0	0	1	1	0	11
OS	1	0	0	0	0	0	0	0	0	0	0	0	0	1
OSM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SOL	0	0	0	0	0	0	0	0	0	0	0	0	0	0
USGS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	20	1	6	1	0	1	1	2	0	0	1	1	1	35

VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS

Bureau / Office	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
BIA	0	N/A	N/A	145	10	58	0	N/A	N/A
BLM	2	3	3	132	25	151	0	N/A	N/A
BOEM	0	N/A	N/A	13	197	219	0	N/A	N/A
BOR	0	N/A	N/A	14	9	22	0	N/A	N/A
BSEE	0	N/A	N/A	30	97	226	0	N/A	N/A
FWS	1	3	3	133	29	64	0	N/A	N/A
NPS	0	N/A	N/A	100	31	130	0	N/A	N/A
OIG	0	N/A	N/A	45	261	354	7	350	378
OS	0	N/A	N/A	49	105	157	1	632	632
OSM	0	N/A	N/A	10	16	69	0	N/A	N/A
SOL	0	N/A	N/A	44	219	345	0	N/A	N/A
USGS	0	N/A	N/A	11	9	23	0	N/A	N/A
AGENCY OVERALL	3	3	3	726	38	137	8	371	409

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

Bureau / Office	10th Oldest Request and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
BIA	2012-10-16	2012-10-15	2012-10-09	2012-09-17	2012-06-05	2012-06-04	2012-03-29	2012-02-16	2012-02-07	2011-02-07
	239	240	244	259	331	332	378	407	414	665
BLM	2011-04-05	2011-03-15	2011-01-20	2011-01-06	2010-12-27	2010-10-14	2010-10-11	2010-10-05	2010-09-30	2010-05-18
	625	640	677	686	693	742	744	748	751	845
BOEM	2013-05-30	2013-04-09	2012-12-21	2012-12-17	2012-11-05	2012-09-26	2012-04-10	2011-12-07	2011-12-05	2011-10-21
	85	121	193	197	225	252	370	455	457	486
BOR	2013-09-26	2013-09-19	2013-09-19	2013-09-16	2013-09-12	2013-09-03	2013-08-08	2013-08-02	2013-07-05	2013-04-26
	2	7	7	10	12	19	36	40	60	108
BSEE	2012-11-19	2012-03-29	2011-12-16	2011-11-09	2011-10-17	2011-07-28	2011-05-31	2011-01-14	2010-10-29	2009-05-07
	216	378	448	473	490	545	586	680	731	1102
FWS	2013-01-08	2012-12-17	2012-07-18	2012-06-19	2012-06-05	2012-02-22	2012-02-03	2011-10-05	2011-03-23	2011-03-10
	184	197	301	321	331	404	416	497	634	643
NPS	2012-03-05	2012-02-06	2012-01-03	2011-12-23	2011-10-11	2011-09-26	2011-09-13	2011-03-15	2011-01-07	2010-11-09
	396	415	438	443	494	504	513	640	685	724
OIG	2010-12-07	2010-10-12	2010-08-18	2010-06-17	2010-05-25	2009-11-06	2009-07-02	2008-11-12	2008-11-05	2008-10-10
	706	744	781	824	840	975	1063	1222	1226	1243
OS	2012-11-16	2012-10-04	2012-04-10	2012-02-14	2012-02-03	2011-12-02	2011-04-26	2011-03-25	2011-03-17	2010-11-18
	217	246	370	409	416	458	610	632	638	718
OSM	2013-09-18	2013-09-17	2013-09-13	2013-09-10	2013-09-06	2013-09-06	2013-08-26	2013-06-14	2013-05-14	2012-01-25
	8	9	11	14	16	16	24	74	96	423
SOL	2011-02-28	2011-02-14	2011-02-10	2010-12-10	2010-11-29	2010-10-20	2010-09-16	2010-07-29	2010-03-15	2009-02-24
	651	660	662	703	712	738	761	795	891	1154
USGS	2013-09-26	2013-09-25	2013-09-23	2013-09-19	2013-09-17	2013-08-23	2013-08-20	2013-08-19	2013-08-06	2013-04-30
	2	3	5	7	9	25	28	29	38	106
AGENCY OVERALL	2010-05-25	2010-05-18	2010-03-15	2009-11-06	2009-07-02	2009-05-07	2009-02-24	2008-11-12	2008-11-05	2008-10-10
	840	845	891	975	1,063	1,102	1,154	1,222	1,226	1,243

VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Bureau / Office	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
BIA	3	8	2	6	4
BLM	1	12	8	9	10
BOEM	1	2	3	6	2
BOR	1	0	0	0	1
BSEE	3	6	8	8	8
FWS	4	7	3	4	8
NPS	6	4	1	4	8
OIG	11	5	4	4	16
OS	1	6	0	0	7
OSM	0	0	N/A	N/A	0
SOL	0	0	N/A	N/A	0
USGS	0	3	1	1	3
AGENCY OVERALL	31	53	3	5	67

VIII.B. REQUESTS FOR FEE WAIVER

Bureau / Office	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
BIA	14	4	4	12
BLM	136	13	1	5
BOEM	17	0	1	1
BOR	11	1	1	3
BSEE	11	5	5	10
FWS	209	2	2	6
NPS	35	5	1	7
OIG	22	3	2	2
OS	1	1	1	1
OSM	1	0	3	3
SOL	0	0	N/A	N/A
USGS	1	1	1	1
AGENCY OVERALL	458	35	1	6

IX. FOIA PERSONNEL AND COSTS

Bureau / Office	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
BIA	2	20.5	22.5	\$1,566,499.63	\$30,000.00	\$1,596,499.63
BLM	10	19.9	29.9	\$2,862,039.57	\$101,500.00	\$2,963,539.57
BOEM	1	3.5	4.5	\$402,431.99	\$0.00	\$402,431.99
BOR	3	3.25	6.25	\$507,953.03	\$5,500.00	\$513,453.03
BSEE	3	4.2	7.2	\$558,712.33	\$0.00	\$558,712.33
FWS	7	19.35	26.35	\$1,688,332.64	\$43,449.00	\$1,731,781.64
NPS	2	7.2	9.2	\$791,652.70	\$0.00	\$791,652.70
OIG	3	0.5	3.5	\$309,786.05	\$0.00	\$309,786.05
OS	8	2.55	10.55	\$851,036.43	\$10,000.00	\$861,036.43
OSM	1	0.58	1.58	\$149,648.49	\$0.00	\$149,648.49
SOL	0	5.76	5.76	\$850,772.59	\$194,873.81	\$1,045,646.40
USGS	1	3	4	\$199,797.99	\$0.00	\$199,797.99
FOIA/PA Appeals	1	2	3	\$630,000.00	\$11,000.00	\$641,000.00
OES	2	0	2	\$233,724.27	\$0.00	\$233,724.27
AGENCY OVERALL	44	92.29	136.29	\$11,602,387.71	\$396,322.81	\$11,998,710.52

X. FEES COLLECTED FOR PROCESSING REQUESTS

Bureau / Office	Total Amount of Fees Collected	Percentage of Total Costs
BIA	\$48,287.65	3.08%
BLM	\$21,179.31	0.74%
BOEM	\$370.17	0.09%
BOR	\$10,296.79	2.03%
BSEE	\$2,275.48	0.41%
FWS	\$9,363.66	0.55%
NPS	\$16,142.17	2.04%
OIG	\$0.00	0.00%
OS	\$30,515.06	3.59%
OSM	\$2,563.14	1.71%
SOL	\$0.00	0.00%
USGS	\$31,277.00	15.65%
AGENCY OVERALL	\$172,270.43	1.48%

XII.A. BACKLOGS OF FOIA REQUESTS AND ADMINISTRATIVE APPEALS

Bureau / Office	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
BIA	44	N/A
BLM	66	N/A
BOEM	11	N/A
BOR	4	N/A
BSEE	21	N/A
FWS	79	N/A
NPS	60	N/A
OIG	45	N/A
OS	44	N/A
OSM	3	N/A
SOL	43	N/A
USGS	3	N/A
FOIA/PA Appeals	N/A	164
AGENCY OVERALL	423	164

XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS

Bureau / Office	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
BIA	0	0	0	0
BLM	0	0	0	0
BOEM	0	1	1	0
BOR	0	0	0	0
BSEE	0	0	0	0
FWS	0	0	0	0
NPS	0	0	0	0
OIG	0	0	0	0
OS	0	19	18	1
OSM	0	0	0	0
SOL	0	0	0	0
USGS	0	0	0	0
AGENCY OVERALL	0	20	19	1

**XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT --
REQUESTS RECEIVED AND PROCESSED**

Bureau / Office	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report ³	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report ⁴	Number Processed During Fiscal Year from Current Annual Report
BIA	1,700	2,011	1,708	1,956
BLM	983	942	1,006	939
BOEM	83	87	75	94
BOR	227	234	254	219
BSEE	175	183	157	238
FWS	1,238	1,265	1,263	1,242
NPS	925	800	908	810
OIG	90	98	108	113
OS	466	403	517	431
OSM	66	61	71	63
SOL	80	72	75	90
USGS	162	169	164	168
AGENCY OVERALL	6,195	6,325	6,306	6,363

³ DOI reported that it received 6,168 requests during FY12. We now know that the actual number of received requests was 6,195. This is reflected in the following corrections in the "Number Received During Fiscal Year from Last Year's Annual Report" column: BIA's received requests increased from 1,696 to 1,700; BLM's received requests increased from 979 to 983; BSEE's received requests increased from 174 to 175; FWS's received requests increased from 1,226 to 1,238; NPS's received requests increased from 921 to 925; and SOL's received requests increased from 78 to 80.

⁴ DOI reported that it processed 6,285 requests during FY12. We now know that the actual number of processed requests was 6,306. This is reflected in the following corrections in the "Number Processed During Fiscal Year from Last Year's Annual Report" column: BLM's processed requests increased from 1,003 to 1,006; BSEE's processed requests increased from 151 to 157; FWS's processed requests increased from 1,260 to 1,263; NPS's processed requests increased from 906 to 908; OIG's processed requests increased from 105 to 108; SOL's processed requests increased from 70 to 75; and USGS's processed requests decreased from 165 to 164.

XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS

Bureau / Office	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report⁵	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
BIA	30	44
BLM	84	66
BOEM	15	11
BOR	0	4
BSEE	40	21
FWS	75	79
NPS	49	60
OIG	61	45
OS	50	44
OSM	5	3
SOL	53	43
USGS	1	3
AGENCY OVERALL	463	423

⁵ DOI reported 449 backlogged requests at the end of FY12. We now know that the actual number of backlogged requests was 463. This is reflected in the following corrections in the "Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report" column: BIA's backlog decreased from 34 to 30; BLM's backlog decreased from 86 to 84; BSEE's backlog increased from 20 to 40; FWS's backlog increased from 68 to 75; NPS's backlog decreased from 51 to 49; OS's backlog decreased from 54 to 50; OSM's backlog increased from 4 to 5; SOL's backlog decreased from 56 to 53; and USGS's backlog increased from 0 to 1.

XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED

Bureau / Office	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
AGENCY OVERALL	188	175	225	177

XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS

Bureau / Office	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
AGENCY OVERALL	186	164