

DEPARTMENT OF THE INTERIOR
Freedom of Information Act 2018 Annual Report
(October 1, 2017 – September 30, 2018)

I. BASIC INFORMATION REGARDING REPORT

1. Questions about this Report should be directed to:

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Office of the Executive Secretariat and Regulatory Affairs (OS/OES)
Department of the Interior (DOI)
1849 C. ST., NW
Washington, D.C. 20240
202-208-5342 (p)

2. The electronic address for this Report on DOI's FOIA website is:

<https://www.doi.gov/foia/DOI-FOIA-Annual-Reports>

3. A copy of this Report in paper form may be obtained by contacting the Departmental FOIA Officer (see 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 <https://www.doi.gov/foia/contacts>, which provides the names, addresses, and telephone numbers of all individual agency components that receive FOIA requests). A list of DOI's bureaus/offices is located in the Acronyms, Definitions, and Exemptions section below.

2. DOI conserves and manages the Nation's natural resources and cultural heritage for the benefit and enjoyment of the American people, provides scientific and other information about natural resources and natural hazards to address societal challenges and create opportunities for the American people, and honors the Nation's trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities to help them prosper. 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), Exemption 6 (which safeguards personal privacy interests), and Exemption 7(C) (which safeguards personal information in law enforcement records). However, DOI's diverse mission and records ensures a wide variety of FOIA exemptions may sometimes be appropriately used.

3. The electronic address for DOI's FOIA regulations is: <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=0fc3ab3499768eebc2e3691c8cf88dec&rgn=div5&view=text&node=43:1.1.1.1.2&idno=43>. The electronic address for DOI's fee schedule is: <https://www.doi.gov/foia/fees-waivers>.

III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Definitions of terms used in this Report:

a. **Administrative Appeal**—a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.

b. **Average Number**—the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

c. **Backlog**—the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.

d. **Component**—for agencies that process requests on a decentralized basis, a "component" is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.

e. **Consultation**—the procedure whereby the agency responding to a FOIA request first forwards a record to another agency or component within the same agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency or component within the same agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.

f. **Exemption 3 Statute**—a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.

g. **FOIA Request**—a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., "first-party" requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act "systems of records" or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report. Additionally, a FOIA request includes records referred to

the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

h. **Full Grant**—an agency decision to disclose all records in full in response to a FOIA request.

i. **Full Denial**—an agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.

j. **Median Number**—the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

k. **Multi-Track Processing**—a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.

i. **Expedited Processing**—an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.

ii. **Simple Request**—a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.

iii. **Complex Request**—a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.

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

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

n. **Perfect 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).

2. Descriptions of the nine FOIA exemptions:

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

b. **Exemption 2**: information that is related solely to the internal personnel rules and practices of an agency

c. **Exemption 3**: information that is prohibited from disclosure by another federal law

d. **Exemption 4**: trade secrets and other confidential business information

e. **Exemption 5**: inter-agency or intra-agency communications that are protected by legal privileges

f. **Exemption 6**: information involving matters of personal privacy

g. **Exemption 7**: records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be 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

3. Agency Component Abbreviations

Component Abbreviation	Component Name
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
FWS	Fish and Wildlife Service
NPS	National Park Service
OIG	Office of Inspector General
OS	Office of the Secretary
OSMRE	Office of Surface Mining
SOL	Office of the Solicitor
USGS	United States Geological Survey
FOIA/PA Appeals	FOIA/Privacy Act Appeals Office

IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
41 U.S.C. § 4702 (formerly at 41 U.S.C. § 253b(m)(1))	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	BLM	5	29
			BOR	1	
			FWS	2	
			NPS	18	
			OS	2	
			USGS	1	
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); Starkey v. U.S. Dep't of the Interior, 238	BIA	2	34

		F. Supp. 2d 1188, 1193-94 (S.D. Cal. 2002).			
			BLM	23	
			NPS	9	
54 U.S.C. § 307103	Information about the location, character or ownership of a historic resource	N/A	BIA	4	18
			BLM	10	
			BSEE	2	
			NPS	2	
16 U.S.C. § 4304(a)	Specific location of significant caves	N/A	BLM	1	1
41 U.S.C. § 2102 (amending 41 U.S.C. § 423(a)(1))* (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).	FWS	1	2
			USGS	1	
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, §2, 91 Stat. 319	Certain records that would reveal some secret aspect pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Widi v. McNeil, No. 12-CV00188, 2016 WL 4394724, at *23 (D. Me. Aug 16, 2016); Durham v. U.S. Atty. Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	OIG	5	5
54 U.S.C. § 100707 (formerly at 16 U.S.C. § 5937)	Information pertaining to: "endangered, threatened, rare, or commercially	Hornbostel v. U.S. Dep't of the Interior, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25,	NPS	7	7

(National Parks Omnibus Management Act)	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”	2004); Sw. Ctr. for Biological Diversity v. USDA, 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).			
26 U.S.C. §§ 6103 (Internal Revenue Code)	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Leonard v. U.S. Dep’t of Treasury, 590 F. App’x. 141, 143-44 (3d Cir. 2014) (per curiam); Pac. Fisheries, Inc. v. IRS, 395 F. App’x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).	USGS	3	3
25 U.S.C. § 2103(c) (Indian Mineral Development Act of 1982)	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)).	BLM	1	1
5 U.S.C. § 574(j)	Dispute resolution communications	N/A	BLM	2	2
10 U.S.C. § 2305(g)	Certain contractor proposals	Roman v. NSA, Nos. 09-2947, 09-4281, 09-3344, 09-2504, 09-5633, 2012 WL 569747, at *7 (E.D.N.Y. Feb. 22, 2012); Margolin v. NASA, No. 09-	BOR	1	1

		CV-00421-LRH-VPC, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011).			
16 U.S.C. § 470aaa-8 (Paleontological Resources Preservation Act)	Information concerning the nature and specific location of a paleontological resource	N/A	BLM	4	4

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

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
BIA	280	1,756	1,736	300
BLM	465	1,150	878	737
BOEM	22	197	185	34
BOR	35	238	254	19
BSEE	27	276	270	33
FWS	359	1,103	993	469
NPS	347	1,129	1,072	404
OIG	36	307	317	26
OS	574	1,597	748	1,423
OSMRE	71	175	159	87
SOL	61	259	193	127
USGS	29	215	196	48
AGENCY OVERALL	2,306	8,402	7,001	3,707

After reviewing its database, DOI adjusted the number of requests pending at the start of the fiscal year for components BIA, BLM, FWS, NPS, OIG, OS, OSMRE, and SOL.

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

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
BIA	722	457	78	298	6	56	24	22	12	5	11	45	1,736
BLM	256	299	12	153	11	47	11	10	10	0	26	43	878
BOEM	51	32	0	63	1	6	0	2	1	6	5	18	185
BOR	115	48	13	38	1	15	7	10	4	1	0	2	254
BSEE	90	64	1	81	1	4	3	10	0	8	0	8	270
FWS	386	320	29	134	6	47	20	11	4	4	17	15	993
NPS	308	440	42	147	4	37	13	18	10	0	26	27	1,072
OIG	17	139	24	107	15	9	0	2	2	0	0	2	317
OS	176	78	0	83	1	28	39	22	1	2	15	303	748
OSMRE	42	22	0	82	0	3	4	0	2	0	3	1	159
SOL	55	24	0	86	2	7	0	7	5	0	4	3	193
USGS	47	56	31	13	0	12	17	6	3	1	1	9	196
AGENCY OVERALL	2,265	1,979	230	1,285	48	271	138	120	54	27	108	476	7,001

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

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
BIA	Request Opened in Error	31	45
	Directed Requester to Publicly Available Information	3	
	Directed Requester to Another Entity Subject to the FOIA	5	
	Unable to Locate Requester	6	
BLM	Request Opened in Error	3	43
	Directed Requester to Publicly Available Information	23	
	Directed Requester to Another Entity Subject to the FOIA	6	
	Unable to Locate Requester	11	
BOEM	Request Opened in Error	4	18
	Directed Requester to Publicly Available Information	4	
	Directed Requester to Another Entity Subject to the FOIA	10	
BOR	Directed Requester to Publicly Available Information	2	2
BSEE	Request Opened in Error	2	8
	Directed Requester to Publicly Available Information	2	
	Directed Requester to Another Entity Subject to the FOIA	2	
	Unable to Locate Requester	2	
FWS	Request Opened in Error	1	15
	Directed Requester to Publicly Available Information	3	
	Directed Requester to Another Entity Subject to the FOIA	4	
	Unable to Locate Requester	7	
NPS	Request Opened in Error	5	27
	Directed Requester to Publicly Available Information	9	
	Directed Requester to Another Entity Subject to the FOIA	2	
	Unable to Locate Requester	11	
OIG	Directed Requester to Another Entity Subject to the FOIA	2	2
OS	Request Opened in Error	14	303
	Directed Requester to Publicly Available Information	190	
	Directed Requester to Another Entity Subject to the FOIA	98	
	Unable to Locate Requester	1	

OSMRE	Request Opened in Error	1	1
SOL	Directed Requester to Another Entity Subject to the FOIA	3	3
USGS	Request Opened in Error	1	9
	Directed Requester to Publicly Available Information	4	
	Directed Requester to Another Entity Subject to the FOIA	4	
AGENCY OVERALL			476

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

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
BIA	0	0	6	69	70	342	80	1	193	0	7	6	0	0
BLM	0	8	37	42	174	197	13	0	34	3	4	1	0	9
BOEM	0	0	0	3	23	18	0	0	1	0	0	1	0	0
BOR	0	0	2	13	17	26	0	0	2	0	2	6	0	0
BSEE	0	0	2	14	21	49	0	0	2	0	0	0	0	2
FWS	0	0	3	47	155	252	15	0	100	8	24	5	0	0
NPS	0	16	29	30	88	382	36	1	215	1	26	10	0	0
OIG	0	0	5	13	16	8	11	0	153	8	9	0	0	0
OS	0	0	2	10	42	62	0	0	5	0	0	0	0	0
OSMRE	0	0	0	11	22	16	0	0	0	0	0	0	0	0
SOL	0	0	0	0	22	6	0	0	0	0	0	0	0	0
USGS	0	0	4	4	15	24	0	0	3	0	0	2	0	0
AGENCY OVERALL	0	24	90	256	665	1,382	155	2	708	20	72	31	0	11

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

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
FOIA/PA Appeals	418	197	236	379
OIG	0	7	5	2
AGENCY OVERALL	418	204	241	381

After reviewing its database, DOI adjusted the number of appeals it had pending at the start of the fiscal year for FOIA/PA Appeals.

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

Agency / Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
FOIA/PA Appeals	25	11	48	152	236
OIG	1	2	1	1	5
AGENCY OVERALL	26	13	49	153	241

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

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
FOIA/PA Appeals	0	0	0	2	7	10	2	0	8	0	0	0	0	0
OIG	0	0	0	0	0	1	0	0	3	0	0	0	0	0
AGENCY OVERALL	0	0	0	2	7	11	2	0	11	0	0	0	0	0

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

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
FOIA/PA Appeals	9	0	10	1	2	1	1	8	28	0	92
OIG	0	0	0	0	0	0	0	0	0	2	0
AGENCY OVERALL	9	0	10	1	2	1	1	8	28	2	92

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

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
FOIA/PA Appeals	Agency Performed Adequate Search	17	92
	Moot	28	
	Improper Appeal	19	
	Bureau failed to timely respond	6	
	Appeal Withdrawn	19	
	Search certificate not required	1	
	Unable to locate or contact requester	2	
OIG	N/A	0	0
AGENCY OVERALL			92

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

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
FOIA/PA Appeals	516.00	643.00	2.00	1,726.00
OIG	18.00	14.00	2.00	19.00
AGENCY OVERALL	267.00	329.00	2.00	1,726.00

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

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
FOIA/PA Appeals	Date of Appeal	2013-08-28	2013-08-12	2013-07-31	2013-06-27	2013-03-28	2013-03-21	2012-12-20	2012-10-23	2012-10-16	2012-10-05
	Number of Days Pending	1278	1290	1298	1321	1385	1390	1451	1491	1496	1502
OIG	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2018-09-26	2018-09-17
	Number of Days Pending	0	0	0	0	0	0	0	0	2	9
AGENCY OVERALL	Date of Appeal	2013-08-28	2013-08-12	2013-07-31	2013-06-27	2013-03-28	2013-03-21	2012-12-20	2012-10-23	2012-10-16	2012-10-05
	Number of Days Pending	1278	1290	1298	1321	1385	1390	1451	1491	1496	1502

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

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
BIA	2	2	<1	58	17	37	<1	832	8	68	5	472
BLM	3	5	<1	27	28	72	<1	1150	24	45	6	131
BOEM	4	4	<1	8	8	35	<1	597	N/A	N/A	N/A	N/A
BOR	1	2	<1	4	14	32	<1	776	25	25	18	31
BSEE	3	3	<1	7	13	31	<1	522	60	60	60	60
FWS	3	11	<1	99	33	80	<1	959	76	95	5	223
NPS	5	10	<1	88	31	70	<1	841	41	53	8	136
OIG	32	31	26	32	30	52	<1	457	99	99	<1	99
OS	19	36	<1	112	48	73	<1	312	209	209	205	212
OSMRE	19	19	19	19	46	81	<1	519	N/A	N/A	N/A	N/A
SOL	3	7	<1	52	33	69	<1	1121	130	130	130	130
USGS	1	1	<1	3	17	49	<1	579	N/A	N/A	N/A	N/A
AGENCY OVERALL	2	6	<1	112	22	58	<1	1150	31	67	<1	472

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

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
BIA	2	2	<1	6	16	35	<1	832	8	68	5	472
BLM	3	5	<1	27	35	83	<1	1150	18	27	6	68
BOEM	4	4	<1	8	18	59	1	597	N/A	N/A	N/A	N/A
BOR	1	2	<1	4	15	37	<1	776	25	25	18	31
BSEE	3	3	<1	6	17	39	<1	522	60	60	60	60
FWS	2	10	<1	99	38	86	<1	959	42	78	5	223
NPS	6	13	<1	88	37	78	<1	841	51	63	10	136
OIG	32	32	32	32	41	73	<1	457	99	99	<1	99
OS	55	56	<1	112	53	77	<1	302	212	212	212	212
OSMRE	19	19	19	19	57	81	<1	261	N/A	N/A	N/A	N/A
SOL	3	6	<1	27	52	100	<1	1121	130	130	130	130
USGS	1	1	<1	3	25	65	<1	579	N/A	N/A	N/A	N/A
AGENCY OVERALL	2	6	<1	112	26	66	<1	1150	24	61	<1	472

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

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BIA	220	0	1	0	0	0	0	0	0	0	0	0	0	221
BLM	25	1	0	0	0	0	0	0	0	0	0	0	0	26
BOEM	10	0	0	0	0	0	0	0	0	0	0	0	0	10
BOR	11	0	0	0	0	0	0	0	0	0	0	0	0	11
BSEE	40	0	0	0	0	0	0	0	0	0	0	0	0	40
FWS	35	4	0	0	2	0	0	0	0	0	0	0	0	41
NPS	115	7	3	4	1	0	0	0	0	0	0	0	0	130
OIG	0	6	0	0	0	0	0	0	0	0	0	0	0	6
OS	10	3	6	0	1	1	0	0	0	0	1	0	0	22
OSMRE	1	0	0	0	0	0	0	0	0	0	0	0	0	1
SOL	55	5	1	0	0	0	0	0	0	0	0	0	0	61
USGS	4	0	0	0	0	0	0	0	0	0	0	0	0	4
AGENCY OVERALL	526	26	11	4	4	1	0	0	0	1	0	0	0	573

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

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BIA	864	259	73	45	20	18	9	13	13	6	17	11	18	1,366
BLM	309	138	57	44	39	34	16	12	12	16	38	14	27	756
BOEM	105	16	6	1	2	0	0	1	0	3	2	2	2	140
BOR	150	28	15	6	1	2	1	2	0	1	3	2	2	213
BSEE	143	25	22	4	4	2	3	4	1	0	1	0	3	212
FWS	325	157	98	48	22	25	34	24	18	11	57	24	25	868
NPS	323	137	82	60	24	34	25	18	26	11	41	15	16	812
OIG	124	74	36	13	15	11	11	5	1	2	9	3	2	306
OS	180	89	58	42	29	16	27	19	14	12	37	4	0	527
OSMRE	47	23	29	7	7	4	3	2	7	0	16	3	2	150
SOL	45	19	8	8	7	0	1	2	6	2	6	1	3	108
USGS	94	20	8	9	4	4	6	3	5	0	2	2	3	160
AGENCY OVERALL	2,709	985	492	287	174	150	136	105	103	64	229	81	103	5,618

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

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BIA	7	0	0	1	0	0	0	0	0	0	0	0	1	9
BLM	5	1	1	1	1	0	1	0	0	0	0	0	0	10
BOEM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BOR	1	1	0	0	0	0	0	0	0	0	0	0	0	2
BSEE	0	0	1	0	0	0	0	0	0	0	0	0	0	1
FWS	2	0	0	1	0	0	0	0	1	0	1	0	0	5
NPS	3	3	2	1	1	1	1	0	0	0	0	0	0	12
OIG	1	0	0	0	0	0	0	0	0	0	0	0	0	1
OS	0	0	0	0	0	0	0	0	0	0	2	0	0	2
OSMRE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SOL	0	0	0	0	0	0	1	0	0	0	0	0	0	1
USGS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	19	5	4	4	2	1	3	0	1	0	3	0	1	43

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

Agency / Component	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
BIA	3	0	1	262	92	169	1	39	39
BLM	0	N/A	N/A	710	169	219	6	229	198
BOEM	0	N/A	N/A	34	148	144	0	N/A	N/A
BOR	0	N/A	N/A	16	21	78	0	N/A	N/A
BSEE	0	N/A	N/A	33	79	128	0	N/A	N/A
FWS	2	94	94	441	121	166	2	0	0
NPS	18	24	66	347	82	158	6	75	111
OIG	0	N/A	N/A	25	49	77	0	N/A	N/A
OS	9	33	56	1363	169	179	25	274	260
OSMRE	0	N/A	N/A	87	217	283	0	N/A	N/A
SOL	3	15	19	116	164	184	1	155	155
USGS	0	N/A	N/A	48	92	126	0	N/A	N/A
AGENCY OVERALL	35	25	55	3482	151	182	41	235	208

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
BIA	Date of Receipt	2016-05-06	2016-04-29	2016-04-19	2016-03-17	2016-02-26	2016-01-12	2015-12-22	2015-08-20	2015-04-24	2014-10-10
	Number of Days Pending	602	607	615	638	652	683	696	780	862	994
BLM	Date of Receipt	2015-06-24	2015-06-12	2015-05-12	2015-04-21	2015-02-19	2015-01-14	2014-10-18	2014-09-16	2014-09-04	2014-09-04
	Number of Days Pending	820	828	850	865	908	932	989	1012	1020	1020
BOEM	Date of Receipt	2018-01-16	2018-01-12	2018-01-10	2017-09-29	2017-09-29	2017-09-13	2017-08-16	2017-08-11	2017-05-26	2016-10-05
	Number of Days Pending	179	180	182	250	250	262	281	284	337	497
BOR	Date of Receipt	2018-09-10	2018-08-30	2018-08-28	2018-08-14	2018-08-01	2018-07-26	2018-06-14	2018-04-24	2018-04-05	2015-12-03
	Number of Days Pending	14	20	22	32	41	45	74	110	123	709
BSEE	Date of Receipt	2018-01-31	2018-01-19	2018-01-18	2017-11-14	2017-11-02	2017-10-27	2017-08-28	2017-08-15	2017-08-02	2015-03-20
	Number of Days Pending	168	176	177	220	227	231	273	282	291	887
FWS	Date of Receipt	2016-03-25	2016-03-25	2016-03-25	2016-03-25	2016-03-08	2016-02-04	2016-01-20	2016-01-07	2016-01-07	2015-04-27
	Number of Days Pending	632	632	632	632	645	667	678	686	686	861
NPS	Date of Receipt	2016-01-19	2015-11-24	2015-11-20	2015-06-08	2015-05-26	2015-05-11	2015-02-20	2014-12-09	2014-08-21	2014-08-07
	Number of Days Pending	679	715	717	832	841	851	907	955	1030	1039
OIG	Date of Receipt	2018-05-25	2018-05-21	2018-05-21	2018-03-28	2018-03-06	2018-02-12	2018-02-12	2018-01-29	2017-10-25	2017-10-24
	Number of Days Pending	87	91	91	129	145	160	160	170	233	234
OS	Date of Receipt	2016-12-27	2016-12-16	2016-12-16	2016-12-09	2016-11-09	2016-11-08	2016-09-16	2016-01-19	2015-12-14	2015-06-08

	Number of Days Pending	442	448	448	453	473	474	510	679	702	832
OSMRE	Date of Receipt	2017-01-26	2016-05-17	2016-04-10	2016-03-27	2016-02-16	2015-10-15	2015-07-01	2015-05-20	2015-04-16	2015-03-27
	Number of Days Pending	423	595	621	631	660	742	815	844	868	882
SOL	Date of Receipt	2017-03-02	2017-01-17	2016-11-21	2016-11-21	2016-10-31	2016-08-11	2016-07-22	2016-07-21	2016-07-20	2014-08-01
	Number of Days Pending	398	429	466	466	480	535	549	550	551	1043
USGS	Date of Receipt	2018-02-07	2018-02-06	2018-01-18	2018-01-12	2017-08-31	2017-07-17	2017-07-12	2016-04-21	2016-04-13	2016-01-27
	Number of Days Pending	163	164	177	180	270	303	306	613	619	673
AGENCY OVERALL	Date of Receipt	2015-01-14	2014-12-09	2014-10-18	2014-10-10	2014-09-16	2014-09-04	2014-09-04	2014-08-21	2014-08-07	2014-08-01
	Number of Days Pending	932	955	989	994	1012	1020	1020	1030	1039	1043

Note to DOJ for review purposes: Raw data shows a request for OSMRE in Department's 10 oldest. This is in error, the request in question was closed at the end of September and the chart has been adjusted accordingly.

VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
BIA	9	4	0	0	13
BLM	10	7	3	3	16
BOEM	0	5	0	1	5
BOR	2	4	1	2	6
BSEE	1	5	5	6	5
FWS	5	20	6	14	19
NPS	13	12	0	2	23
OIG	1	38	0	0	39
OS	3	22	0	4	21
OSMRE	0	0	N/A	N/A	0
SOL	1	0	0	0	1
USGS	0	5	0	2	5
AGENCY OVERALL	45	122	0	4	153

VIII.B. REQUESTS FOR FEE WAIVER

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
BIA	22	11	0	16
BLM	210	7	0	3
BOEM	6	0	2	2
BOR	24	1	0	1
BSEE	9	1	3	4
FWS	223	4	1	11
NPS	49	4	0	1
OIG	33	9	0	62
OS	0	0	N/A	N/A
OSMRE	9	0	0	0
SOL	11	0	0	0
USGS	77	1	0	1
AGENCY OVERALL	673	38	0	9

IX. FOIA PERSONNEL AND COSTS

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
BIA	4	27.8	31.8	\$1,752,862.30	\$52,307.70	\$1,805,170.00
BLM	19	5.5	24.5	\$3,246,408.66	\$272,086.07	\$3,518,494.73
BOEM	1	3.58	4.58	\$478,837.75	\$0.00	\$478,837.75
BOR	6	8	14	\$605,082.22	\$5,785.00	\$610,867.22
BSEE	2	4.55	6.55	\$606,751.47	\$765.82	\$607,517.29
FWS	7	19.05	26.05	\$2,639,667.96	\$50,078.49	\$2,689,746.45
NPS	4	3.15	7.15	\$947,438.95	\$420,000.00	\$1,367,438.95
OIG	4	0	4	\$372,328.00	\$0.00	\$372,328.00
OS	10	0.5	10.5	\$1,822,761.95	\$114,000.00	\$1,936,761.95
OSMRE	2	0.58	2.58	\$245,257.75	\$51,467.00	\$296,724.75
SOL	2	0.47	2.47	\$471,314.54	\$25,657.01	\$496,971.55
USGS	5	0.25	5.25	\$492,809.75	\$25,219.00	\$518,028.75
FOIA/PA Appeals	3	0	3	\$500,000.00	\$15,000.00	\$515,000.00
AGENCY OVERALL	69	73.43	142.43	\$14,181,521.30	\$1,032,366.09	\$15,213,887.39

X. FEES COLLECTED FOR PROCESSING REQUESTS

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
BIA	\$15,335.81	0.87%
BLM	\$9,553.64	0.29%
BOEM	\$4,289.70	0.90%
BOR	\$5,013.07	0.83%
BSEE	\$3,078.20	0.51%
FWS	\$4,316.99	0.16%
NPS	\$13,354.20	1.41%
OIG	\$272.00	0.07%
OS	\$258.00	0.01%
OSMRE	\$0.00	0.00%
SOL	\$0.00	0.00%
USGS	\$2,195.50	0.45%
AGENCY OVERALL	\$57,667.11	0.41%

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

Agency / Component	Number of Times Subsection Used
BIA	0
BLM	0
BOEM	0
BOR	0
BSEE	0
FWS	0
NPS	0
OIG	0
OS	0
OSMRE	0
SOL	0
USGS	0
FOIA/PA Appeals	0
AGENCY OVERALL	0

XI.B. NUMBER OF SUBSECTION (A)(2) POSTINGS

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
BIA	0	1
BLM	3	4,700
BOEM	0	3,818
BOR	8	30
BSEE	0	1,031
FWS	37	216
NPS	41	7,623
OIG	161	0
OS	168	90
OSMRE	0	0
SOL	0	0
USGS	0	4,343
AGENCY OVERALL	418	21,852

These numbers are approximate.

XII.A. BACKLOGS OF FOIA REQUESTS AND ADMINISTRATIVE APPEALS

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
BIA	196	N/A
BLM	656	N/A
BOEM	27	N/A
BOR	7	N/A
BSEE	25	N/A
FWS	397	N/A
NPS	313	N/A
OIG	17	2
OS	1,326	N/A
OSMRE	82	N/A
SOL	109	N/A
USGS	36	N/A
FOIA/PA Appeals	0	364
AGENCY OVERALL	3,191	366

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

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
BIA	1	4	5	0
BLM	0	0	0	0
BOEM	0	14	14	0
BOR	0	0	0	0
BSEE	0	3	2	1
FWS	0	34	33	1
NPS	0	0	0	0
OIG	0	0	0	0
OS	0	83	82	1
OSMRE	0	2	2	0
SOL	0	0	0	0
USGS	0	33	32	1
AGENCY OVERALL	1	173	170	4

After reviewing its database, BIA adjusted the number of consultations that were pending as of the start of the fiscal year.

	Number of Days	0	0	0	0	0	0	0	0	0	2
AGENCY OVERALL	Date	N/A	N/A	N/A	N/A	N/A	N/A	2018-09-27	2018-09-27	2018-09-26	2018-07-03
	Number of Days	0	0	0	0	0	0	1	1	2	61

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

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
BIA	1,857	1,756	1,784	1,736
BLM	1,033	1,150	759	878
BOEM	170	197	165	185
BOR	315	238	297	254
BSEE	228	276	233	270
FWS	1,148	1,103	1,001	993
NPS	1,235	1,129	1,079	1,072
OIG	218	307	208	317
OS	1,226	1,597	714	748
OSMRE	143	175	98	159
SOL	250	259	208	193
USGS	205	215	217	196
AGENCY OVERALL	8,028	8,402	6,763	7,001

After reviewing its database, DOI adjusted the number of requests received during the fiscal year from last year's annual report for BIA, BLM, FWS, and NPS.

After reviewing its database, DOI adjusted the number of requests processed during the previous fiscal year for BIA, BLM, FWS, NPS, OIG, OS, and OSMRE.

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

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
BIA	155	196
BLM	354	656
BOEM	14	27
BOR	17	7
BSEE	15	25
FWS	260	397
NPS	236	313
OIG	19	17
OS	369	1,326
OSMRE	52	82
SOL	42	109
USGS	17	36
AGENCY OVERALL	1,550	3,191

After reviewing their databases, BIA, BLM, BOEM, BSEE, FWS, NPS, OIG, OS, OSMRE, SOL, and USGS adjusted the number of backlogged requests from last year's report.

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

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
FOIA/PA Appeals	204	197	119	236
OIG	2	7	6	5
AGENCY OVERALL	206	204	125	241

After reviewing its database, DOI adjusted the number of appeals it had pending at the start of the fiscal year for FOIA/PA Appeals.

After reviewing its database, DOI adjusted the number of appeals it had processed the previous fiscal year for FOIA/PA Appeals.

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

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
FOIA/PA Appeals	405	364
OIG	0	2
AGENCY OVERALL	405	366

After reviewing its database, DOI adjusted the number of backlogged appeals as of the end of the fiscal year from the previous annual report for FOIA/PA Appeals.

