

III. DEFINITIONS, AND EXEMPTIONS

A. Definitions of terms:

1. **Administrative Appeal:** A request to an agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
2. **Average Number:** The number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, the average of 3, 7, and 14, the average number is 8.
3. **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.
4. **Component:** For agencies that process requests on a decentralized basis, a “component” is an entity, within the agency that processes FOIA requests. SIGIR processes requests on a centralized basis and has no component data to report.
5. **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.
6. **Exemption 3 Statute:** A separate federal statute prohibiting the disclosure of a certain type of information and authorizing it being withheld under FOIA, 5 USC 552(b)(3).
7. **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.
8. **Full Grant:** An agency decision to disclose all records in full in response to a FOIA request.
9. **Full 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 record or records is determined

by the agency to be exempt under one or more of the FOIA exemptions, or for some procedural reason such as no record is located in response to a FOIA request.

10. **Median Number:** The middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
11. **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.
 - a. **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.
 - b. **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.
 - c. **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.
12. **Partial Grant/Partial Denial:** An agency decision to disclose a record only in part in response to a FOIA request, redacting information determined to be exempt under one or more exemptions under the FOIA; or a decision to disclose some records in their entirety, but withhold others in whole or in part.
13. **Pending Request or Pending Administrative Appeal:** A request or administrative appeal for which an agency has not taken final action in all respects.
14. **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.
15. **Processed Request or Processed Administrative Appeal:** A request or administrative appeal for which an agency has taken final action in all respects.
16. **Range in Number of Days:** The lowest and highest number of days to process requests or administrative appeals.
17. **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).

B. **Concise descriptions of the nine FOIA exemptions:**

1. **Exemption 1:** Classified national defense and foreign relations information.
2. **Exemption 2:** Information that is related solely to the internal personnel rules and practices of an agency.
3. **Exemption 3:** Information that is prohibited from disclosure by another federal law.
4. **Exemption 4:** Trade secrets and other confidential business information.
5. **Exemption 5:** Inter-agency or intra-agency communications that are protected by legal privileges.
6. **Exemption 6:** Information involving matters of personal privacy.
7. **Exemption 7:** 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.
8. **Exemption 8:** information relating to the supervision of financial institutions.
9. **Exemption 9:** geological information on wells.