

Item 9. Field Office FOIA Denials (Cont.)

<u>Name</u>	<u>Title</u>	<u>Number of Denials</u>
Gilbert, Wayne R.	SAC, Philadelphia	30
Hawkins, Herbert	SAC, Phoenix	1
Reutter, Bob C.	SAC, Pittsburgh	14
Coulson, Danny O.	SAC, Portland	11
O'Connor, Terry T.	SAC, Richmond	8
Knowles, Terry Lee	SAC, Sacramento	10
Ball, Douglas A.	SAC, Sacramento	5
Delarosa, Julian W.	SAC, St. Louis	6
Parsons, Charlie J.	SAC, San Antonio	4
Hughes, Thomas A.	SAC, San Diego	5
Held, Richard W.	SAC, San Francisco	45
Brandon, Harry B., III	SAC, San Juan	5
Pomerantz, Steven L.	SAC, Seattle	18
Wright, Robert P.	SAC, Springfield	15
Butler, Robert W.	SAC, Tampa	30
Gow, W. Douglas	SAC, Washington, D.C.	59

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR
PAGES

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Freedom of Information Act
Annual Statistical Report
(FOIA/AS Report)
Calendar Year 1988

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 5526.
 2. Number of additional requests received during the current calendar year 11496.
- Total requests 17022.

Disposition of Requests:

3. Total number of determinations to provide all the records 103.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 1322.)
5. Total number of determinations not to provide any of the records 1655.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 1024.
 - (b) Requester's refusal to pay search or reproduction fees 508.
 - (c) Non-possession of records 3479.
 - (d) Referral to other agencies or other DOJ components 566*.
*Includes referrals to/from FBIHQ and Field Offices.
 - (e) Requester's refusal to comply with other requirements 559.
 - (f) Requests withdrawn 232.
 - (g) Duplicate requests 821.
 - (h) FOIA not applicable to request 0.
 - (i) Other (specify). 1/ 353.

Total (e) thru (i) only 1965.

Total (a) thru (i) 7542.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

7. Total unprocessed requests on hand as of December 31 6400.

Total items 3 thru 7 17022. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemptions cited in 552(b):

Exemption (1)	<u>672</u>
Exemption (2)	<u>468</u>
Exemption (3)	<u>180</u>
Exemption (4)	<u>20</u>
Exemption (5)	<u>83</u>
Exemption (6)	<u>1567</u>
Exemption (7)(A)	<u>318</u>
Exemption (7)(B)	<u>2</u>
Exemption (7)(C)	<u>2854</u>
Exemption (7)(D)	<u>1236</u>
Exemption (7)(E)	<u>230</u>
Exemption (7)(F)	<u>24</u>

Total 7654

2/ The total of items 3. thru 6. plus item 7., i.e., processed requests plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answer given here regarding Exemption (3) should be the same as that given in 8.(b). However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(a) will be less than the total "Number of times invoked" in 8.(b). Please indicate when this is the case. Otherwise, the figures in 8.(a) and 8.(b) should be the same as to the number of times 552(b)(3) has been invoked.

(b) Statute(s) invoked pursuant to Exemption (3):

<u>Statutory citation</u> 4/	<u>Number of times invoked</u> 5/
Fed Rule Crim Proc 6(e)	90
28 U.S.C. § 2510 et seq	16
50 U.S.C. § 402 and 403 (d)(3)	19
28 U.S.C. § 534	41
26 U.S.C. § 6103	9
8 U.S.C. § 1202 (f)	6
18 U.S.C. § 5038	1
	Total <u>182</u> (More than one statute cited in two cases)

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each. Last Name first, first name, middle initial please.

<u>Name</u>	<u>Title</u>	<u>Number of instances</u>
Moschella, Emil P.	Chief, FOIPA Section, FBIHQ (Acting for Director William S. Sessions)	1384 (Requests to FBIHQ)

The Special Agent in Charge (SAC) of each Field Office is responsible for the initial denial of records by that office. See attached list re Field. Total of 1593.

Total 2977 6/

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4).) If there has been no such proceeding, please indicate "N.A." here NA.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ The total "Number of instances" should be equal to the total of items numbered 4. and 5. on page one.

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
Alford, Wayne R.	SAC, Albany	19
Brannon, William D.	SAC, Albuquerque	18
Nelson, James W.	SAC, Albuquerque	6
Lontor, Charles	SAC, Anchorage	1
Kennedy, Weldon L.	SAC, Atlanta	27
Curless, Joseph V.	SAC, Baltimore	18
Witaker, Allen P.	SAC, Birmingham	11
Ahearn, James F.	SAC, Boston	48
Duffy, John L.	SAC, Buffalo	16
Harding, Toby M. (Acting)	SAC, Butte	6
Daly, Paul V.	SAC, Charlotte	21
McKenzie, James D.	SAC, Chicago	52
Dinan, Terrance D.	SAC, Cincinnati	12
Griffin, Joseph E.	SAC, Cleveland	13
Brannon, William D.	SAC, Cleveland	5
Ivey, Robert J.	SAC, Columbia	12
Verinder, Frederick B.	SAC, Columbia	4
Gillham, Bobby R.	SAC, Dallas	21
Pence, Robert L.	SAC, Denver	10
Walton, Kenneth P.	SAC, Detroit	5
Helterhoff, Hal N.	SAC, Detroit	28
Schwein, Richard D.	SAC, El Paso	23
Glenn, Eugene F.	SAC, Honolulu	13
Duffin, Andrew J.	SAC, Houston	24
Ervin, William C.	SAC, Indianapolis	62
Taylor, Wayne R.	SAC, Jackson	5
Cagnassola, Jr., James	SAC, Jacksonville	17
Davenport, Robert B.	SAC, Kansas City	5
Storey, Francis J.	SAC, Kansas City	5
Dilbeck, Delbert N.	SAC, Knoxville	18
Baugh, William E.	SAC, Knoxville	6
Weller, James P.	SAC, Las Vegas	17
Pettus, Don K.	SAC, Little Rock	12
Bretzing, Richard T.	SAC, Los Angeles	80
Lawler, Lawrence G.	SAC, Los Angeles	80
Carlson, Joel A.	SAC, Louisville	23
Fallin, William D.	SAC, Memphis	20
Wells, William E.	SAC, Miami	33
Nelson, Lawrence J.	SAC, Milwaukee	111
Lawler, Lawrence G.	SAC, Minneapolis	26
Jamar, Jeffrey J.	SAC, Minneapolis	25
Hinshaw, William L.	SAC, Mobile	8
McGinley, John C.	SAC, Newark	29
Klein, Stanley	SAC, New Haven	13
O'Connor, John J.	SAC, New Orleans	29
Fox, James M.	ADIC, New York	116
Wells, Irvin B.	SAC, Norfolk	11
Hoverson, Ronald A.	SAC, Oklahoma City	7

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
O'Hara, Nicholas V.	SAC, Omaha	20
Davis, Wayne G.	SAC, Philadelphia	39
Hawkins, Herbert H.	SAC, Phoenix	8
Gilbert, Wayne R.	SAC, Pittsburg	22
Gardner, Theodore M.	SAC, Portland	29
O'Connor, Terry T.	SAC, Richmond	8
Knowles, Terry Lee	SAC, Sacramento	27
Helterhoff, Hal N.	SAC, St. Louis	1
Delarosa, Julian W.	SAC, St. Louis	5
Parsons, Charlie J.	SAC, San Antonio	21
Hughes, Thomas A.	SAC, San Diego	15
Held, Richard W.	SAC, San Francisco	91
Brandon, Harry B.	SAC, San Juan	19
Dalseg, John W.	SAC, Savannah	4
Clancy, William J.	SAC, Savannah	4
Tokunaga, Don S.	SAC, Seattle	18
Pomerantz, Steven L.	SAC, Seattle	5
Wright, Robert P.	SAC, Springfield (IL)	20
Butler, Robert W.	SAC, Tampa	18
Gow, Douglas W.	SAC, Washington Metropolitan Field Office	48

Privacy Act
Annual Statistical Report
(PA/AS Report)
Calendar Year 1988

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 3334.
 2. Number of additional requests received during the current calendar year 13938.
- Total requests 17272.

Disposition of Requests:

3. Total number of determinations to provide all the records 497.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 2680.
5. Total number of determinations not to provide any of the records 492.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 714.
 - (b) Requester's refusal to pay search or reproduction fees 168.
 - (c) Non-possession of records 6392.
 - (d) Referral to other agencies or other DOJ components 567.
 - (e) Requester's refusal to comply with other requirements 1187.
 - (f) Requests withdrawn 55.
 - (g) Duplicate requests 38.
 - (h) Privacy Act not applicable to request. NA.
 - (i) Other (specify). 1/ 330.

Total (e) thru (i) only 1610.

Total (a) thru (i) 9451.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

7. Total unprocessed requests on hand as of December 31 4152.

Total items 3. thru 7. 17272. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemption 552a(d)(5)	<u>23</u>
(b) Exemption 552a(j)(2)	<u>2610</u>
(c) Exemptions cited in 552a(k):	
Exemption (1)	<u>215</u>
Exemption (2)	<u>88</u>
Exemption (3)	<u>0</u>
Exemption (4)	<u>0</u>
Exemption (5)	<u>414</u>
Exemption (6)	<u>185</u>
Exemption (7)	<u>0</u>
(d) Exemption 552a(n)	<u>0</u>
(e) Exemptions cited in 552(b):	
Exemption (1)	<u>709</u>
Exemption (2)	<u>764</u>
Exemption (3)	<u>295</u>
Exemption (4)	<u>0</u>
Exemption (5)	<u>141</u>
Exemption (6)	<u>627</u>

2/ The total of items numbered 3. thru 6. plus item 7., i.e., processed plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answers given here regarding Exemptions 552a(k)(4) and 552(b)(3) should be the same as the answers given in 8.(f) regarding these statutes. However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(e) will be less than the total "Number of times invoked" for 552(b)(3) in 8.(f). Please indicate when this is the case. Otherwise, the figures in 8.(e) and 8.(f) should be the same as to the number of times 552(b)(3) has been invoked.

Exemption (7)(A)	<u>352</u>
Exemption (7)(B)	<u>10</u>
Exemption (7)(C)	<u>2643</u>
Exemption (7)(D)	<u>1963</u>
Exemption (7)(E)	<u>437</u>
Exemption (7)(F)	<u>131</u>

(f) Statute(s) invoked pursuant to Exemption 552a(k)(4) or 552(b)(3):

<u>Statutory citation</u> <u>4/</u>	<u>Pursuant to Exemption 552a(k)(4)</u> <u>5/</u>	<u>Pursuant to Exemption 552(b)(3)</u> <u>5/</u>	<u>Number of times invoked</u>
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SEE CONTINUATION ON PAGE 4

- 9. Total number of requests for amendments to records 54.
- 10. Total number of determinations to amend the records 2.
- 11. Total number of determinations to amend the records in part (This is also considered a partial denial) 33.
- 12. Total number of determinations not to amend the records 19.
- 13. Reasons for each denial and partial denial of requests to amend records: 6/

<u>Reason</u>	<u>Number of times</u>
Records exempt under subsections (j) and (k) of the Privacy Act Pursuant to 28 C.F.R. § 1696. Requesters failed to justify correction/amendment.	52

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ List by category the reasons for the denial or partial denial, e.g., "Record exempt by Section (k)(2) of the Privacy Act . . ."; "Record not subject to correction under 28 CFR § 16.51 . . ."; "Requester failed to sufficiently justify the correction or amendment . . .", etc. In addition, indicate the number of times the reason for denial or partial denial was cited. (Note: Specific exemptions are not appropriate for denying "correction" of records.)

CONTINUED FROM PAGE 3 - QUESTION (f)

<u>Statutory Citation</u> 4/	<u>Pursuant to Exemption 52a(k) (4) 5/</u>	<u>Pursuant to Exemption 52(b)(3) 5/</u>	<u>Number of times invoked*</u>
Fed. Rule of Crim Proc 6 (e)	*Note Re number of times invoked; more than one statute cited in some cases.	x	187
28 U.S.C. § 2510 et seq		x	31
50 U.S.C. § 402 and 403 (d)(3)		x	12
28 U.S.C. § 534		x	62
26 U.S.C. § 6103		x	6
8 U.S.C. § 1202 (f)		x	3
18 U.S.C. § 5038		x	6

DOJ Component FBI

Administrative Manhours, Costs, and Fees
Collected/Assessed; Freedom of Information
(FOI)/Privacy Act (PA) Requests
Calendar Year 88

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA. PLEASE ROUND OFF THE FOLLOWING TO THE NEAREST MANHOUR AND THE NEAREST DOLLAR.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>283,014</u>	<u>424,521</u>	<u>707,535</u>
Costs of Services <u>1/</u>	(\$3,873,103)	(\$5,809,653)	(\$9,682,756)
Other Costs <u>2/</u>	(\$1,223,085)	(\$1,834,627)	(\$3,057,712)
Total Costs	<u>\$5,096,188</u>	<u>\$7,644,280</u>	<u>\$12,740,468*</u>
Fees Collected	<u>\$33,001</u>	<u>\$6,380</u>	<u>\$39,381</u>
Fees Assessed but Uncollected	(NA)	(NA)	(NA)

*DOES NOT INCLUDE PAYMENTS TO DOJ FOR 1988
WHICH TOTALED \$1,503,703

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records 3/

Manhours	<u>3,948</u>
Costs of Services	<u>\$40,924</u>
Other Costs	<u>0</u>
Total Costs	<u>4/ \$40,924</u>

Accounting for dissemination of records (required by Section (c) of the PA)

Manhours	<u> </u>
Costs of Services	<u> </u>
Other Costs	<u> </u>
Total Costs	<u>4/ Information not available.</u>

Preparing Federal Register notices of new or modified record systems NONE

Manhours	<u>NA</u>
Costs of Services	<u> </u>
Other Costs	<u> </u>
Total Costs	<u>4/ </u>

Total Other PA Costs 40,924

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. (Federal Register publication costs for Privacy Act system notices will be reported by this office.)

However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

3/ For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3%, respectively. If your experience reflects a different division of costs, please report costs which accurately reflect your experience.

4/ See notes 1 and 2 for cost categories.

Attachment D

DOJ Component FBI

Addendum to Privacy Act Annual Statistical Report
(PA/AS Report)
Calendar Year 1988

The following applies only to requests which actually cited the Privacy Act as a statutory basis for the request.

Statistical Data

1. Total number of requests for access: 5267
 2. Number of requests wholly or partially granted: 1464
 3. Number of requests totally denied: 236
 4. Numbers of requests for which no record was found: 2394
- Numbers (5), (6), and (7) will be answered separately by the Office of Information and Privacy
8. Number of requests to amend records in system: 2
 9. Number of amendment requests wholly or partially granted: 1
 10. Number of amendment requests totally denied: 1

Note: We realize that requests are not necessarily processed in the year of receipt and that the number of access and amendment requests received, which cited the Privacy Act, may not necessarily be consistent with the total number reported as processed in items 2, 3, and 4 above, for example. Where such is the case, please indicate this with an appropriate footnote.

11. Number of amendment requests for which no record was found:
0

Numbers (12), (13), and (14) will be answered separately by the Office of information and Privacy.

15. Did you deny an individual access to his or her records in a system of records on any basis other than a Privacy Act exemption, i.e., (j) or (k)? NO If the answer is yes, describe and provide the legal justification for the denial on a separate attachment.

Numbers (16) and (17) will be answered separately by the Civil Division.

Matching Programs (See definition of a matching program in OMB's revised Matching Guidelines (47 FR 21656, May 19, 1982)).

As Matching Agency:

How many matching programs did you participate in as a "matching" agency during the year? NONE If you participated in more than one, provide the following information for each matching program on a separate attachment:

When was the match initiated (month and year)? _____

What was the name of the system of records from which records were disclosed to the matching agency in order to conduct the match, and what was the purpose for the match? _____

On what date(s) were any matching reports required by the Matching Guidelines published in the Federal Register and provided to OMB and the Congress? _____

As Source Agency:

How many matching programs did you participate in as a "source agency" during the year? _____ If you participated in more than one, provide the following information for each matching program on a separate attachment:

When was the match initiated (month and year)? _____

What was the name of the system of records from which records were disclosed to the matching agency in order to conduct the match, and what was the purpose for the match? _____

Provide the Federal Register publication date for the routine which permits release of records to the matching agency?

For each new matching program initiated during the calendar year covered by this report, you must also attach a completed "Agency Computer Checklist" indicating whether you participated as a source or as a matching agency. A copy of the checklist is attached. (Please refer to the Justice Management Division's earlier memorandum to you on this subject dated June 4, 1984.)

Debt Collection Act of 1982 (P.L. 97-365); see OMB guidelines (48 FR 15556, April 11, 1983)

Have you published (b)(12) notices in the Federal Register? If so, on what date? _____

Have you published any additional routine uses for debt collection purposes? If so, on what date? _____

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
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DOJ Component
Freedom of Information .
Annual Statistical Report
(FOIA/AS Report)
Calendar Year 87

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 4671*.
 2. Number of additional requests received during the current calendar year 9,029.
- Total requests 13,700

Disposition of Requests:

3. Total number of determinations to provide all the records 140.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 1,402.)
5. Total number of determinations not to provide any of the records 994.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 745.
 - (b) Requester's refusal to pay search or reproduction fees 497.
 - (c) Non-possession of records 2,508.
 - (d) Referral to other agencies or other DOJ components 362. (This includes referrals to/from FBIHQ and Field Offices)
 - (e) Requester's refusal to comply with other requirements 398.
 - (f) Requests withdrawn 225.
 - (g) Duplicate requests 656.
 - (h) FOIA not applicable to request N/A.
 - (i) Other (specify). 1/ 247.

Total (e) thru (i) only 1526.

Total (a) thru (i) 5,638

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.
*This figure incorporates adjustments to our data subsequent to report preparation in the prior calendar year.

7. Total unprocessed requests on hand as of December 31 5,526.

Total items 3 thru 7 13,700. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemptions cited in 552(b):

Exemption (1)	576
Exemption (2)	<u>427</u>
Exemption (3)	<u>234</u>
Exemption (4)	<u>19</u>
Exemption (5)	<u>84</u>
Exemption (6)	<u>1,088</u>
Exemption (7)(A)	307
Exemption (7)(E)	<u>1</u>
Exemption (7)(C)	<u>2,257</u>
Exemption (7)(D)	<u>1,109</u>
Exemption (7)(E)	<u>194</u>
Exemption (7)(F)	<u>19</u>

Total 6,315

2/ The total of items 3. thru 6. plus item 7., i.e., processed requests plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answer given here regarding Exemption (3) should be the same as that given in 8.(b). However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(a) will be less than the total "Number of times invoked" in 8.(b). Please indicate when this is the case. Otherwise, the figures in 8.(a) and 8.(b) should be the same as to the number of times 552(b)(3) has been invoked.

(b) Statute(s) invoked pursuant to Exemption (3):

<u>Statutory citation</u> 4/	<u>Number of times invoked</u> 5/
Rule 6(e) Fed. Rules of Crim. Proc	84
18 USC § 2511 et seq.	20
50 USC § 503 and 403(g)	18
26 USC § 6103	42
28 USC § 534	70
Total	<u>234</u>

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each. Last Name first, first name, middle initial please.

<u>Name</u>	<u>Title</u>	<u>Number of instances</u>
William H. Webster	Director	
William S. Sessions	Director	(All Headquarters Requests)

Emil P. Moschella, Section Chief of the FOIPA Section acted for the Director
1,397

The Special Agent in Charge (SAC) of each FBI Field Office is responsible for the initial denial of records by that office (See Attached)

Field Total 999

Total 2,396 6/

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4).) If there has been no such proceeding, please indicate "N.A." here N.A.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ The total "Number of instances" should be equal to the total of items numbered 4. and 5. on page one.

<u>Name</u>	<u>Title</u>	<u>Number of Denials</u>
Wayne R. Alford	SAC, Albany, NY	3
Charles Lontor	SAC, Anchorage, AK	1
William D. Brannon	SAC, Albuquerque, NM	16
Weldon L. Kennedy	SAC, Atlanta	18
Joseph A. Krahling	Acting SAC, Alexandria, VA	5
Joseph V. Corless	SAC, Baltimore, MD	29
Cecil E. Moses	SAC, Birmingham, AL	1
Allen P. Whitaker	SAC, Birmingham, AL	5
James F. Ahearn	SAC, Boston, MA	32
John L. Duffy	SAC, Buffalo, NY	4
Toby M. Harding	Acting SAC, Butte, MT	11
Paul V. Daly	SAC, Charlotte, NC	14
James D. McKenzie	SAC, Chicago, IL	44
Terence D. Dinan	SAC, Cincinnati, OH	2
Joseph E. Griffin, Jr.	SAC, Cleveland, OH	20
Robert J. Ivey	SAC, Columbia, SC	6
Bobby R. Gillham	SAC, Dallas, TX	26
Robert L. Pence	SAC, Denver, CO	7
Kenneth P. Walton	SAC, Detroit, MI	21
Richard D. Schwein	SAC, El Paso, TX	3
Eugene F. Glenn	SAC, Honolulu, HI	7
Andrew J. Duffin	SAC, Houston, TX	1
William C. Ervin	SAC, Indianapolis, IN	8
Wayne R. Taylor	SAC, Jackson, MS	15

<u>Name</u>	<u>Title</u>	<u>Number of Denials</u>
James Casnassola, Jr.	SAC, Jacksonville, FL	7
Robert B. Davenport	SAC, Kansas City, MO	7
Delbert N. Dilbeck	SAC, Knoxville, TN	2
James P. Weller	SAC, Las Vegas, NV	4
Don K. Pettus	SAC, Little Rock, AR	2
Richard T. Bretzing	SAC, Los Angeles, CA	59
Joel A. Carlson	SAC, Louisville, KY	8
William D. Fallin	SAC, Memphis, TN	10
William E. Wells	SAC, Miami, FL	77
Lawrence J. Nelson	SAC, Milwaukee, WI	19
Lawrence G. Lawler	SAC, Minneapolis, MN	24
William L. Hinshaw	SAC, Mobile, AL	1
John C. McGinley	SAC, Newark, NJ	22
Stanley Klein	SAC, New Haven, CT	14
John J. O'Connor	SAC, New Orleans, LA	18
Thomas L. Sheer	Assistant Director In Charge, New York, NY	117
Lee M. Quick	SAC, Norfolk, VA	1
Irvin B. Wells	SAC, Norfolk, VA	6
Ronald A. Hoverson	SAC, Oklahoma City, OK	19
Nicholas V. O'Hara	SAC, Omaha, NE	33
Wayne G. Davis	SAC, Philadelphia, PA	41
Herbert H. Hawkins	SAC, Phoenix, AZ	12
Wayne R. Gilbert	SAC, Pittsburgh, PA	41

<u>Name</u>	<u>Title</u>	<u>Number of Denials</u>
Theodore M. Gardner	SAC, Portland, OR	5
Terry T. O'Connor	SAC, Richmond, VA	1
Terry L. Knowles	SAC, Sacramento, CA	21
Hal N. Helterhoff	SAC, St. Louis, MO	4
Robert M. Bryant	SAC, Salt Lake City, UT	1
Charlie J. Parsons	SAC, San Antonio, TX	4
Thomas A. Hughes	SAC, San Diego, CA	8
Richard W. Held	SAC, San Francisco, CA	30
James C. Esposito	SAC, San Juan, PR	2
Andrew J. Duffin	SAC, Savannah, GA	6
John W. Dalseg	SAC, Savannah, GA	1
Don S. Tokunaga	SAC, Seattle, WA	22
Thomas Jones	SAC, Springfield, IL	2
Robert P. Wright	SAC, Springfield, IL	2
Robert W. Butler	SAC, Tampa, FL	9
Douglas W. Gow	SAC, Washington, DC	38
	Field Total	<u>999</u>

Privacy Act
Annual Statistical Report
(PA/AS Report)
Calendar Year 87

Requests Count:

1. Balance of unprocessed requests brought forward on January 12,569*.
2. Number of additional requests received during the current calendar year 11,460.

Total requests 14,029

Disposition of Requests:

3. Total number of determinations to provide all the records 513.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 2,431.
5. Total number of determinations not to provide any of the records 418.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 698.
 - (b) Requester's refusal to pay search or reproduction fees 127.
 - (c) Non-possession of records 4,856.
 - (d) Referral to other agencies or other DOJ components 483. (This includes referrals to/from FBIHQ and Field Offices).
 - (e) Requester's refusal to comply with other requirements 941.
 - (f) Requests withdrawn 41.
 - (g) Duplicate requests 27.
 - (h) Privacy Act not applicable to request. N.A.
 - (i) Other (specify). 1/ 160.

Total (e) thru (i) only 1,169.

Total (a) thru (i) 7,333.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.
*This figures incorporates adjustments to our data subsequent to report preparation in the prior calendar year.

7. Total unprocessed requests on hand as of December 31 3,334

Total items 3. thru 7. 14,029. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemption 552a(d)(5)	<u>0</u>
(b) Exemption 552a(j)(2)	<u>697</u>
(c) Exemptions cited in 552a(k):	
Exemption (1)	<u>152</u>
Exemption (2)	<u>39</u>
Exemption (3)	<u>0</u>
Exemption (4)	<u>0</u>
Exemption (5)	<u>422</u>
Exemption (6)	<u>196</u>
Exemption (7)	<u>0</u>
(d) Exemption 552a(n)	<u>0</u>
(e) Exemptions cited in 552(b):	
Exemption (1)	<u>513</u>
Exemption (2)	<u>605</u>
Exemption (3)	<u>333</u>
Exemption (4)	<u>3</u>
Exemption (5)	<u>115</u>
Exemption (6)	<u>525</u>

2/ The total of items numbered 3. thru 6. plus item 7., i.e., processed plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answers given here regarding Exemptions 552a(k)(4) and 552(b)(3) should be the same as the answers given in 8.(f) regarding these statutes. However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(e) will be less than the total "Number of times invoked" for 552(b)(3) in 8.(f). Please indicate when this is the case. Otherwise, the figures in 8.(e) and 8.(f) should be the same as to the number of times 552(b)(3) has been invoked.

Exemption (7)(A)	321
Exemption (7)(B)	5
Exemption (7)(C)	2,326
Exemption (7)(D)	1,711
Exemption (7)(E)	350
Exemption (7)(F)	81

(f) Statute(s) invoked pursuant to Exemption 552a(k)(4) or 552(b)(3):

Statutory citation ^{4/}	Pursuant to Exemption 552a(k)(4) ^{5/}	Pursuant to Exemption 552(b)(3) ^{5/}	Number of times invoked
Rule 6(e) Fed. Rules of Crim. Proc.		X	125
18 USC § 2511 et seq.		X	14
28 USC § 534		X	139
50 USC § 402, 403(g)		X	15
26 USC § 6103		X	40
9. Total number of requests for <u>amendments</u> to records <u>62</u> .			
10. Total number of determinations to amend the records <u>3</u> .			
11. Total number of determinations to amend the records <u>in part</u> (This is also considered a partial denial) <u>36</u> .			
12. Total number of determinations not to amend the records <u>23</u> .			
13. Reasons for each denial and partial denial of requests to amend records: <u>6/</u>			

Reason

Number of times

Record exempt by (j)&(k) of the Privacy Act and not subject to the correction/amendment under Title 28, CFR 16.96.

59

Requester failed to sufficiently justify correction/amendment.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ List by category the reasons for the denial or partial denial, e.g., "Record exempt by Section (k)(2) of the Privacy Act . . ."; "Record not subject to correction under 28 CFR § 16.51 . . ."; "Requester failed to sufficiently justify the correction or amendment . . .", etc. In addition, indicate the number of times the reason for denial or partial denial was cited. (Note: Specific exemptions are not appropriate for denying "correction" of records.)

Administrative Manhours, Costs, and Fees
Collected/Assessed; Freedom of Information
(FOI)/Privacy Act (PA) Requests
Calendar Year 87

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>283,850</u>	<u>425,775</u>	<u>709,625</u>
Costs of Services <u>1/</u>	(3,622,203)	(5,433,305)	(9,055,508)
Other Costs <u>2/</u>	(1,143,854)	(1,715,781)	(2,859,635)
Total Costs <u>3</u>	<u>4,766,057</u>	<u>7,149,086</u>	<u>11,915,143</u>
Fees Collected	<u>17,531</u>	<u>26,296</u>	<u>43,827</u>
Fees Assessed but Uncollected	(N/A)	(N/A)	(N/A)

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

3/ This figure does not include payments to DOJ which totaled \$1,402,500 for CY 1987.

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records 3/

Manhours	<u>4,020</u>
Costs of Services	<u>42,555</u>
Other Costs	<u>0</u>
Total Costs	<u>4/ 42,555</u>

Accounting for dissemination of records (required by Section (c) of the PA)

Manhours	_____
Costs of Services	_____
Other Costs	_____
Total Costs	<u>4/ _____</u> (INFORMATION NOT AVAILABLE)

Preparing Federal Register notices of new or modified record systems

Manhours	<u>170</u>
Costs of Services	<u>4007</u>
Other Costs	<u>0</u>
Total Costs	<u>4/ 4007</u>

Total Other PA Costs 46,562

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. (Federal Register publication costs for Privacy Act system notices will be reported by this office.)

However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

3/ For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3%, respectively. If your experience reflects a different division of costs, please report costs which accurately reflect your experience.

4/ See notes 1 and 2 for cost categories.

Attachment D

DOJ Component FBI

Addendum to Privacy Act Annual Statistical Report
(PA/AS Report)
Calendar Year 87

The following applies only to requests which actually cited the Privacy Act as a statutory basis for the request.

Statistical Data

1. Total number of requests for access: 3,802
2. Number of requests wholly or partially granted: 1,215
3. Number of requests totally denied: 143
4. Numbers of requests for which no record was found: 1428
Numbers (5), (6), and (7) will be answered separately by
the Office of Information and Privacy
8. Number of requests to amend records in system: 8
9. Number of amendment requests wholly or partially
granted: 5
10. Number of amendment requests totally denied: 3

Note: We realize that requests are not necessarily processed in the year of receipt and that the number of access and amendment requests received, which cited the Privacy Act, may not necessarily be consistent with the total number reported as processed in items 2, 3, and 4 above, for example. Where such is the case, please indicate this with an appropriate footnote.

11. Number of amendment requests for which no record was found: * 0

Numbers (12), (13), and (14) will be answered separately by the Office of Information and Privacy.

15. Did you deny an individual access to his or her records in a system of records on any basis other than a Privacy Act exemption, i.e. (j) or (k)? No If the answer is yes, describe and provide the legal justification for the denial on a separate attachment.

Numbers (16) and (17) will be answered separately by the Civil Division.

Matching Programs (See definition of a matching program in OMB's revised Matching Guidelines (47 FR 21656, May 19, 1982)).

How many matching programs did you participate in as a matching agency during the year One

How many as a source agency? None

On what date(s) were any matching reports required by the Matching Guidelines published in the Federal Register and provided to OMB and the Congress? February 20, 1987

If you answered any of the above questions, you must also attach a completed "Agency Computer Match Checklist" for each program indicating whether you participated as a source or as a matching agency. A copy of the checklist is attached. (Please refer to our earlier memorandum to you on this subject dated June 4, 1984.)

Debt Collection Act of 1982 (P.L. 97-365); see OMB guidelines (48 FR 15556, April 11, 1983)

Have you published (b)(12) notices in the Federal Register? If so, on what date? No

Have you published any additional routine uses for debt collection purposes? If so, on what date? No

* This question was not asked last year; however, according to revised Circular A-130, it may be asked this year.

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR
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Freedom of Information Act
Annual Statistical Report
(FOIA/AS Report)
Calendar Year 86

Requests Count:

- 1. Balance of unprocessed requests brought forward on January 1 3590.*
 - 2. Number of additional requests received during the current calendar year 8607.
- Total requests 12197.

Disposition of Requests:

- 3. Total number of determinations to provide all the records 112.
- 4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 1438.)
- 5. Total number of determinations not to provide any of the records 928.
- 6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 753.
 - (b) Requester's refusal to pay search or reproduction fees 502.
 - (c) Non-possession of records 2394.
 - (d) Referral to other agencies or other DOJ components 2.
 - (e) Requester's refusal to comply with other requirements 441.
 - (f) Requests withdrawn 273.
 - (g) Duplicate requests 601.
 - (h) FOIA not applicable to request N/A.
 - (i) Other (specify). 1/ 225.

Total (e) thru (i) only 1540.

Total (a) thru (i) 5191.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

*This figure represents an adjusted balance from that figure reported as the closing balance in 1985 due to an enhancement in our reporting abilities.

7. Total.unprocessed requests on hand as of December 31 4528.
 Total items 3 thru 7 12197. 2/
8. Exemptions relied upon for each denial and partial denial determination.
Number of times invoked 3/

(a) Exemptions cited in 552(b):

Exemption (1)	<u>574</u>
Exemption (2)	<u>546</u>
Exemption (3)	<u>213</u>
Exemption (4)	<u>24</u>
Exemption (5)	<u>80</u>
Exemption (6)	<u>756</u>
Exemption (7)(A)	<u>304</u>
Exemption (7)(B)	<u>1</u>
Exemption (7)(C)	<u>2001</u>
Exemption (7)(D)	<u>1166</u>
Exemption (7)(E)	<u>258</u>
Exemption (7)(F)	<u>12</u>
Total	<u>5935</u>

2/ The total of items 3. thru 6. plus item 7., i.e., processed requests plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answer given here regarding Exemption (3) should be the same as that given in 8.(b). However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(a) will be less than the total "Number of times invoked" in 8.(b). Please indicate when this is the case. Otherwise, the figures in 8.(a) and 8.(b) should be the same as to the number of times 552(b)(3) has been invoked.

(b) Statute(s) invoked pursuant to Exemption (3):

<u>Statutory citation</u> 4/	<u>Number of times invoked</u> 5/
1. Rule 6(e) Fed. Rules of Crim. Proc.	54
2. 18 USC 2511 et seq.	46
3. 28 USC 534	22
4. 50 USC 402 & 403(g)	75
5. 26 USC 6103	10
6. 17 USC 101	3
7. 8 USC 1202(f)	3
	<u>Total 213</u>

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each. Last Name first, first name, middle initial please.

<u>Name</u>	<u>Title</u>	<u>Number of instances</u>
William H. Webster	Director	- All Headquarters Requests
The Section Chief of the FOIPA Section acted for the Director.		
James K. Hall	Section Chief	<u>227</u>
Marvin E. Lewis	Acting Section Chief	169
Emil P. Moschella	Section Chief	<u>1284</u>

The Special Agent in Charge (SAC) of each FBI Field Office is responsible for the initial denial of records by that office (See attached).

Total 2366 6/

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4).) If there has been no such proceeding, please indicate "N.A." here _____.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ The total "Number of instances" should be equal to the total of items numbered 4. and 5. on page one.

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
Paul V. Daly	SAC, Albany, NY	4
Wayne R. Alford		2
William D. Barnon	SAC, Albuquerque, NM	15
John J. O'Connor	SAC, Alexandria, VA	2
Joseph A. Krahling	Acting SAC, Alexandria, VA	1
Lawrence J. Nelson	SAC, Anchorage AK	8
Dana E. Caro	SAC, Baltimore, MD	7
Joseph V. Corless	"	5
Cecil E. Moses	SAC, Birmingham, AL	18
James W. Greenleaf	SAC, Boston, MA	25
James F. Ahearn	"	8
Phillip D. Smith	SAC, Buffalo, NY	2
John L. Duffy	"	1
Toby M. Harding	Acting SAC, Butte, MT	6
Robert L. Pence	SAC, Charlotte, NC	2
Edward D. Gegarty	SAC, Chicago, IL	20
Michael D. Wilson	Acting SAC, Chicago, IL	9
Terence D. Dinan	SAC, Cincinnati, OH	9
Joseph E. Griffin	SAC, Cleveland, OH	24
Robert J. Ivey	SAC, Columbia, SC	0
Bobby R. Gillham	SAC, Dallas, TX	7
William A. Gavin	SAC, Denver, CO	7
Robert L. Pence	"	7
Kenneth P. Walton	SAC, Detroit, MI	16
Raymond P. Yelchak	SAC, El Paso, TX	1
Eugene F. Glenn	SAC, Honolulu, HA	4

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
Douglas W. Gow	SAC, Houston, TX	10
William C. Ervin	SAC, Indianapolis, IN	9
Roger T. Castonguay	SAC, Jackson, MS	0
James Cagnassola, Jr.	SAC, Jacksonville, FL	2
Robert B. Davenport	SAC, Kansas City, MO	7
William Y. Doran	SAC, Knoxville, TN	1
John J. Schreiber	SAC, Las Vegas, NV	4
James P. Weller	"	4
Don K. Pettus	SAC, Little Rock, AK	3
Richard T. Bretzing	SAC, Los Angeles, CA	36
Joel A. Carlson	SAC, Louisville, KY	5
William D. Fallin	SAC, Memphis, TN	3
Ernest H. Woodby	SAC, Milwaukee, WI	17
Lawrence J. Nelson	"	4
Joseph V. Corless	SAC, Miami, FL	20
William E. Wells	"	13
Lawrence G. Lawler	SAC, Minneapolis, MN	18
Delbert C. Toohey	SAC, Mobile, AL	1
John C. McGinley	SAC, Newark, NJ	23
Alonzo L. Lacey, Jr.	SAC, New Haven, CN	4
Stancey Klein	"	4
Edmund J. Pistey	SAC, New Orleans, LA	5
John J. O'Connor	"	7
John L. Hogan	Ass't Director in Charge, New York, NY	61
Thomas L. Sheer	"	5
John C. Wagner	SAC, Norfolk, VA	2

(Attachment A, Page 6)

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
Ronald A. Hoverson	SAC, Oklahoma City, OK	2
Wayne G. Davis	SAC, Philadelphia, PA	2
James F. Ahearn	SAC, Omaha, NB	16
Walter A. Weiner	SAC, Pittsburgh, PA	12
Wayne R. Gilbert	"	11
Theodore M. Gardner	SAC, Portland, OR	5
Herbert H. Hawkins, Jr.	SAC, Phoenix, AZ	5
Allen H. McCreight	SAC, Richmond, VA	2
Terry T. O'Connor	"	3
Terry Lee Knowles	SAC, Sacramento, CA	0
Mac N. Helaritoff	SAC, St. Louis, MO	7
Robert M. Bryant	SAC, Salt Lake City, UT	1
John W. Dalseg	SAC, San Antonio, TX	28
Gary L. Penrith	SAC, San Diego, CA	2
Thomas A. Hughes	"	2
Richard W. Held	SAC, San Francisco, CA	32
James C. Esposito	SAC, San Juan, PR	1
Adrew J. Duffin	SAC, Savannah, GA	6
Allen P. Whittaker	SAC, Seattle, WA	3
Don S. Tokunaga	"	6
Joseph E. Ondrula	SAC, Springfield, IL	1
Thomas F. Jones	"	2
Robert W. Butler	SAC, Tampa, FL	2
Dana E. Caro	SAC, Washington Field	54
Dan Coulson	Acting SAC, Washington Field	3

DOJ Component

FBI

Privacy Act
Annual Statistical Report
(PA/AS Report)
Calendar Year 86

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 1939.*
2. Number of additional requests received during the current calendar year 9460.

Total requests 11399.

Disposition of Requests:

3. Total number of determinations to provide all the records 478.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 2470.
5. Total number of determinations not to provide any of the records 409.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 622.
 - (b) Requester's refusal to pay search or reproduction fees 154.
 - (c) Non-possession of records 3804.
 - (d) Referral to other agencies or other DOJ components 3.
 - (e) Requester's refusal to comply with other requirements 722.
 - (f) Requests withdrawn 82.
 - (g) Duplicate requests 39.
 - (h) Privacy Act not applicable to request. N/A.
 - (i) Other (specify). 1/ 122.

Total (e) thru (i) only 965.

Total (a) thru (i) 5548.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

*This figure represents an adjusted balance from that figure reported as the closing balance in 1985 due to an enhancement in our reporting abilities.

7. Total unprocessed requests on hand as of December 31 2494 .
Total items 3. thru 7. 11399 . 2/
8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemption 552a(d)(5)	<u>3</u>
(b) Exemption 552a(j)(2)	<u>1085</u>
(c) Exemptions cited in 552a(k):	
Exemption (1)	<u>152</u>
Exemption (2)	<u>48</u>
Exemption (3)	<u>0</u>
Exemption (4)	<u>0</u>
Exemption (5)	<u>369</u>
Exemption (6)	<u>172</u>
Exemption (7)	<u>0</u>
(d) Exemption 552a(n)	<u>0</u>
(e) Exemptions cited in 552(b):	
Exemption (1)	<u>560</u>
Exemption (2)	<u>648</u>
Exemption (3)	<u>208</u>
Exemption (4)	<u>6</u>
Exemption (5)	<u>100</u>
Exemption (6)	<u>502</u>

2/ The total of items numbered 3. thru 6. plus item 7., i.e., processed plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answers given here regarding Exemptions 552a(k)(4) and 552(b)(3) should be the same as the answers given in 8.(f) regarding these statutes. However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(e) will be less than the total "Number of times invoked" for 552(b)(3) in 8.(f). Please indicate when this is the case. Otherwise, the figures in 8.(e) and 8.(f) should be the same as to the number of times 552(b)(3) has been invoked.

Exemption (7)(A)	<u>368</u>
Exemption (7)(B)	<u>2</u>
Exemption (7)(C)	<u>2279</u>
Exemption (7)(D)	<u>1676</u>
Exemption (7)(E)	<u>371</u>
Exemption (7)(F)	<u>48</u>

(f) Statute(s) invoked pursuant to Exemption 552a(k)(4) or 552(b)(3):

Statutory citation 4/	Pursuant to Exemption 552a(k)(4) 5/	Pursuant to Exemption 552(b)(3) 5/	Number of times invoked
Rule 6(e) Fed. Rules of Crim. Proc.		X	75
18 USC Sec. 2511 et seq.		X	73
28 USC Sec. 534		X	37
18 USC Sec. 5038		X	5
50 USC Sec. 402, 403(g)		X	14
26 USC Sec. 9610		X	4
Total number of requests for amendments to records 41			

- 10. Total number of determinations to amend the records 0.
- 11. Total number of determinations to amend the records in part (This is also considered a partial denial) 25.
- 12. Total number of determinations not to amend the records 16.
- 13. Reasons for each denial and partial denial of requests to amend records: 6/

Reason

Number of times

Record exempt by (j) & (k) of the Privacy Act and not subject to correction and/or amendment under Title 28, CFR 16.96.

41

Requester failed to sufficiently justify correction and/or amendment.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ List by category the reasons for the denial or partial denial, e.g., "Record exempt by Section (k)(2) of the Privacy Act . . ."; "Record not subject to correction under 28 CFR § 16.51 . . ."; "Requester failed to sufficiently justify the correction or amendment . . .", etc. In addition, indicate the number of times the reason for denial or partial denial was cited. (Note: Specific exemptions are not appropriate for denying "correction" of records.)

Administrative Manhours, Costs, and Fees
Collected/Assessed; Freedom of Information
(FOI)/Privacy Act (PA) Requests
Calendar Year 86

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>290,358</u>	<u>435,537</u>	<u>725,895</u>
Costs of Services <u>1/</u>	<u>3704526.00</u>	<u>5556790.00</u>	<u>9261316.00</u>
Other Costs <u>2/</u>	<u>1080447.00</u>	<u>1620671.00</u>	<u>2701118.00</u>
Total Costs <u>3/</u>	<u>4784973.00</u>	<u>7177461.00</u>	<u>11962434.00</u>
Fees Collected	<u>16749.76</u>	<u>3997.00</u>	<u>20746.76</u>
Fees Assessed but Uncollected	(<u>N/A</u>)	(<u>N/A</u>)	(<u>N/A</u>)

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

3/ This figure does not include payments to DOJ which totaled \$1,338,070 for CY 1986.

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records 3/

Manhours	<u>3289</u>
Costs of Services	<u>34235</u>
Other Costs	<u>0</u>
Total Costs	<u>4/ 34235</u>

Accounting for dissemination of records (required by Section (c) of the PA)

Manhours	_____	
Costs of Services	_____	
Other Costs	_____	(Information not available)
Total Costs	<u>4/ _____</u>	

Preparing Federal Register notices of new or modified record systems

Manhours	<u>20</u>
Costs of Services	<u>700</u>
Other Costs	<u>N/A</u>
Total Costs	<u>4/ 700</u>

Total Other PA Costs 34935

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. (Federal Register publication costs for Privacy Act system notices will be reported by this office.)

However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

3/ For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3%, respectively. If your experience reflects a different division of costs, please report costs which accurately reflect your experience.

4/ See notes 1 and 2 for cost categories.

Attachment D

DOJ Component FBI

Addendum to Privacy Act Annual Statistical Report
(PA/AS Report)
Calendar Year 1985

The following applies only to requests which actually cited the Privacy Act as a statutory basis for the request.

Statistical Data

1. Total number of requests for access: 3561
 2. Number of requests wholly or partially granted: 1151
 3. Number of requests totally denied: 151
 4. Numbers of requests for which no record was found: 1521
- Numbers (5), (6), and (7) will be answered separately by the Office of Information and Privacy
8. Number of requests to amend records in system: 4
 9. Number of amendment requests wholly or partially granted: 4
 10. Number of amendment requests totally denied: 0

Note: We realize that requests are not necessarily processed in the year of receipt and that the number of access and amendment requests received in 1984, which cited the Privacy Act, may not necessarily be consistent with the total number reported as processed in items 2, 3 and 4 above, for example. Where such is the case, please indicate this with an appropriate footnote.

11. Number of amendment requests for which no record was found: * None

Numbers (12), (13), and (14) will be answered separately by the Office of Information and Privacy.

15. Did you deny an individual access to his or her records in a system of records on any basis other than a Privacy Act exemption, i.e. (j) or (k)? _____ If the answer is yes, describe and provide the legal justification for the denial on a separate attachment. See answer to #13, Privacy Act Report, Attachment B.

Numbers (16) and (17) will be answered separately by the Civil Division.

Matching Programs (See definition of a matching program in OMB's revised Matching Guidelines (47 FR 21656, May 19, 1982)).

How many matching programs did you participate in as a matching agency during 1985? 1**

How many as a source agency? _____

On what date(s) were any matching reports required by the Matching Guidelines published in the Federal Register and provided to OMB and the Congress? _____

If you answered any of the above questions, you must also attach a completed "Agency Computer Match Checklist" for each program indicating whether you participated as a source or as a matching agency. A copy of the checklist is attached. (Please refer to our earlier memorandum to you on this subject dated June 4, 1984.)

Debt Collection Act of 1982 (P.L. 97-365); see OMB guidelines (48 FR 15556, April 11, 1983)

Have you published (b) (12) notices in the Federal Register? If so, on what date? No

Have you published any additional routine uses for debt collection purposes? If so, on what date? _____

* This question was not asked last year; however, according to revised Circular A-130, it may be asked this year.

**As reported in the 1984 Report dated 2/1/85, the actual computer run for this matching program was not completed until 2/4/86. Since this was previously reported the checklist is not completed again.

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR	<u>1985</u>
PAGES	<u>13</u>

DOJ Component FBI

Freedom of Information Act
Annual Statistical Report
(FOIA/AS Report)
Calendar Year 1985

Requests Count:

- 1. Balance of unprocessed requests brought forward on January 1 2,681.
 - 2. Number of additional requests received during the current calendar year 6,739.
- Total requests 9,420.

Disposition of Requests:

- 3. Total number of determinations to provide all the records 112.
- 4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 1,219.)
- 5. Total number of determinations not to provide any of the records 277.
- 6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 240.
 - (b) Requester's refusal to pay search or reproduction fees 453.
 - (c) Non-possession of records 2,145.
 - (d) Referral to other agencies or other DOJ components N/A.
 - (e) Requester's refusal to comply with other requirements 864.
 - (f) Requests withdrawn 195.
 - (g) Duplicate requests 489.
 - (h) FOIA not applicable to request N/A.
 - (i) Other (specify). 1/ 175.

Total (e) thru (i) only 1,723.

Total (a) thru (i) 4,561.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

7. Total unprocessed requests on hand as of December 31 3,251.

Total items 3 thru 7 9,420. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemptions cited in 552(b):

Exemption (1)	<u>560</u>
Exemption (2)	<u>485</u>
Exemption (3)	<u>202</u>
Exemption (4)	<u>22</u>
Exemption (5)	<u>70</u>
Exemption (6)	<u>220</u>
Exemption (7)(A)	<u>224</u>
Exemption (7)(B)	
Exemption (7)(C)	<u>1320</u>
Exemption (7)(D)	<u>1056</u>
Exemption (7)(E)	<u>254</u>
Exemption (7)(F)	<u>11</u>
Total	<u>4424</u>

2/ The total of items 3. thru 6. plus item 7., i.e., processed requests plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answer given here regarding Exemption (3) should be the same as that given in 8.(b). However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(a) will be less than the total "Number of times invoked" in 8.(b). Please indicate when this is the case. Otherwise, the figures in 8.(a) and 8.(b) should be the same as to the number of times 552(b)(3) has been invoked.

(b) Statute(s) invoked pursuant to Exemption (3):

	<u>Statutory citation 4/</u>	<u>Number of times invoked 5/</u>
1.	Rule 6(e) Fed. Rules of Crim. Proc.	57
2.	18 USC 2511 et seq.	50
3.	28 USC 534	48
4.	50 USC 402, 403(g)	33
5.	26 USC 6103	11
6.	18 USC 5038	1
7.	18 USC 3771	1
8.	17 USC 101	1
	Total	202

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each. Last Name first, first name, middle initial please.

<u>Name</u>	<u>Title</u>	<u>Number of instances</u>
William H. Webster	Director	All Headquarters Requests
James K. Hall	Section Chief Freedom of Information/ Privacy Acts Section Records Management Division	Mr. Hall acted for William H. Webster

The Special Agent in Charge (SAC) of an FBI Field Office is responsible for the initial denial of records by that office (See attached).

Total 1,496 6/

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4).) If there has been no such proceeding, please indicate "N.A." here _____.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ The total "Number of instances" should be equal to the total of items numbered 4. and 5. on page one.

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
James K. Hall	Section Chief, FOIPA Section Records Management Division FBI Headquarters	983
Paul V. Daly	SAC, Albany, New York	15
Joel A. Carlson	SAC, Albuquerque, New Mexico	9
William D. Branon	SAC, Albuquerque, New Mexico	1
John J. O'Connor	SAC, Alexandria, Virginia	4
	SAC, Anchorage, Alaska	0
John J. Burke	SAC, Atlanta, Georgia	1
Weldon L. Kennedy	SAC, Atlanta, Georgia	3
Dana E. Caro	SAC, Baltimore, Maryland	4
Cicil E. Moses	SAC, Birmingham, Alabama	3
James W. Greenleaf	SAC, Boston, Massachusetts	9
Phillip D. Smith	SAC, Buffalo, New York	3
William D. Fallin	SAC, Butte, Montana	10
Robert L. Pence	SAC, Charlotte, North Carolina	12
Edward D. Hegarty	SAC, Chicago, Illinois	14
Terence D. Dinan	SAC, Cincinnati, Ohio	7
Joseph E. Griffin	SAC, Cleveland, Ohio	12
Robert J. Ivey	SAC, Columbia, South Carolina	3
Thomas C. Kelly	SAC, Dallas, Texas	1
Bobby R. Gillham	SAC, Dallas, Texas	2
	SAC, Denver, Colorado	0
Wayne G. Davis	SAC, Detroit, Michigan	6
Kenneth P. Walton	SAC, Detroit, Michigan	1
	SAC, El Paso, Texas	0
	SAC, Honolulu, Hawaii	0

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
W. Douglas Gow	SAC, Houston, Texas	15
John C. McGinley	SAC, Indianapolis, Indiana	9
Charles E. Kurz	SAC, Indianapolis, Indiana	2
Roger T. Castonguay	SAC, Jackson, Mississippi	1
Lawrence G. Lawler	SAC, Jacksonville, Florida	8
James Cagnassola, Jr.	SAC, Jacksonville, Florida	3
Robert B. Davenport	SAC, Kansas City, Missouri	5
William Y. Doran	SAC, Knoxville, Tennessee	4
John J. Schreiber	SAC, Las Vegas, Nevada	5
James T. Blasingame	SAC, Little Rock, Arkansas	4
Richard T. Bretzing	SAC, Los Angeles, California	17
Joel A. Carlson	SAC, Louisville, Kentucky	1
James H. Yelvington	SAC, Louisville, Kentucky	3
William J. Beavers	SAC, Memphis, Tennessee	1
Joseph V. Corless	SAC, Miami, Florida	14
Hernest Woodby	SAC, Milwaukee, Wisconsin	8
Richard H. Blay	SAC, Minneapolis, Minnesota	4
Dan L. Anderson	SAC, Minneapolis, Minnesota	2
Lawrence G. Lawler	SAC, Minneapolis, Minnesota	4
Delbert C. Toohey	SAC, Mobile, Alabama	1
James Cagnassola, Jr.	SAC, Newark, New Jersey	4
John C. McGinley	SAC, Newark, New Jersey	1
Alonzo L. Lacey, Jr.	SAC, New Haven, Connecticut	21
Edmund J. Pistey	SAC, New Orleans, Louisiana	4
Lee F. Laster	SAC, New York, New York	37
John L. Hogan	SAC, New York, New York	13

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
John C. Wagner	SAC, Norfolk, Virginia	4
Anthony E. Daniels	SAC, Oklahoma City, Oklahoma	6
Ronald A. Hoverson	SAC, Oklahoma City, Oklahoma	1
James F. Ahearn	SAC, Omaha, Nebraska	12
John L. Hogan	SAC, Philadelphia, Pennsylvania	14
Wayne G. Davis	SAC, Philadelphia, Pennsylvania	1
Herbert H. Hawkins, Jr.	SAC, Phoenix, Arizona	10
Walter A. Weiner	SAC, Pittsburgh, Pennsylvania	11
Theodore M. Gardner	SAC, Portland, Oregon	3
Allen H. McCreight	SAC, Richmond, Virginia	2
Raymond P. Yelchak	SAC, Sacramento, California	4
Glenn L. Young	SAC, St. Louis, Missouri	4
Terry L. Knowles	SAC, Salt Lake City, Utah	1
John W. Dalseg	SAC, San Antonio, Texas	10
Gary L. Penrith	SAC, San Diego, California	22
Scott A. Nelson	SAC, San Francisco, California	1
Robert S. Gast, II	SAC, San Francisco, California	55
Raymond A. Mislock	SAC, San Francisco, California	2
Richard W. Held	SAC, San Francisco, California	5
James C. Esposito	SAC, San Juan, Puerto Rico	1
Richard W. Held	SAC, San Juan, Puerto Rico	1
Bobby R. Gillham	SAC, Savannah, Georgia	5
Andrew J. Duffin	SAC, Savannah, Georgia	2
Allen P. Whitaker	SAC, Seattle, Washington	16
Joseph E. Ondrula	SAC, Springfield, Illinois	1
Robert W. Butler	SAC, Tampa, Florida	2
Norman A. Zigrossi	SAC, Washington, D.C.	6

Privacy Act
Annual Statistical Report
(PA/AS Report)
Calendar Year 1985

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 2,093.
 2. Number of additional requests received during the current calendar year 8,767.
- Total requests 10,860

Disposition of Requests:

3. Total number of determinations to provide all the records 387.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 2,503.
5. Total number of determinations not to provide any of the records 347.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 615.
 - (b) Requester's refusal to pay search or reproduction fees 236.
 - (c) Non-possession of records 3,609.
 - (d) Referral to other agencies or other DOJ components N/A.
 - (e) Requester's refusal to comply with other requirements 725.
 - (f) Requests withdrawn 74.
 - (g) Duplicate requests 26.
 - (h) Privacy Act not applicable to request. N/A.
 - (i) Other (specify). 1/ 97.

Total (e) thru (i) only 922.

Total (a) thru (i) 5,382.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

7. Total unprocessed requests on hand as of December 31 2,241.

Total items 3. thru 7. 10,860. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemption 552a(d)(5)	<u>10</u>
(b) Exemption 552a(j)(2)	<u>2418</u>
(c) Exemptions cited in 552a(k):	
Exemption (1)	<u>155</u>
Exemption (2)	<u>45</u>
Exemption (3)	<u> </u>
Exemption (4)	<u>1</u>
Exemption (5)	<u>458</u>
Exemption (6)	<u>179</u>
Exemption (7)	<u>1</u>
(d) Exemption 552a(n)	<u> </u>
(e) Exemptions cited in 552(b):	
Exemption (1)	<u>521</u>
Exemption (2)	<u>599</u>
Exemption (3)	<u>280</u>
Exemption (4)	<u>3</u>
Exemption (5)	<u>94</u>
Exemption (6)	<u>270</u>

2/ The total of items numbered 3. thru 6. plus item 7., i.e., processed plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answers given here regarding Exemptions 552a(k)(4) and 552(b)(3) should be the same as the answers given in 8.(f) regarding these statutes. However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(e) will be less than the total "Number of times invoked" for 552(b)(3) in 8.(f). Please indicate when this is the case. Otherwise, the figures in 8.(e) and 8.(f) should be the same as to the number of times 552(b)(3) has been invoked.

Exemption (7)(A)	<u>381</u>
Exemption (7)(B)	<u>2</u>
Exemption (7)(C)	<u>2161</u>
Exemption (7)(D)	<u>1600</u>
Exemption (7)(E)	<u>493</u>
Exemption (7)(F)	<u>34</u>

(f) Statute(s) invoked pursuant to Exemption 552a(k)(4) or 552(b)(3):

	<u>Statutory citation</u> <u>4/</u>	<u>Pursuant to Exemption 552a(k)(4)</u> <u>5/</u>	<u>Pursuant to Exemption 552(b)(3)</u> <u>5/</u>	<u>Number of times invoked</u>
Rule 6(e) Fed. Rules of Crim. Proc.			X	96
18 USC Sec. 2511 et seq.			X	84
28 USC Sec. 534			X	61
18 USC Sec. 5038			X	22
50 USC Sec. 403			X	12
26 USC Sec. 6103			X	5

9. Total number of requests for amendments to records 65.
10. Total number of determinations to amend the records 5.
11. Total number of determinations to amend the records in part (This is also considered a partial denial) 32.
12. Total number of determinations not to amend the records 28.
13. Reasons for each denial and partial denial of requests to amend records: 6/

<u>Reason</u>	<u>Number of times</u>
Record exempt by (j)(2) of the Privacy Act and not subject to Correction/Amendment under Title 28, CFR 16.96	60
Requester failed to sufficiently justify Correction/Amendment	

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ List by category the reasons for the denial or partial denial, e.g., "Record exempt by Section (k)(2) of the Privacy Act . . ."; "Record not subject to correction under 28 CFR § 16.51 . . ."; "Requester failed to sufficiently justify the correction or amendment . . .", etc. In addition, indicate the number of times the reason for denial or partial denial was cited. (Note: Specific exemptions are not appropriate for denying "correction" of records.)

Administrative Manhours, Costs, and Fees
Collected/Assessed; Freedom of Information
(FOI)/Privacy Act (PA) Requests
Calendar Year 85

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>353,756</u>	<u>450,236</u>	<u>803,992</u>
Costs of Services <u>1/</u>	<u>(4,167,753)</u>	<u>(5,304,414)</u>	<u>(9,472,167)</u>
Other Costs <u>2/</u>	<u>(1,263,959)</u>	<u>(1,608,676)</u>	<u>(2,872,635)</u>
Total Costs	<u>5,431,712</u>	<u>6,913,090</u>	<u>12,344,802</u> <u>3/</u>
Fees Collected	<u>N/A</u>	<u>N/A</u>	<u>57,888</u>
Fees Assessed but Uncollected	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

3/ This figure does not include payments to DOJ which totaled \$1,140,250 for CY 1985.

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records 3/

Manhours	<u>4,305</u>
Costs of Services	<u>43,818</u>
Other Costs	
Total Costs	<u>4/ 43,818</u>

Accounting for dissemination of records (required by Section (c) of the PA)

Manhours	_____	} Information not available
Costs of Services	_____	
Other Costs	_____	
Total Costs	<u>4/ _____</u>	

Preparing Federal Register notices of new or modified record systems

Manhours	<u>40</u>
Costs of Services	<u>1,280</u>
Other Costs	<u>N/A</u>
Total Costs	<u>4/ 1,280</u>

Total Other PA Costs 45,098

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. (Federal Register publication costs for Privacy Act system notices will be reported by this office.)

However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

3/ For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3%, respectively. If your experience reflects a different division of costs, please report costs which accurately reflect your experience.

4/ See notes 1 and 2 for cost categories.

Attachment D

DOJ Component FBI

Addendum to Privacy Act Annual Statistical Report
(PA/AS Report)
Calendar Year 1985

The following applies only to requests which actually cited the Privacy Act as a statutory basis for the request.

Statistical Data

1. Total number of requests for access: 4,011
2. Number of requests wholly or partially granted: 1,051
3. Number of requests totally denied: 78
4. Numbers of requests for which no record was found: 963

Number (5), (6), and (7) will be answered separately by the Office of Information and Privacy

8. Number of requests to amend records in system: 8
9. Number of amendment requests wholly or partially granted: 5

Note: We realize that requests are not necessarily processed in the year of receipt and that the number of access and amendment requests received in 1984, which cited the Privacy Act, may not necessarily be consistent with the total number reported as processed in items 2, 3 and 4 above, for example. Where such is the case, please indicate this with an appropriate footnote.

10. Number of amendment requests totally denied: 3

Numbers (11), (12), and (13) will be answered separately by the Office of Information and Privacy

14. Did you deny an individual access to his or her records in a system of records on any basis other than a Privacy Act exemption, i.e. (j) or (k)? No If the answer is yes, describe and provide the legal justification for the denial on a separate attachment.

Numbers (15), and (16) will be answered separately by the Civil Division.

Matching Programs (See definition of a matching program in OMB's revised Matching Guidelines (47 FR 21656, May 19, 1982)).

How many matching programs did you participate in as a matching agency during 1985? 1

How many as a source agency? None

On what date(s) were any matching reports required by the Matching Guidelines published in the Federal Register and provided to OMB and the Congress? 5/8/85

If you answered any of the above questions, you must also attach a completed "Agency Computer Match Checklist" for each program indicating whether you participated as a source or as a matching agency. A copy of the checklist is attached. (Please refer to our earlier memorandum to you on this subject dated June 4, 1984).

Debt Collection Act of 1982 (P.L. 97-365); see OMB guidelines (48 FR 15556, April 11, 1983)

Have you published (b) (12) notices in the Federal Register? If so, on what date? No

Have you published any additional routine uses for debt collection purposes? If so, on what date? No

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR
PAGES

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DOJ Component FBI

Freedom of Information Act
Annual Statistical Report
(FOIA/AS Report)
Calendar Year 1984

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 2,996.
2. Number of additional requests received during the current calendar year 6,018.

Total requests 9,014.

Disposition of Requests:

3. Total number of determinations to provide all the records 124.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 1,264.)
5. Total number of determinations not to provide any of the records 390.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 369.
 - (b) Requester's refusal to pay search or reproduction fees 498.
 - (c) Non-possession of records 2,075.
 - (d) Referral to other agencies or other DOJ components N/A.
 - (e) Requester's refusal to comply with other requirements 814.
 - (f) Requests withdrawn 182.
 - (g) Duplicate requests 503.
 - (h) FOIA not applicable to request N/A.
 - (i) Other (specify). 1/ 114.

Total (e) thru (i) only 1,613.Total (a) thru (i) 4,555.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

7. Total unprocessed requests on hand as of December 31 2,681..

Total items 3 thru 7 9,014. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemptions cited in 552(b):

Exemption (1)	<u>558</u>
Exemption (2)	<u>350</u>
Exemption (3)	<u>180</u>
Exemption (4)	<u>11</u>
Exemption (5)	<u>73</u>
Exemption (6)	<u>164</u>
Exemption (7)(A)	<u>283</u>
Exemption (7)(B)	<u>2</u>
Exemption (7)(C)	<u>1,262</u>
Exemption (7)(D)	<u>953</u>
Exemption (7)(E)	<u>229</u>
Exemption (7)(F)	<u>9</u>

Total 4,074

2/ The total of items 3. thru 6. plus item 7., i.e., processed requests plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answer given here regarding Exemption (3) should be the same as that given in 8.(b). However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(a) will be less than the total "Number of times invoked" in 8.(b). Please indicate when this is the case. Otherwise, the figures in 8.(a) and 8.(b) should be the same as to the number of times 552(b)(3) has been invoked.

(b) Statute(s) invoked pursuant to Exemption (3):

	<u>Statutory citation 4/</u>	<u>Number of times invoked 5/</u>
1.	Rule 6(e) Fed. Rules of Crim. Proc.	48
2.	18 USC 2511 et seq.	59
3.	28 USC 534	37
4.	26 USC 6103	16
5.	50 USC 402, 403(g)	18
6.	8 USC 1202(f)	1
7.	18 USC 1905	1
	Total	<u>180</u>

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each.

<u>Name</u>	<u>Title</u>	<u>Number of instances</u>
William H. Webster	Director	All Headquarters Requests
James K. Hall	Section Chief Freedom of Information/ Privacy Acts Section Records Management Division	Mr. Hall acted for William H. Webster

The Special Agent in Charge (SAC) of an FBI Field Office is responsible for the initial denial of records by that office (See attached).

Total 1,654 6/

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4).) If there has been no such proceeding, please indicate "N.A." here N.A.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ The total "Number of instances" should be equal to the total of items numbered 4. and 5. on page one.

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
James K. Hall	Section Chief, FOIPA Section Records Management Division FBI Headquarters	1299
Paul V. Daly	SAC, Albany, New York	2
Joel A. Carlson	SAC, Albuquerque, New Mexico	8
John J. O'Connor	SAC, Alexandria, Virginia	5
Lawrence J. Nelson	SAC, Anchorage, Alaska	2
Lawrence K. York	SAC, Atlanta, Georgia	5
Dana E. Caro	SAC, Baltimore, Maryland	3
Cecil E. Moses	SAC, Birmingham, Alabama	4
James W. Greenleaf	SAC, Boston, Massachusetts	19
Philip D. Smith	SAC, Buffalo, New York	7
William D. Fallin	SAC, Butte, Montana	2
Robert L. Pence	SAC, Charlotte, North Carolina	17
Edward D. Hagarty	SAC, Chicago, Illinois	12
Terence D. Dinan	SAC, Cincinnati, Ohio	18
Joseph E. Griffin	SAC, Cleveland, Ohio	15
Robert J. Ivey	SAC, Columbia, South Carolina	0
Thomas C. Kelly	SAC, Dallas, Texas	5
William A. Gavin	SAC, Denver, Colorado	2
Wayne G. Davis	SAC, Detroit, Michigan	9
Ronald A. Hoverson	SAC, El Paso, Texas	2
William C. Ervin	SAC, Honolulu, Hawaii	1
G. Douglas Gow	SAC, Houston, Texas	5
John C. McGinley	SAC, Indianapolis, Indiana	10

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
Weldon L. Kennedy	SAC, Jackson, Mississippi	5
Lawrence G. Lawler	SAC, Jacksonville, Florida	16
Robert B. Davenport	SAC, Kansas City, Missouri	13
William Y. Doran	SAC, Knoxville, Tennessee	3
John J. Schreiber	SAC, Las Vegas, Nevada	3
James T. Blasingame	SAC, Little Rock, Arkansas	5
Richard T. Bretzing	SAC, Los Angeles, California	2
James H. Yelvington	SAC, Louisville, Kentucky	10
William J. Beavers	SAC, Memphis, Tennessee	2
Joseph V. Corless	SAC, Miami, Florida	23
H. Ernest Woodby	SAC, Milwaukee, Wisconsin	14
Richard H. Blay	SAC, Minneapolis, Minnesota	13
Maurice J. Stack, Jr.	SAC, Mobile, Alabama	3
Delbert C. Toohey	SAC, Mobile, Alabama	2
James Cagnassola, Jr.	SAC, Newark, New Jersey	10
Alonzo L. Lacey, Jr.	SAC, New Haven, Connecticut	17
Edmond J. Pistey	SAC, New Orleans, Louisiana	4
Lee F. Laster	ADIC, New York, New York	50
John C. Wagner	SAC, Norfolk, Virginia	11
Anthony E. Daniels	SAC, Oklahoma City, Oklahoma	11
Herbert H. Hawkins, Jr.	SAC, Omaha, Nebraska	7
John L. Evans	SAC, Omaha, Nebraska	1
John L. Hogan	SAC, Philadelphia, Pennsylvania	14
John J. Hinchcliffe	SAC, Phoenix, Arizona	8
Herbert H. Hawkins, Jr.	SAC, Phoenix, Arizona	6

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
Walter A. Weiner	SAC, Pittsburgh, Pennsylvania	8
Charles W. Archer	SAC, Portland, Oregon	15
Theodore M. Gardner	SAC, Portland, Oregon	54
Allen H. McCreight	SAC, Richmond, Virginia	0
Raymond P. Yelchak	SAC, Sacramento, California	3
Glenn L. Young	SAC, St. Louis, Missouri	3
Terry L. Knowles	SAC, Salt Lake City, Utah	1
John W. Dalseg	SAC, San Antonio, Texas	5
Norman A. Zigrossi	SAC, San Diego, California	1
Gary L. Penrith	SAC, San Diego, California	8
Robert S. Gast, II	SAC, San Francisco, California	49
Richard W. Held	SAC, San Juan, Puerto Rico	5
Bobby R. Gillham	SAC, Savannah, Georgia	8
Allen P. Whitaker	SAC, Seattle, Washington	26
Joseph E. Ondrula	SAC, Springfield, Illinois	5
Robert M. Butler	SAC, Tampa, Florida	13
Theodore M. Gardner	SAC, Washington, D.C.	1
Norman A. Zigrossi	SAC, Washington, D.C.	4

Privacy Act
Annual Statistical Report
(PA/AS Report)
Calendar Year 1984

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 2,735
 2. Number of additional requests received during the current calendar year 9,174
- Total requests 11,909

Disposition of Requests:

3. Total number of determinations to provide all the records 438.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 2,917.
5. Total number of determinations not to provide any of the records 451.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 744.
 - (b) Requester's refusal to pay search or reproduction fees 225.
 - (c) Non-possession of records 4,456.
 - (d) Referral to other agencies or other DOJ components N/A.
 - (e) Requester's refusal to comply with other requirements 419.
 - (f) Requests withdrawn 70.
 - (g) Duplicate requests 46.
 - (h) Privacy Act not applicable to request. N/A.
 - (i) Other (specify). 1/ 50.

Total (e) thru (i) only 585.

Total (a) thru (i) 6,010.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

7. Total unprocessed requests on hand as of December 31 2,093.

Total items 3. thru 7. 11,909. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemption 552a(d)(5)	<u>5</u>
(b) Exemption 552a(j)(2)	<u>1,527</u>
(c) Exemptions cited in 552a(k):	
Exemption (1)	<u>71</u>
Exemption (2)	<u>10</u>
Exemption (3)	<u>1</u>
Exemption (4)	<u>361</u>
Exemption (5)	<u>152</u>
Exemption (6)	<u> </u>
Exemption (7)	<u> </u>
(d) Exemption 552a(n)	<u> </u>
(e) Exemptions cited in 552(b):	
Exemption (1)	<u>362</u>
Exemption (2)	<u>314</u>
Exemption (3)	<u>144</u>
Exemption (4)	<u>2</u>
Exemption (5)	<u>42</u>
Exemption (6)	<u>84</u>

2/ The total of items numbered 3. thru 6. plus item 7., i.e., processed plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answers given here regarding Exemptions 552a(k)(4) and 552(b)(3) should be the same as the answers given in 8.(f) regarding these statutes. However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(e) will be less than the total "Number of times invoked" for 552(b)(3) in 8.(f). Please indicate when this is the case. Otherwise, the figures in 8.(e) and 8.(f) should be the same as to the number of times 552(b)(3) has been invoked.

Exemption (7)(A)	<u>222</u>
Exemption (7)(B)	<u>2</u>
Exemption (7)(C)	<u>1,258</u>
Exemption (7)(D)	<u>1,008</u>
Exemption (7)(E)	<u>294</u>
Exemption (7)(F)	<u>19</u>

(f) Statute(s) invoked pursuant to Exemption 552a(k)(4) or 552(b)(3):

Statutory citation 4/	Pursuant to Exemption 552a(k)(4) 5/	Pursuant to Exemption 552(b)(3) 5/	Number of times invoked
Rule 6(e) Fed. Rules of Crim. Proc.	X		52
18 USC 2511 et seq.	X		53
26 USC 6103	X		3
28 USC 534	X		29
50 USC 403	X		5
18 USC 5038	X		2
9. Total number of requests for <u>amendments</u> to records			<u>85</u>
10. Total number of determinations to amend the records			<u>7</u>
11. Total number of determinations to amend the records <u>in part</u> (This is also considered a partial denial)			<u>48</u>
12. Total number of determinations not to amend the records			<u>30</u>
13. Reasons for each denial and partial denial of requests to amend records: <u>6/</u>			

Reason

Number of times
78

Record exempt by (j)(2) of the Privacy Act and not subject to Correction/Amendment under Title 28, CFR 16.96

Requester failed to sufficiently justify Correction/Amendment

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ List by category the reasons for the denial or partial denial, e.g., "Record exempt by Section (k)(2) of the Privacy Act . . ."; "Record not subject to correction under 28 CFR § 16.49(a) . . ."; "Requester failed to sufficiently justify the correction or amendment . . .", etc. In addition, indicate the number of times the reason for denial or partial denial was cited. (Note: Specific exemptions are not appropriate for denying "correction" of records.)

DOJ Component

FBI

Administrative Manhours, Costs, and Fees
Collected/Assessed; Freedom of Information
(FOI)/Privacy Act (PA) Requests
Calendar Year 1984

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>331,876</u>	<u>497,815</u>	<u>829,691</u>
Costs of Services <u>1/</u>	(<u>4,234,523</u>)	(<u>6,351,783</u>)	(<u>10,586,306</u>)
Other Costs <u>2/</u>	(<u>599,688</u>)	(<u>899,532</u>)	(<u>1,499,220</u>)
Total Costs	<u>4,834,211</u>	<u>7,251,315</u>	<u>12,085,526</u> <u>3/</u>
Fees Collected	<u>32,987</u>	<u>16,994</u>	<u>49,981</u>
Fees Assessed but Uncollected	(<u>N/A</u>)	(<u>N/A</u>)	(<u>N/A</u>)

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

3/ This figure does not include payments to DOJ which totaled \$1,135,323 for CY 1984.

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records 3/

Manhours	<u>5,795</u>
Costs of Services	<u>37,895.46</u>
Other Costs	<u>2,475</u>
Total Costs	<u>4/ 40,740.92</u>

Accounting for dissemination of records (required by Section (c) of the PA)

Manhours	_____	} Information not available
Costs of Services	_____	
Other Costs	_____	
Total Costs	<u>4/</u> _____	

Preparing Federal Register notices of new or modified record systems

Manhours	<u>140</u>
Costs of Services	<u>2,482.80</u>
Other Costs	<u>N/A</u>
Total Costs	<u>4/ 2,482.80</u>

Total Other PA Costs 43,223.72

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. (Federal Register publication costs for Privacy Act system notices will be reported by the Office of Administrative Counsel.) However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

3/ For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3%, respectively. If your experience reflects a different division of costs, please report costs which accurately reflect your experience.

4/ See notes 1 and 2 for cost categories.

Attachment D

DOJ Component FBI

Addendum to Privacy Act Annual Statistical Report
(PA/AS Report)
Calendar Year 1984

The following applies only to requests which actually cited the Privacy Act as a statutory basis for the request.

Statistical Data

1. Total number of requests for access: 3,742
 2. Number of requests wholly or partially granted: N/A
 3. Number of requests totally denied: N/A
 4. Numbers of requests for which no record was found: N/A
- Number (5), (6), and (7) will be answered separately by the Office of Information and Privacy
8. Number of requests to amend records in system: 7
 9. Number of amendment requests wholly or partially granted: 5

Note: We realize that requests are not necessarily processed in the year of receipt and that the number of access and amendment requests received in 1984, which cited the Privacy Act, may not necessarily be consistent with the total number reported as processed in items 2, 3 and 4 above, for example. Where such is the case, please indicate this with an appropriate footnote.

10. Number of amendment requests totally denied: 2

Numbers (11), (12), and (13) will be answered separately by the Office of Information and Privacy

14. Did you deny an individual access to his or her records in a system of records on any basis other than a Privacy Act exemption, i.e. (j) or (k)? No If the answer is yes, describe and provide the legal justification for the denial on a separate attachment.

Numbers (15), and (16) will be answered separately by the Civil Division.

Matching Programs (See definition of a matching program in OMB's revised Matching Guidelines (47 FR 21656, May 19, 1982)).

How many matching programs did you participate in as a matching agency during 1984? 0

How many as a source agency? 0

On what date(s) were any matching reports required by the Matching Guidelines published in the Federal Register and provided to OMB and the Congress? N/A

If you answered any of the above questions, you must also attach a completed "Agency Computer Match Checklist" for each program indicating whether you participated as a source or as a matching agency. A copy of the checklist is attached. (Please refer to our earlier memorandum to you on this subject dated June 4, 1984).

Debt Collection Act of 1982 (P.L. 97-365); see OMB guidelines (48 FR 15556, April 11, 1983)

Have you published (b) (12) notices in the Federal Register? If so, on what date? Not published

Have you published any additional routine uses for debt collection purposes? If so, on what date? Not published

The FBI does not use nor plans to use private debt collection services.

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR	<u>1983</u>
PAGES	<u>12</u>

Freedom of Information Act
Annual Statistical Report
(FOIA/AS Report)
Calendar Year 1983

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 3,722
 2. Number of additional requests received during the current calendar year 6,037.
- Total requests 9,759.

Disposition of Requests:

3. Total number of determinations to provide all the records 144.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 1,160.)
5. Total number of determinations not to provide any of the records 409.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 237.
 - (b) Requester's refusal to pay search or reproduction fees 814.
 - (c) Non-possession of records 2,370.
 - (d) Referral to other agencies or other DOJ components N/A.
 - (e) Requester's refusal to comply with other requirements 870.
 - (f) Requests withdrawn 314.
 - (g) Duplicate requests 342.
 - (h) FOIA not applicable to request N/A.
 - (i) Other (specify). 1/ 103.

Total (e) thru (i) only 1,629.

Total (a) thru (i) 5,050.

190-0-45747
1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

These closings include cases returned from postal service for addressee unknown, previously released material, etc.

ENCLOSURE

7. Total unprocessed requests on hand as of December 31 2,996.

Total items 3 thru 7 9,759. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemptions cited in 552(b):

Exemption (1)	<u>568</u>
Exemption (2)	<u>317</u>
Exemption (3)	<u>152</u>
Exemption (4)	<u>15</u>
Exemption (5)	<u>46</u>
Exemption (6)	<u>116</u>
Exemption (7)(A)	<u>247</u>
Exemption (7)(B)	<u>1</u>
Exemption (7)(C)	<u>1,171</u>
Exemption (7)(D)	<u>931</u>
Exemption (7)(E)	<u>210</u>
Exemption (7)(F)	<u>10</u>

Total 3784

2/ The total of items 3. thru 6. plus item 7., i.e., processed requests plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answer given here regarding Exemption (3) should be the same as that given in 8.(b). However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(a) will be less than the total "Number of times invoked" in 8.(b). Please indicate when this is the case. Otherwise, the figures in 8.(a) and 8.(b) should be the same as to the number of times 552(b)(3) has been invoked.

(b) Statute(s) invoked pursuant to Exemption (3):

<u>Statutory citation</u> 4/	<u>Number of times invoked</u> 5/
1. Rule 6(e) Fed. Rules of Crim. Proc.	42
2. 18 USC 2511 et seq.	62
3. 26 USC 6103	12
4. 28 USC 534	29
5. 50 USC 402, 403g	16
6. 8 USC 1202F	1
7. 17 USC 101	1

TOTAL 163*

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each.

<u>Name</u>	<u>Title</u>	<u>Number of instances</u>
William H. Webster	Director	All Headquarters Requests
James K. Hall	Section Chief Freedom of Information/ Privacy Acts Section Records Management Division	Mr. Hall acted for William H. Webster

The Special Agent in Charge (SAC) of an FBI Field Office is responsible for the initial denial of records by that office (See attached

Total 1,569 6/

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4).) If there has been no such proceeding, please indicate "N.A." here N/A.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ The total "Number of instances" should be equal to the total of items numbered 4. and 5. on page one.

*It should be noted that more than one statute was cited 11 different times when exemption (b)(3) was invoked.

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
James K. Hall	Section Chief, FOIPA Section Records Management Division FBI Headquarters	1121
Paul V. Daly	SAC, Albany, New York	2
Joel A. Carlson	SAC, Albuquerque, New Mexico	1
John J. O'Connor	SAC, Alexandria, Virginia	5
Lawrence J. Nelson	SAC, Anchorage, Alaska	0
Lawrence K. York	SAC, Atlanta, Georgia	5
Dana E. Caro	SAC, Baltimore, Maryland	1
Cicil E. Moses	SAC, Birmingham, Alabama	0
James W. Greenleaf	SAC, Boston, Massachusetts	20
Philip D. Smith	SAC, Buffalo, New York	4
William D. Fallin	SAC, Butte Montana	6
Robert L. Pence	SAC, Charlotte, North Carolina	5
Edward D. Hagarty	SAC, Chicago, Illinois	11
Terence D. Dinan	SAC, Cincinnati, Ohio	1
Joseph E. Griffin	SAC, Cleveland, Ohio	16
Gary Owen Watt	SAC, Columbia, South Carolina	2
Thomas C. Kelly	SAC, Dallas, Texas	4
William A. Gavin	SAC, Denver, Colorado	13
Wayne G. Davis	SAC, Detroit, Michigan	23
Ronald A. Hoverson	SAC, El Paso, Texas	3
William C. Ervin	SAC, Honolulu, Hawaii	5
Homer R. Hauer	SAC, Houston, Texas	3
W. Douglas Gow	SAC, Houston, Texas	1
John E. Guido	Acting SAC, Houston, Texas	1

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
John C. McGinley	SAC, Indianapolis, Indiana	1
Weldon L. Kennedy	SAC, Jackson, Mississippi	3
Lawrence G. Lawler	SAC, Jacksonville, Florida	9
Robert B. Davenport	SAC, Kansas City, Missouri	3
W. Douglas Gow	SAC, Knoxville, Tennessee	1
William Y. Doran	SAC, Knoxville, Tennessee	1
Joseph Yablonsky	SAC, Las Vegas, Nevada	0
James T. Blasingame	SAC, Little Rock, Arkansas	1
Richard T. Bretzing	SAC, Los Angeles, California	21
James H. Yelvington	SAC, Louisville, Kentucky	2
William J. Beavers	SAC, Memphis, Tennessee	2
Joseph V. Corless	SAC, Miami, Florida	4
H. Ernest Woodby	SAC, Milwaukee, Wisconsin	6
Richard H. Blay	SAC, Minneapolis, Minnesota	8
Maurice J. Stack, Jr.	SAC, Mobile, Alabama	6
James Cagnassola, Jr.	SAC, Newark, New Jersey	7
Alonzo L. Lacey, Jr.	SAC, New Haven, Connecticut	4
Edmond J. Pistey	SAC, New Orleans, Louisiana	6
Lee F. Laster	ADIC, New York, New York	70
John C. Wagner	SAC, Norfolk, Virginia	2
C. Edwin Enright	SAC, Oklahoma City, Oklahoma	1
Herbert H. Hawkins, Jr.	SAC, Omaha, Nebraska	15
John L. Hogan	SAC, Philadelphia, Pennsylvania	18
John J. Hinchcliffe	SAC, Phoenix, Arizona	4
Walter A. Weiner	SAC, Pittsburgh, Pennsylvania	5

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
William E. Baker	SAC, Portland, Oregon	6
Allen H. McCreight	SAC, Richmond, Virginia	2
Glenn L. Young	SAC, St. Louis, Missouri	4
Terry L. Knowles	SAC, Salt Lake City, Utah	1
John W. Dalseg	SAC, San Antonio, Texas	5
Norman A. Zigrassi	SAC, San Diego, California	3
Robert S. Gast	SAC, San Francisco, California	50
Richard W. Held	SAC, San Juan, Puerto Rico	2
Bobby R. Gillham	SAC, Savannah, Georgia	1
Allen P. Whitaker	SAC, Seattle, Washington,	8
Joseph E. Ondrula	SAC, Springfield, Illinois	4
Robert M. Butler	SAC, Tampa, Florida	19
Theodore M. Gardner	SAC, Washington, D. C.	11

Privacy Act
Annual Statistical Report.
(PA/AS Report)
Calendar Year 83

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 2,963.
 2. Number of additional requests received during the current calendar year 9,232.
- Total requests 12,195.

Disposition of Requests:

3. Total number of determinations to provide all the records 455
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 2,835.
5. Total number of determinations not to provide any of the records 521.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 662.
 - (b) Requester's refusal to pay search or reproduction fees 259.
 - (c) Non-possession of records 4,087.
 - (d) Referral to other agencies or other DOJ components N/A.
 - (e) Requester's refusal to comply with other requirements 455.
 - (f) Requests withdrawn 105.
 - (g) Duplicate requests 40.
 - (h) Privacy Act not applicable to request. _____.
 - (i) Other (specify). 1/ 41.

Total (e) thru (i) only 641.

Total (a) thru (i) 5,649.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

These closings include returns from the postal service for addressee unknown, material previously released, etc.

7. Total processed requests on hand of December 31 2,735

Total items 3. thru 7. 12,195 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemption 552a(d)(5)	6
(b) Exemption 552a(j)(2)	3502*
(c) Exemptions cited in 552a(k):	
Exemption (1)	113
Exemption (2)	17
Exemption (3)	1
Exemption (4)	
Exemption (5)	413
Exemption (6)	168
Exemption (7)	
(d) Exemption 552a(n)	
(e) Exemptions cited in 552(b):	
Exemption (1)	396
Exemption (2)	318
Exemption (3)	138
Exemption (4)	1
Exemption (5)	36
Exemption (6)	80

2/ The total of items numbered 3. thru 6. plus item 7., i.e., processed plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answers given here regarding Exemptions 552a(k)(4) and 552(b)(3) should be the same as the answers given in 8.(f) regarding these statutes. However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(e) will be less than the total "Number of times invoked" for 552(b)(3) in 8.(f). Please indicate when this is the case. Otherwise, the figures in 8.(e) and 8.(f) should be the same as to the number of times 552(b)(3) has been invoked.

*In accordance with the Attorney General's guidelines, Privacy Act requests which are exempt from mandatory disclosure under Exemption 552a(j)(2) are processed for release pursuant to the FOIA. Exemption 552a(j)(2) is cited by the FBI pursuant to this procedure.

Exemption (7)(A)	212
Exemption (7)(B)	1
Exemption (7)(C)	1266
Exemption (7)(D)	1016
Exemption (7)(E)	303
Exemption (7)(F)	30

(f) Statute(s) invoked pursuant to Exemption 552a(k)(4) or 552(b)(3):

Statutory citation 4/	Pursuant to Exemption 552a(k)(4) 5/	Pursuant to Exemption 552(b)(3) 5/	Number of times invoked
Rule 6(e) Fed. Rules of Crim. Proc..		X	47
18 USC 2511 et seq.		X	44
26 USC 6103		X	11
28 USC 534		X	27
18 USC 5038		X	1
9. Total number of requests for <u>amendments</u> to records			74
10. Total number of determinations to amend the records			4
11. Total number of determinations to amend the records <u>in part</u> (This is also considered a partial denial)			37
12. Total number of determinations not to amend the records			33
13. Reasons for each denial and partial denial of requests to amend records: 6/			

<u>Reason</u>	<u>Number of times</u>
Record exempt by (j)(2) of the Privacy Act and not subject to Correction/Amendment under Title 28, CFR 16.96	70
Requester failed to sufficiently justify Correction/Amendment.	

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ List by category the reasons for the denial or partial denial, e.g., "Record exempt by Section (k)(2) of the Privacy Act . . ."; "Record not subject to correction under 28 CFR § 16.49(a) . . ."; "Requester failed to sufficiently justify the correction or amendment . . .", etc. In addition, indicate the number of times the reason for denial or partial denial was cited. (Note: Specific exemptions are not appropriate for denying "correction" of records.)

Administrative Manhours, Costs and Fees
 Collected/Assessed; Freedom of Information
 (FOI)/Privacy Act (PA) Requests
 Calendar Year 1983

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>327,717</u>	<u>469,226</u>	<u>796,943</u>
Costs of Services <u>1/</u>	<u>(4,333,992)</u>	<u>(5,985,036)</u>	<u>(10,319,028)</u>
Other Costs <u>2/</u>	<u>(515,375)</u>	<u>(714,089)</u>	<u>(1,229,464)</u>
Total Costs	<u>4,849,377</u>	<u>6,699,125</u>	<u>11,548,492</u>
Fees Collected	<u>20,447</u>	<u>10,954</u>	<u>31,401</u>
Fees Assessed but Uncollected	<u>(N/A)</u>	<u>(N/A)</u>	<u>(N/A)</u>

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records 3/

Manhours	<u>6,184</u>
Costs of Services	<u>30,984</u>
Other Costs	<u>3,546</u>
Total Costs	<u>4/ 34,530</u>

Accounting for dissemination of records (required by Section (c) of the PA)

Manhours	_____	} Information not available
Costs of Services	_____	
Other Costs	_____	
Total Costs	<u>4/ _____</u>	

Preparing Federal Register notices of new or modified record systems

Manhours	<u>6</u>
Costs of Services	<u>\$30</u>
Other Costs	<u>N/A</u>
Total Costs	<u>4/ \$30</u>

Total Other PA Costs \$34,560

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. (Federal Register publication costs for Privacy Act system notices will be reported by the Office of Administrative Counsel.) However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

3/ For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3%, respectively. If your experience reflects a different division of costs, please report costs which accurately reflect your experience.

4/ See notes 1 and 2 for cost categories.

DOJ Component FBI

Addendum to Privacy Act Annual Statistical Report
(PA/AS Report)
Calendar Year 1983

The following applies only to requests which actually cited the Privacy Act as a statutory basis for the request.

The number of requests for access to records in your system(s) of records: 3,490 ^{1/}

The number of requests for amendment of records in your system(s) of records: 12

The number of access requests that were denied in whole or in part: 1,326 ^{2/}

The number of amendment requests that were denied in whole or in part: 11

1/ This figure is an estimated annual projection based upon data collected during part of 1983.

2/ This figure is an estimate based upon the ratio of PA request denied in whole or in part to PA request received.

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR
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Freedom of Information Act
Annual Statistical Report
(FOIA/AS Report)
Calendar Year 1982

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 3,633.
 2. Number of additional requests received during the current calendar year 8,490.*
- Total requests 12123.

Disposition of Requests:

3. Total number of determinations to provide all the records 258.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 1,323.)
5. Total number of determinations not to provide any of the records 357.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 309.
 - (b) Requester's refusal to pay search or reproduction fees 473.
 - (c) Non-possession of records 3,786.
 - (d) Referral to other agencies or other DOJ components NA.
FBI does not close requests based upon this category.
 - (e) Requester's refusal to comply with other requirements 952.
 - (f) Requests withdrawn 276.
 - (g) Duplicate requests 238.
 - (h) FOIA not applicable to request _____.
 - (i) Other (specify). 1/ _____.

Total (e) thru (i) only 1,466.

Total (a) thru (i) 6,034.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

*Figure includes 378 reopened requests. Reopened requests were not included in this report for prior years.

7. Total unprocessed requests on hand as of December 31 4,151.

Total items 3 thru 7 12,123. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemptions cited in 552(b):

Exemption (1)	584
Exemption (2)	<u>340</u>
Exemption (3)	<u>159</u>
Exemption (4)	<u>14</u>
Exemption (5)	<u>57</u>
Exemption (6)	<u>122</u>
Exemption (7)(A)	228
Exemption (7)(B)	<u>5</u>
Exemption (7)(C)	<u>1,268</u>
Exemption (7)(D)	<u>1,034</u>
Exemption (7)(E)	<u>216</u>
Exemption (7)(F)	<u>12</u>

Total 4,039

2/ The total of items 3. thru 6. plus item 7., i.e., processed requests plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answer given here regarding Exemption (3) should be the same as that given in 8.(b). However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(a) will be less than the total "Number of times invoked" in 8.(b). Please indicate when this is the case. Otherwise, the figures in 8.(a) and 8.(b) should be the same as to the number of times 552(b)(3) has been invoked.

(b) Statute(s) invoked pursuant to Exemption (3):

<u>Statutory citation</u> 4/	<u>Number of times invoked</u> 5/
1. Rule 6(e) Fed. Rules of Crim. Proc.	47
2. 18 USC 2511 et seq.	56
3. 26 USC 6103	17
4. 28 USC 534	22
5. 50 USC 402, 403g, 403(d)(3)	15
6. 8 USC 1202F	2
Total <u>159</u>	

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each.

<u>Name</u>	<u>Title</u>	<u>Number of instances</u>
William H. Webster	Director	All Headquarters Requests
James K. Hall	Section Chief Freedom of Information/ Privacy Acts Section Records Management Division	Mr. Hall acted for William H. Webster

The Special Agent in Charge (SAC) of an FBI Field Office is responsible for the initial denial of records by that office (See attached

Total 1,680 6/

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4).) If there has been no such proceeding, please indicate "N.A." here NA.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ The total "Number of instances" should be equal to the total of items numbered 4. and 5. on page one.

Privacy Act
Annual Statistical Report
(PA/AS Report)
Calendar Year 1992

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 4,407.
 2. Number of additional requests received during the current calendar year 10,623.*
- Total requests 15,030.

Disposition of Requests:

3. Total number of determinations to provide all the records 463.
4. Total number of determinations to provide part of the records. (When responding to number 6 of this report, please remember that this is also considered a partial denial) 3,153.
5. Total number of determinations not to provide any of the records 415.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 1,086
 - (b) Requester's refusal to pay search or reproduction fees 244.
 - (c) Non-possession of records 4,716.
 - (d) Referral to other agencies or other DOJ components NA.
FBI does not close requests based upon this category.
 - (e) Requester's refusal to comply with other requirements 699.
 - (f) Requests withdrawn 143.
 - (g) Duplicate requests _____.
 - (h) Privacy Act not applicable to request. _____.
 - (i) Other (specify). 1/ _____.

Total (e) thru (i) only 842.

Total (a) thru (i) 6,888.

1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

*Figure includes 1,105 reopened requests. Reopened requests were not included in this report for prior years.

7. Total unprocessed requests on hand as of December 31 4,111.

Total items 3. thru 7.15,030. 2/

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked 3/

(a) Exemption 552a(d)(5)	<u>1</u>
(b) Exemption 552a(j)(2)	<u>608*</u>
(c) Exemptions cited in 552a(k):	
Exemption (1)	<u>290</u>
Exemption (2)	<u>48</u>
Exemption (3)	<u>189</u>
Exemption (4)	
Exemption (5)	<u>778</u>
Exemption (6)	<u>157</u>
Exemption (7)	<u> </u>
(d) Exemption 552a(n)	<u> </u>
(e) Exemptions cited in 552(b):	
Exemption (1)	<u>764</u>
Exemption (2)	<u>453</u>
Exemption (3)	<u>189</u>
Exemption (4)	<u>9</u>
Exemption (5)	<u>51</u>
Exemption (6)	<u>142</u>

2/ The total of items numbered 3. thru 6. plus item 7., i.e., processed plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answers given here regarding Exemptions 552a(k)(4) and 552(b)(3) should be the same as the answers given in 8.(f) regarding these statutes. However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(e) will be less than the total "Number of times invoked" for 552(b)(3) in 8.(f). Please indicate when this is the case. Otherwise, the figures in 8.(e) and 8.(f) should be the same as to the number of times 552(b)(3) has been invoked.

*In accordance with the Attorney General's guidelines, Privacy Act requests which are exempt from mandatory disclosure under Exemption 552a(j)(2) are processed for release pursuant to the FOIA. Exemption 552a(j)(2) is cited by the FBI pursuant to this procedure.

Exemption (7)(A)	<u>231</u>
Exemption (7)(B)	<u>5</u>
Exemption (7)(C)	<u>2,019</u>
Exemption (7)(D)	<u>1,635</u>
Exemption (7)(E)	<u>428</u>
Exemption (7)(F)	<u>19</u>

(f) Statute(s) invoked pursuant to Exemption 552a(k)(4) or 552(b)(3):

<u>Statutory citation</u> 4/	<u>Pursuant to Exemption 552a(k)(4)</u> 5/	<u>Pursuant to Exemption 552(b)(3)</u> 5/	<u>Number of times invoked</u>
Rule 6(e) Fed. Rules of Crim. Proc.		X	53
18 USC 2511 et seq.		X	84
26 USC 6103		X	1
28 USC 534		X	40
50 USC 403g, 403(d)(3)		X	11

- 9. Total number of requests for amendments to records 73.
- 10. Total number of determinations to amend the records 15.
- 11. Total number of determinations to amend the records in part (This is also considered a partial denial) 29.
- 12. Total number of determinations not to amend the records 33.
- 13. Reasons for each denial and partial denial of requests to amend records: 6/

<u>Reason</u>	<u>Number of times</u>
Record exempt by (j)(2) of the Privacy Act and not subject to Correction/Amendment under Title 28, CFR 16.96	62
Requestor failed to sufficiently justify Correction/Amendment.	

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ Supra note 3, item (2).

6/ List by category the reasons for the denial or partial denial, e.g., "Record exempt by Section (k)(2) of the Privacy Act . . ."; "Record not subject to correction under 28 CFR § 16.49(a) . . ."; "Requester failed to sufficiently justify the correction or amendment . . .", etc. In addition, indicate the number of times the reason for denial or partial denial was cited. (Note: Specific exemptions are not appropriate for denying "correction" of records.)

Administrative Manhours, Costs, and Fees
Collected/Assessed; Freedom of Information
(FOI)/Privacy Act (PA) Requests
Calendar Year 1982

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>373097</u>	<u>515230</u>	<u>888327</u>
Costs of Services <u>1/</u>	(\$4409667)	(\$6089539)	(\$10499206)
Other Costs <u>2/</u>	(\$759599)	(\$1048970)	(\$1808569 *)
Total Costs	<u>\$5169266</u>	<u>\$7138509</u>	<u>\$12307775 **</u>
Fees Collected	<u>\$16,203</u>	<u>\$14,006</u>	<u>\$30,209</u>
Fees Assessed but Uncollected	(Not Available)	(Not Available)	(Not Available)

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

* Payments/reimbursements made to OPIA were not excluded from this figure in this report last year.

** FBI does not maintain cost allocation records for FOIA and PA. Costs are allocated based upon percentages of cases closed.

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records 3/

Manhours	6,209
Costs of Services	<u>\$30,257</u>
Other Costs	<u>\$4,395</u>
Total Costs	<u>4/ \$34,652</u>

Accounting for dissemination of records (required by Section (c) of the PA)

Manhours	_____	
Costs of Services	_____	(INFORMATION NOT AVAILABLE)
Other Costs	_____	
Total Costs	<u>4/ _____</u>	

Preparing Federal Register notices of new or modified record systems

Manhours	25
Costs of Services	<u>\$625</u>
Other Costs	<u>\$25</u>
Total Costs	<u>4/ \$650</u>

Total Other PA Costs \$35,302

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. (Federal Register publication costs for Privacy Act system notices will be reported by the Office of Administrative Counsel.) However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

3/ For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3%, respectively. If your experience reflects a different division of costs, please report costs which accurately reflect your experience.

4/ See notes 1 and 2 for cost categories.

(b)(3) Exemption Guidelines

The (b)(3) exemption was substantially amended in 1976 (effective date 1977). Under the new language a statute is a (b)(3) statute only if:

1. it specifically prohibits disclosure in a manner which leaves no discretion on the Government's part; or
2. it contains sufficiently specific guidance for the exercise of such discretion; or
3. it sufficiently specifies the types of records to be withheld.

These standards obviously leave considerable room for disagreement as to whether or not a particular statute qualifies. Unfortunately, there has been little judicial guidance to date. You should, however, be prepared to assert a rationale under at least one of the above-listed criteria for any statute which you claim to be a (b)(3) statute for inclusion in the annual report.

Please note that the exemption includes only statutes (i.e., a regulation cannot be the basis of a (b)(3) exemption).

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR	<u>1981</u>
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Freedom of Information Act
Annual Statistical Report
(FOIA/AS Report)
Calendar Year 1981

Requests Count:

1. Balance of unprocessed requests brought forward on January 1. Figure not available because unprocessed requests are not divided between FOIA and Privacy Act.
2. Number of additional requests received during the current calendar year 6688.

Total requests _____. See comment at #1.

Disposition of Requests:

3. Total number of determinations to provide all the records 299.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 2113.)
5. Total number of determinations not to provide any of the records 382.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 438.
 - (b) Requester's refusal to pay search or reproduction fees 464.
 - (c) Non-possession of records 2259.
 - (d) Referral to other agencies or other DOJ components. Not available as we do not close cases based on this category.
 - (e) Requester's refusal to comply with other requirements 772.
 - (f) Requests withdrawn 275.
 - (g) Duplicate requests 206.
 - (h) FOIA not applicable to request _____.
 - (i) Other (specify). 2 _____.

Total (e) thru (i) only 1253.

Total (a) thru (i) 4414.

190-0-33485
1/ The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

ENCLOSURE

7. Total unprocessed requests on hand as of December 31
 Figure not available because unprocessed requests are
 not divided between FOIA and Total items 3 thru 7 208 2/Does
 Privacy Act. not include #7. See #7.
8. Exemptions relied upon for each denial and partial denial
 determination.

Number of times invoked 3/

(a) Exemptions cited in 552(b):

Exemption (1)	861
Exemption (2)	354
Exemption (3)	229
Exemption (4)	14
Exemption (5)	87
Exemption (6)	199
Exemption (7)(A)	294
Exemption (7)(B)	10
Exemption (7)(C)	1912
Exemption (7)(D)	1452
Exemption (7)(E)	287
Exemption (7)(F)	24
Exemption (8)	3
Exemption (9)	2
Total	5689

2/ The total of items 3. thru 6. plus item 7., i.e., processed requests plus unprocessed requests, should equal the "Total requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consistent with" the combined total of items numbered 4. and 5. "Consistent with" should be interpreted to mean you must cite at least as many exemptions as denials; you may cite "more" exemptions than denials; but may not cite "less" exemptions than denials. (2) Generally, the answer given here regarding Exemption (3) should be the same as that given in 8.(b). However, when more than one statute has been cited while invoking 552(b)(3), the "Number of times invoked" for 552(b)(3) in 8.(a) will be less than the total "Number of times invoked" in 8.(b). Please indicate when this is the case. Otherwise, the figures in 8.(a) and 8.(b) should be the same as to the number of times 552(b)(3) has been invoked.

(b) Statute(s) Invoked pursuant to Exemption (3):

Statutory citation 4/	Number of Times Invoked 5/
1. Rule 6(e) Fed. Rules Crim Proc.	81
2. 17 USC 101 et seq.	1
3. 18 USC 2511	77
4. 26 USC 6103, 7213	15
5. 28 USC 534	22
6. 50 USC 403a, 403(d)(3)	31
7. 38 USC 3301	2
Total	229

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each.

Name	Title	Number of instances 6/
William H. Webster	Director	All Headquarters requests
James K. Hall	Section Chief Freedom of Information/ Privacy Acts Section Records Management Division	Mr. Hall acted for William H. Webster

(See attached)

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4).) If there has been no such proceeding, please indicate "N.A." here NA.

4/ If the statute cannot be found in the United States Code because it is an authorization act or an appropriation act, or because it is new, attach a copy of the Public Law.

5/ The total should equal the answer given in 8.(a) above for "Exemption (3)."

6/ The total "Number of instances" should be equal to the total of items numbered 4. and 5. on page one.

Privacy Act
Annual Statistical Report
(PA/AS Report)
Calendar Year 1981

Requests Count:

1. Balance of unprocessed Requests brought forward on January 1. Figure not available because unprocessed requests are not divided between FOIA and Privacy Act.
2. Number of additional Requests received during the current calendar year 10652

Total requests _____ See comment at #1.

Disposition of Requests:

3. Total number of determinations to provide all the records 557.
4. Total number of determinations to provide part of the records. (When responding to number 8 of this report, please remember that this is also considered a partial denial) 2956.
5. Total number of determinations not to provide any of the records 290.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 898.
 - (b) Requester's refusal to pay search or reproduction fees 178.
 - (c) Non-possession of records 5728.
 - (d) Referral to other agencies or other DOJ components. Not available as we do not close cases based on this category.
 - (e) Requester's refusal to comply with other requirements 409.
 - (f) Requests withdrawn 101.
 - (g) Duplicate requests _____.
 - (h) Privacy Act not applicable to request. _____.
 - (i) Other (specify). 1/ _____.

Total (e) thru (i) only 510.

Total (a) thru (i) 7314.

The House Subcommittee on Government Information and Individual Rights requires that we specify the character of these requests.

ENCLOSURE

140-0-33485

7. Total unprocessed requests on hand as of December 31
Figure not available because unprocessed requests are
not divided between FOIA total items 3 thru 7. 11,217 Does
and Privacy Act. not include 27. See 27.

8. Exemptions relied upon for each denial and partial denial
determination.

	Number of times invoked 3/
(a) Exemption 552a(d)(5)	1
(b) Exemption 552a(j)(2)	713*
(c) Exemptions cited in 552a(k):	
Exemption (1)	87
Exemption (2)	39
Exemption (3)	--
Exemption (4)	--
Exemption (5)	526
Exemption (6)	29
Exemption (7)	--
(d) Exemption 552a(n)	
(e) Exemptions cited in 552(b):	
Exemption (1)	859
Exemption (2)	387
Exemption (3)	171
Exemption (4)	8
Exemption (5)	47
Exemption (6)	203

2/ The total of items numbered 3. thru 6. plus item 7., i.e.,
processed plus unprocessed requests, should equal the "Total
requests" reported near the top of page one.

3/ (1) The total "Number of times invoked" should be "consis-
tent with" the combined total of items numbered 4. and 5.
"Consistent with" should be interpreted to mean you must cite
at least as many exemptions as denials; you may cite "more"
exemptions than denials; but may not cite "less" exemptions than
denials. (2) Generally, the answers given here regarding
Exemptions 552a(k)(4) and 552(b)(3) should be the same as the
answers given in 8.(f) regarding these statutes. However, when
more than one statute has been cited while invoking 552(b)(3),
the "Number of times invoked" for 552(b)(3) in 8.(e) will be
less than the total "Number of times invoked" for 552(b)(3) in
8.(f). Please indicate when this is the case. Otherwise, the
figures in 8.(e) and 8.(f) should be the same as to the number
of times 552(b)(3) has been invoked.

*In accordance with the Attorney General's guidelines, Privacy Act
requests which are exempt from mandatory disclosure under Exemption
552a(j)(2) are processed for release pursuant to the FOIA. Exemption
552(j)(2) is cited by the FBI pursuant to this procedure.

**Administrative Manhours, Costs, and Fees
Collected/Assessed; Freedom of Information
(FOI)/Privacy Act (PA) Requests
Calendar Year 1981**

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>526,517</u>	<u>351,011</u>	<u>877,528</u>
Costs of Services <u>1/</u>	<u>\$3,936,815</u>	<u>\$5,905,222</u>	<u>\$9,842,037</u>
Other Costs <u>2/</u>	<u>(\$983,961)</u>	<u>(\$1,475,941)</u>	<u>(\$2,459,902)</u>
Total Costs	<u>\$4,920,776</u>	<u>\$7,381,163</u>	<u>\$12,301,939</u>
Fees Collected	<u>\$21,534</u>	<u>\$9,846</u>	<u>\$31,380</u>
Fees Assessed but Uncollected	<u>(Not Available)</u>	<u>(Not Available)</u>	<u>(Not Available)</u>

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records ^{3/}

Manhours 5839
Costs of Services \$31,204
Other Costs \$3,548
Total Costs ^{4/} \$34,852

Accounting for dissemination of records (required
by Section (c) of the PA)

Manhours _____
Costs of Services _____
Other Costs _____
Total Costs ^{4/} _____

*Cost data for dissemination of records not maintained.
Preparing Federal Register notices of new or modified
record systems

Manhours 35
Costs of Services \$625
Other Costs \$25
Total Costs ^{4/} \$650

Total Other PA Costs \$35,502

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. (Federal Register publication costs for Privacy Act system notices will be reported by the Office of Administrative Counsel.) However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

^{3/} For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3%, respectively. If your experience reflects a different division of costs, please report costs which accurately reflect your experience.

^{4/} See notes 1 and 2 for cost categories.

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF REVIEWS</u>
James E. Hall	Section Chief, FOIPA Section, Records Management Division, FBI Headquarters	1918
Paul V. Daly	SAC, Albany, New York	3
Joel A. Carlson	SAC, Albuquerque, New Mexico	7
Lawrence Earl York	SAC, Alexandria, Virginia	3
Anneth C. Arnold	SAC, Anchorage, Alaska	1
John D. Glover	SAC, Atlanta, Georgia	4
Edward D. Hegarty	SAC, Baltimore, Maryland	9
Joseph J. Ross, Jr.	SAC, Birmingham, Alabama	8
Lawrence Sarhatt	SAC, Boston, Massachusetts	25
Philip D. Smith	SAC, Buffalo, New York	6
Robert L. Pence	SAC, Charlotte, North Carolina	1
James O. Ingram	SAC, Chicago, Illinois	40
Alfred E. Smith	SAC, Cincinnati, Ohio	12
Joseph E. Griffin	SAC, Cleveland, Ohio	16
Garry Owen Watt	SAC, Columbia, South Carolina	1
James E. Decker	SAC, Dallas, Texas	12
Jack H. Egnor	SAC, Denver, Colorado	5
Wayne G. Davis	SAC, Detroit, Michigan	15
Donald A. Noverson	SAC, El Paso, Texas	3
William C. Ervin	SAC, Honolulu, Hawaii	3
Homer R. Hauer	SAC, Houston, Texas	9
Wayne G. Davis	SAC, Indianapolis, Indiana	2
John C. McGinley	SAC, Indianapolis, Indiana	7
John T. Kelly	SAC, Jackson, Mississippi	3
Lawrence G. Lavler	SAC, Jacksonville, Florida	6
Floyd I. Clarke	SAC, Kansas City, Missouri	7

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
W. Douglas Gow	SAC, Knoxville, Tennessee	4
Joseph Yablonsky	SAC, Las Vegas, Nevada	4
Edgar H. Best	SAC, Los Angeles, California	59
James H. Yelvington	SAC, Louisville, Kentucky	4
William J. Beavers	SAC, Memphis, Tennessee	1
William E. Nettles, Jr.	SAC, Miami, Florida	2
Joseph V. Corless	SAC, Miami, Florida	11
H. Ernest Woodby	SAC, Milwaukee, Wisconsin	2
Richard H. Blay	SAC, Minneapolis, Minnesota	14
Maurice J. Stack, Jr.	SAC, Mobile, Alabama	1
Robert J. McCarthy	SAC, Newark, New Jersey	14
L. Grey Brockman	SAC, New Haven, Connecticut	5
Alonzo L. Lacey, Jr.	SAC, New Haven, Connecticut	7
Edmund J. Pistey	SAC, New Orleans, Louisiana	12
Hal. W. Helterhoff	(Acting) SAC, New Orleans, Louisiana	5
Lee F. Laster	ADIC, New York, New York	35
Michael A. Morrow	SAC, Norfolk, Virginia	1
Lee M. Quick	(Acting) SAC, Norfolk, Virginia	2
John C. Wagner	SAC, Norfolk, Virginia	1
C. Edwin Enright	SAC, Oklahoma City, Oklahoma	5
Harlan C. Phillips	SAC, Omaha, Nebraska	7
John L. Hogan	SAC, Philadelphia, Pennsylvania	16
John J. Hinchcliffe	SAC, Phoenix, Arizona	10
Walter A. Weiner	SAC, Pittsburgh, Pennsylvania	6
Robert S. Gast	SAC, Portland, Oregon	8

<u>NAME</u>	<u>TITLE</u>	<u>NUMBER OF DENIALS</u>
Allen H. McCreight	SAC, Richmond, Virginia	2
Raymond P. Felchak	SAC, Sacramento, California	1
Glenn L. Young	SAC, St. Louis, Missouri	3
John C. Long	SAC, San Antonio, Texas	7
Norman A. Zigrossi	SAC, San Diego, California	6
William D. Neumann	SAC, San Francisco, California	40
Bernardo M. Perez	SAC, San Juan, Puerto Rico	2
William W. Hamilton	SAC, Savannah, Georgia	1
Allen P. Whitaker	SAC, Seattle, Washington	11
Robert B. Davenport	SAC, Springfield, Illinois	4
Boyd B. Klager	SAC, Tampa, Florida	7
Theodore M. Gardner	SAC, Washington, D. C.	14

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR
PAGES

1980
8

Freedom of Information Act
 Annual Statistical Report
 (FOIA/AS Report)
 Calendar year 1980

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 _____. Figure not available because unprocessed requests are not divided between FOIA and Privacy Act.
2. Number of additional requests received during the current year 8729.

Total requests - see comment at #1

Disposition of Requests:

3. Total number of determinations to provide all the records 289.
4. Total number of determinations to provide part of the records. (This is also considered a partial denial) 2048.
5. Total number of determinations not to provide any of the records 462.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 537.
 - (b) Requester's refusal to pay search or reproduction fees 1002.
 - (c) Non-possession of records 3406.
 - (d) Referral to other agencies or other DOJ components. Not available as we do not close cases based on this category.
 - (e) Requester's refusal to comply with other requirements 830.
 - (f) Requests withdrawn 719.
 - (g) Duplicate requests 222.
 - (h) Other (specify).

Total (e) through (h) only 1771

Total (a) through (h) 6716.

7. Total unprocessed requests on hand as of December 31 _____.
Figure not available because unprocessed requests are
not divided between FOIA and Privacy Act.

Total items 3 through 7 9515. Do not
include #7. See #7.

8. Exemptions relied upon for each denial and partial denial
determination.

Number of times invoked

(a) Exemptions cited in 552(b):

Exemption (1)	813
Exemption (2)	332
Exemption (3)	207
Exemption (4)	14
Exemption (5)	52
Exemption (6)	208
Exemption (7)(A)	379
Exemption (7)(B)	13
Exemption (7)(C)	1965
Exemption (7)(D)	1493
Exemption (7)(E)	249
Exemption (7)(F)	27
Exemption (8)	2

(b) Statute(s) invoked pursuant to Exemption (3):

<u>Statutory citation</u>	<u>Number of times invoked</u>
1. Rule 6(e) Fed. Rules Crim Proc.	72
2. 17 USC 101 et seq.	3
3. 18 USC 2511	61
4. 26 USC 6103, 7213	16
5. 28 USC 534	47
6. 50 USC 403g, 403(d)(3)	8

9. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each:

<u>Name</u>	<u>Title</u>	<u>Number of Instances</u>
William H. Webster	Director	All Headquarters requests
Thomas H. Bresson	Inspector-Deputy Assistant Director Records Management Division	Mr. Bresson and Mr. Flanders both acted for William H. Webster.
David G. Flanders	Inspector-Deputy Assistant Director Records Management Division	

10. Attach a brief statement providing the results of any proceeding conducted pursuant to subsection (a)(4)(F), along with a report of "the disciplinary action" (See 5 U.S.C. 552(d)(4)). If there has been no such proceeding, please indicate "N.A." here. N.A.

Privacy Act
Annual Statistical Report
(PA/AS Report)
Calendar Year 1980

Requests Count:

1. Balance of unprocessed requests brought forward on January 1 _____. Figure not available because unprocessed requests are not divided between FOIA and Privacy Act.
2. Number of additional requests received during the current year 13006.

Total requests - see
comment at #1

Disposition of Requests:

3. Total number of determinations to provide all the records 605.
4. Total number of determinations to provide part of the records. (This is also considered a partial denial) 3580.
5. Total number of determinations not to provide any of the records 300.
6. Requests which were neither granted nor denied but were closed out for other reasons should be accounted for as follows.
 - (a) Requester's failure to adequately identify the records 1615.
 - (b) Requester's refusal to pay search or reproduction fees 430.
 - (c) Non-possession of records 6323.
 - (d) Referral to other agencies or other DOJ components. Not available as we do not close cases based on this category.
 - (e) Requester's refusal to comply with other requirements 483.
 - (f) Requests withdrawn 247.
 - (g) Duplicate requests -.
 - (h) Other (specify).

Total (e) through (h) only 730.

Total (a) through (h) 9098.

7. Total unprocessed requests on hand as of December 31 _____.
Figure not available because unprocessed requests are not divided between FOIA and Privacy Act.

Total items 3 through 7 13583.
Does not include #7. See #7

8. Exemptions relied upon for each denial and partial denial determination.

Number of times invoked

(a) Exemption 552a(d)(5) 3

(b) Exemption 552a(j)(2) 87

(c) Exemptions cited in 552a(k):

Exemption (1)	129
Exemption (2)	36
Exemption (3)	2
Exemption (4)	-
Exemption (5)	607
Exemption (6)	29
Exemption (7)	-

(d) Exemption 552a(n)

(e) Exemptions cited in 552 (b):

Exemption (1)	1162
Exemption (2)	436
Exemption (3)	243*
Exemption (4)	5
Exemption (5)	48
Exemption (6)	433

*See Note on #8(f).

Exemption (7)(A)	195
Exemption (7)(B)	9
Exemption (7)(C)	2691
Exemption (7)(D)	2083
Exemption (7)(E)	499
Exemption (7)(F)	48

(f) List of statute(s) invoked pursuant to exemption 552a(k)(4) or 552(b)(3):

<u>Statutory Citation</u>	<u>Pursuant to Exemption 552a(k)(4)</u>	<u>Pursuant to Exemption 552(b)(3)</u>	<u>Number of Times Invoked</u>
Rule 6(e) Fed. Rules			
Crim. Proc.		X	79
8 USC 1202(f)		X	1
18 USC 2511		X	98
18 USC 2517		X	2
26 USC 6103, 7213		X	7
28 USC 534		X	67
50 USC 402		X	2
50 USC 403g, 403(d)(3)		X	14*

9. Total number of requests for amendments to records 102.
10. Total number of determinations to amend the records 23.
11. Total number of determinations to amend the records in part (this is also considered a partial denial) 44.
12. Total number of determinations not to amend the records 35.
13. Reasons for each denial and partial denial of requests to amend records:

<u>Reason</u>	<u>Number of Times</u>
Requester failed to sufficiently justify the correction or amendment.	79

*Total number of (b)(3) statutes cited exceeds number listed in 8(e) due to situations in which more than one statute was applicable to the information withheld.

DOJ Component FBI

Administrative Manhours, Costs, and Fees
Collected/Assessed; Freedom of Information
(FOI)/Privacy Act (PA) Requests
Calendar Year 1980

Costs will be reported below in two categories, i.e., FOI/PA Requests Processing Costs, and Other PA Costs.

FOI/PA REQUESTS PROCESSING COSTS:

Costs should be allocated between the two statutes based upon the number of requests identified by the component as PA requests versus FOIA requests. Regardless of the Act(s) cited by the requester, PA requests should be identified as an individual's request for records relating to himself or as a third party's request for records relating to an individual on that individual's behalf; FOIA requests should be identified as those requests for all other agency documents. Example of cost allocation: If 30% of the total requests are PA requests, attribute 30% of the costs of FOI/PA processing to the PA and 70% to the FOIA. Depending on the volume of requests received, you may arrive at a reasonable estimate by conducting a total survey or a sampling of a typical period. Exclude payments/reimbursements made to the Office of Privacy and Information Appeals (OPIA) for work done by that office. This information will be reported by OPIA.

	FOI	Privacy	Total FOI/Privacy
Manhours	<u>301,989</u>	<u>570,678</u>	<u>872,667</u>
Costs of Services <u>1/</u>	<u>(\$3,192,785)</u>	<u>(\$5,950,475)</u>	<u>(\$ 9,143,260)</u>
Other Costs <u>2/</u>	<u>(\$ 807,341)</u>	<u>(\$1,523,653)</u>	<u>(\$ 2,330,994)</u>
Total Costs	<u>\$4,000,126</u>	<u>\$7,474,128</u>	<u>\$11,474,254</u>
Fees Collected	<u>\$ 15,169</u>	<u>\$ 29,447</u>	<u>\$ 44,616</u>
Fees Assessed but Uncollected	<u>(Not available)</u>	<u>(Not available)</u>	<u>(Not available)</u>

1/ Costs of Services are, e.g., salaries, benefits and related overhead. Include an estimate of costs for personnel who devote only a part of their time on requests as well as for personnel assigned full time to processing FOIA requests.

2/ Other Costs include, e.g., equipment and duplication costs (including the cost of obtaining and operating additional copying

*The cost figures quoted are estimated figures.

OTHER PA COSTS:

Privacy Act:

Processing PA requests to amend or correct records 3/

Manhours	<u>4,723</u>
Cost of Services	<u>\$49,645</u>
Other Costs	<u>\$2,560</u>
Total Costs	<u>\$52,205</u>

Accounting for dissemination of records (required by Section (c) of the PA)

Manhours	_____
Costs of Services	_____
Other Costs	_____
Total Costs	<u>4/</u> _____

*Cost data for dissemination of records not maintained.

Preparing Federal Register notices of new or modified record systems

Manhours	<u>25</u>
Costs of Services	<u>\$625</u>
Other Costs	<u>\$25</u>
Total Costs	<u>4/</u> <u>\$650</u>

Total Other PA Costs 52,855

machines); fees and travel to attend training programs; and purchases of books and subscriptions such as Access Reports. However, include by separate attachment any costs incurred that were not directly related to FOI/PA processing, such as contracts to perform agency work which otherwise would be done by agency personnel who have been diverted to FOI/PA work, and costs due to losses in performing proprietary functions such as buying, selling, leasing, or licensing use of agency property, including agency-owned technology which would otherwise be made available under the user charge statute, etc.

3/ For purposes of dividing costs between requests for records and requests for correction of records, the Department has arbitrarily attributed 97%/3% respectively. If your experience

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR	<u>1979</u>
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Attachment A

DJ Component FBI

Freedom of Information Act
Annual Statistical Report
(FOIA/AS Report)

1. Number of requests received during the year 6244.
2. As to requests responded to during the year, total number of initial determinations to comply completely with a request for records 279.
3. As to records responded to during the year, total number of determinations to comply in part with a request for records 1575. (This is also considered a partial denial.)
4. As to requests responded to during the year, total number of determinations not to comply with a request for records 382.
5. Exemptions relied upon for each denial and partial denial determination.

(Number of times invoked)

(a) Exemptions cited in 552 (b):

Exemption (1)	639
Exemption (2)	297
Exemption (3)	167
Exemption (4)	9
Exemption (5)	38
Exemption (6)	131
Exemption (7)(A)	225
Exemption (7)(B)	14

190-0-21422

ENCLOSURE

Exemption (7)(C) 1507
Exemption (7)(D) 1233
Exemption (7)(E) 255
Exemption (7)(F) 36

(b) Statute(s) invoked pursuant to Exemption (3):

<u>Statutory citation</u>	<u>(Number of times invoked)</u>
1. PL 86-36, Section 6	39
2. 50 USC 402, 403g, 403(d)(3)	3
3. 18 USC 2510, 2517	6
4. 28 USC 534	29
5. 26 USC 6103, 7213	13
6. 17 USC 101	1
7. 5 USC 551	10
8. 18 USC 2511	66

6. As to requests responded to during the year, total number of initial requests which are not accounted for in items 2, 3 and 4:

- (a) Requester's failure to adequately identify records 120
- (b) Non-possession of records 1256
- (c) Refusal to pay search or reproduction fees 606
- (d) Referral to other agencies or other DJ components
Not available
- (e) Other (specify)

Withdrawn 235
Pre-processed 133

Total 3436

7. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each:

<u>Name</u>	<u>Title</u>	<u>Number of Instances</u>
William H. Webster	Director	All Headquarters requests
David G. Flanders	Inspector-Deputy Assistant Director FOIPA Branch Records Management Division	

Special Agent in Charge of Particular Field Office receiving request.

8. Total resources expended in complying with the FOIA:

Manhours 236,995¹
Costs of Services \$2,275,552
Other Costs \$659,068
Total Costs \$2,934,620

9. Total amount of fees collected for making records available under the FOIA \$14,300. Additional fees assessed but uncollected Not available.

1

Manhour and cost figures for FOIPA Coordinated with Budget and Accounting Section, Administrative Services Division. The cost figures quoted are estimated figures.

Privacy Act
Annual Statistical Report
(PA/AS Report)

1. Total number of requests for access to records received during the year 12563.
2. As to requests for access responded to during the year, total number of initial determinations to comply completely with a request for records 649.
3. As to requests for access responded to during the year, total number of determinations to comply in part with a request for records 3613. (This is also considered a partial denial.)
4. As to requests for access responded to during the year, total number of determinations not to comply with a request for records 275.
5. Exemptions relied upon for each denial and partial denial determination.

(Number of times invoked)

(a) Exemption 552a(d) (5)	3
(b) Exemption 552a(j) (2)	38
(c) Exemptions cited in 552a(k):	
Exemption (1)	102
Exemption (2)	25
Exemption (3)	-
Exemption (4)	3
Exemption (5)	540
Exemption (6)	21
Exemption (7)	-

190-0-21422

(d) Exemption 555a(n)

(e) Exemption cited in 552(b):

Exemption (1)	1024
Exemption (2)	392
Exemption (3)	247
Exemption (4)	5
Exemption (5)	63
Exemption (6)	432

Exemption (7) (A)	169
Exemption (7) (B)	9
Exemption (7) (C)	2706
Exemption (7) (D)	2252
Exemption (7) (E)	548
Exemption (7) (F)	68

(f) List statute(s) invoked pursuant to exemption 552a(k) (4) or 552(b) (3):

<u>Statutory Citation</u>	<u>Number of times invoked pursuant to Exemption 552(b) (3)</u>
1. PL 86-36, Section 6	48
2. 50 USC 402,403g, 403(d) (3)	17
3. 18 USC 2510,2517	7
4. 28 USC 534	63
5. 26 USC 6103,7213	1
6. 5 USC 551	13
7. 18 USC 2511	98

6. Total number of requests not responded to because of:

- (a) Non-possession of records 5541.
- (b) Requester's failure to adequately identify records 2140.
- (c) Refusal to pay search or reproduction fees 258.

(d) Referral to other agencies or other DJ components Not available.

(e) Other (specify)

Withdrawn 110.

- 7. Total number of requests for amendments to records received during the year 91.
- 8. Total number of determinations to comply completely with requests for amendments to records 26.
- 9. Total number of determinations to comply in part with requests for amendments to records 41. (This is also considered a partial denial.)
- 10. Total number of determinations not to comply with requests for amendments to records: 24.
- 11. Reasons for each denial and partial denial of requests for amendment to records:

<u>Reason</u>	<u>Number of Times</u>
Requestor failed to sufficiently justify the correction or amendment	65

- 12. Total resources expended in complying with the Privacy Act:

Processing Privacy Act Requests for Records

Manhours 477,248.
 Costs of Services \$4,548,086
 Other Costs \$1,338,732

Processing Privacy Act Requests to Correct or Amend
Records

Manhours 21,245
Costs of Services \$195,944
Other Costs \$61,788

13. Total amount of fees collected for making records available under the Privacy Act \$30,388. Additional fees assessed but uncollected Not available.

FREEDOM OF INFORMATION ACT AND PRIVACY ACT
ANNUAL STATISTICAL REPORT

CALENDAR YEAR	<u>1978</u>
PAGES	<u>6</u>

Attachment A

DJ Component FBI

Freedom of Information Act
Annual Statistical Report ^{1/}
(FOIA/AS Report)

1. Number of requests received during the year 5129.
2. As to requests responded to during the year, total number of initial determinations to comply completely with a request for records 239.
3. As to records responded to during the year, total number of determinations to comply in part with a request for records 1540. (This is also considered a partial denial.)
4. As to requests responded to during the year, total number of determinations not to comply with a request for records 267.
5. Exemptions relied upon for each denial and partial denial determination.

(Number of times invoked)

(a) Exemptions cited in 552(b):

Exemption (1)	516
Exemption (2)	316
Exemption (3)	138
Exemption (4)	6
Exemption (5)	60
Exemption (6)	209
Exemption (7) (A)	200
Exemption (7) (B)	8
Exemption (7) (C)	1301
Exemption (7) (D)	1093
Exemption (7) (E)	344
Exemption (7) (F)	49
Exemption (8)	6
Exemption (9)	1

^{1/} Figures for requests responded to during the year include requests handled during the year which were received in prior years. Pursuant to Department of Justice instructions the Annual Statistical Report for 1977 reported responses only to those requests received in 1977. The total Freedom of Information and Privacy Acts requests handled during 1977 amounted to 21,254. *1977 - 1228*

(b) Statute(s) invoked pursuant to Exemption (3):

	<u>Statutory citation</u>	<u>(Number of times invoked)</u>
1.	5 USC 551	8
2.	5 USC 552a (b)	2
3.	17 USC 101	2
4.	18 USC 793	1
5.	18 USC 2510, 2517	4
6.	18 USC 2511	77
7.	26 USC 6103, 7213	7
8.	28 USC 534	12
9.	50 USC 403 g 50 USC 403 (d) (3)	3
10.	Rule (6)(e), FRCP	21
11.	PL 86 - 36, Section 6	1

6. As to requests responded to during the year, total number of initial requests which are not accounted for in items 2, 3 and 4:

	<u>Number</u>
(a) Requester's failure to adequately identify records	629
(b) Non-possession of records	1361
(c) Refusal to pay search or reproduction fees	730
(d) Referral to other agencies	Not Available
(e) Other (specify)	
Withdrawn	330
Pre-processed	256
Administrative ^{2/}	240
Total	<u>3550</u>

^{2/} Due to the nature of our files we will combine a multiple request into one request when it is found the requests are inextricably intertwined. Additionally, due to the limited number of requests that are completely referred to other agencies we do not maintain statistics on these referrals but count the closings under Administrative.

7. Name and title of each person who is responsible for the initial denial of records requested and the number of instances of participation of each:

<u>Name</u>	<u>Title</u>	<u>Number of Instances</u>
William H. Webster	Director	All Headquarters requests
Thomas H. Bresson	Acting Chief, FOIPA Branch Records Management Division	
Special Agent in Charge of Particular Field Office receiving request		

8. Total resources expended in complying with the FOIA:

Manhours 215,898
Costs of Services \$1,968,197
Other Costs \$394,036
Total Costs^{3/} \$2,362,233

9. Total amount of fees collected for making records available under the FOIA \$31,646.08.

^{3/} Costs do not include \$261,344 in payments to the Department of Justice for Appeal Services for the FOIPA during the first three quarters of 1978 plus an estimated \$87,115 for the last quarter for a total of \$348,459.

DJ Component FBI

Privacy Act
Annual Statistical Report
(PA/AS Report)

1. Total number of requests for access to records received during the year 14853.
2. As to requests for access responded to during the year, total number of initial determinations to comply completely with a request for records 631
3. As to requests for access responded to during the year, total number of determinations to comply in part with a request for records 4122. (This is also considered a partial denial.)
4. As to requests for access responded to during the year, total number of determinations not to comply with a request for records 192.
5. Exemptions relied upon for each denial and partial denial determination.

(Number of times invoked)

(a) Exemption 552a (d) (5)	7
(b) Exemption 552a (j) (2)	39
(c) Exemptions cited in 552a (k):	
Exemption (1)	129
Exemption (2)	32
Exemption (3)	1
Exemption (4)	0
Exemption (5)	693
Exemption (6)	23
Exemption (7)	0
(d) Exemption 552a (n)	0
(e) Exemptions cited in 552 (b):	
Exemption (1)	1193
Exemption (2)	735
Exemption (3)	225
Exemption (4)	4
Exemption (5)	100
Exemption (6)	332

ENCLOSURE

Exemption (7) (A)	199
Exemption (7) (B)	8
Exemption (7) (C)	3278
Exemption (7) (D)	2890
Exemption (7) (E)	951
Exemption (7) (F)	162

(f) Statute(s) invoked pursuant to exemption 552a (k) (4) or 552 (b) (3):

	<u>Statutory citation</u>	<u>(Number of times invoked) Pursuant to Exemption 552(b) (3)</u>
1.	5 USC 551	11
2.	5 USC 552a (b)	9
3.	17 USC 101	2
4.	18 USC 793	1
5.	18 USC 2510, 2517	7
6.	18 USC 2511	128
7.	26 USC 6103, 7213	5
8.	28 USC 534	29
9.	50 USC 403 g 50 USC 403 (d) (3)	10
10.	Rule (6) (e), FRCP	22
11.	PL 86 - 36, Section 6	1

6. Total number of requests not responded to because of:

(a) non-possession of records 6911.

(b) requester's failure to adequately identify records
2241.

(c) Abandoned fees 634.

7. Total number of requests for amendments to records received during the year 148.

8. Total number of determinations to comply completely with requests for amendments to records 57.

9. Total number of determinations to comply in part with requests for amendments to records 32.
(This is also considered a partial denial.)
10. Total number of determinations not to comply with requests for amendments to records 59.
11. Exemptions relied upon for each denial and partial denial of requests for amendments to records:

The information maintained in the FBI central records system, to the extent it is subject to exemption pursuant to Title 5, United States Code, Section 552a (j)(2) and (k)(2), is exempt from the correction and amendment provisions of the Privacy Act of 1974. However, it is the policy of this Bureau to consider each such request on an individual basis in order to reach an equitable determination consistent with the best interests of both the individual and the Government.

12. Total resources expended in complying with the Privacy Act:

Manhours 622,698
Costs of Services \$5,685,669
Other Costs \$1,137,130
Total Costs \$6,822,799

13. Total amount of fees collected for making records available under the Privacy Act \$90,069.63.