

The following **Annual Freedom of Information Act** (FOIA) report covers the Period  
10/01/2019 through 09/30/2020 as required by 5 U.S.C. 552.

**I. BASIC INFORMATION REGARDING REPORT**

1. *Name, title, address, and telephone number of person(s) to be contacted with questions about the Report.*

Mr. David Brown, Director  
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Washington, DC 20585  
(202)586-5710

Mr. Alexander Morris, FOIA Officer  
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U.S. Department of Energy  
1000 Independence Avenue, SW  
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2. *Provide an electronic link for access to the Report on the agency Web site.*

<https://www.energy.gov/management/office-management/operational-management/freedom-information-act/documents/annual-reports>.

3. *Explain how to obtain a copy of the Report in paper form.*

A paper copy of the report can be obtained at the Headquarters FOIA Public Reading Room located in the Forrestal Building, 1000 Independence Avenue, SW, room 1G-051, Washington, DC 20585, or by submitting a request to the FOIA Office. The hours of the Reading Room at Headquarters are from 9:00 a.m. to 4:00 p.m. weekdays, except federal holidays.

## II. MAKING A FOIA REQUEST

1. *Provide names, addresses and telephone numbers of all individual agency components that receive FOIA requests.*

For the names, addresses and telephone numbers, visit our website at <https://www.energy.gov/management/office-management/operational-management/freedom-information-act/foia-contacts>.

2. *Provide a brief description of why some requests are not granted and an overview of certain general categories of the agency's records to which the FOIA exemptions apply.*

The Department of Energy's (DOE) mission is to advance the national, economic, and energy security of the United States; promote scientific and technological innovation in support of the mission; and ensure the environmental cleanup of the national nuclear weapons complex. The records maintained by DOE often involve proprietary matters, classified matters, innovation matters, and environmental matters. DOE invokes several of the FOIA's exemptions to protect information that is: 1) classified as restricted data or formerly restricted data; 2) proprietary; 3) personal; and 4) pre-decisional and deliberative. These types of information may not be granted under FOIA to protect national security, proprietary interests of submitters, personal privacy of individuals, and allow open and frank discussion as part of business deliberations and policy.

## III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. *Include the following definitions and terms used in this Report:*
  - a. **Administrative Appeal** – a request to a Federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.

- b. **Average Number** – the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average is 8.
- c. **Backlog** – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** – for agencies that process requests on a decentralized bases, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** – a Federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** – a FOIA request is generally a request to a Federal agency for access to records concerning another person (i.e., a “third party” request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “system of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in the Report. Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- h. **Full Grant** – an agency decision to disclose all records in full in response to a FOIA request.
- i. **Full Denial** – an agency decision not to release any records in response to a FOIA request because the records are exempt in the entireties under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** – the middle, not average, number. For example, of 3, 7, and 14, the median is 7.
- k. **Multi-Track Processing** – a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
  - 1. **Expedited Processing** – an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
  - 2. **Simple Request** – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
  - 3. **Complex Request** – a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- l. **Partial Grant/Partial Denial** – in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- m. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.
- n. **Perfect Request** – a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.

- o. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
- p. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
- q. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).

2. *Descriptions of the nine FOIA exemptions:*

- a. **Exemption 1:** classified national defense and foreign relations information
- b. **Exemption 2:** information that is related solely to the internal personnel rules and practices of any agency
- c. **Exemption 3:** information that is prohibited from disclosure by another federal law
- d. **Exemption 4:** trade secrets and other confidential business information
- e. **Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges
- f. **Exemption 6:** information involving matters of personal privacy
- g. **Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual
- h. **Exemption 8:** information relating to the supervision of financial institutions

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

3. Agency Component Abbreviations

Component Abbreviation	Component Name
BPA	Bonneville Power Administration
CBFO	Carlsbad Field Office
CH	Chicago Office
EMCBC	Environmental Management Consolidated Business Center
GFO	Golden Field Office
HQ	Headquarters
ID	Idaho Operations Office
NETL	National Energy Technology Laboratory
NNSA	National Nuclear Security Administration
NR	Office of Naval Reactors
NRLFO	Naval Reactors Laboratory Field Office
ORO	Oak Ridge Office
OSTI	Office of Scientific and Technical Information
ROO	Richland Operations Office
SEPA	Southeastern Power Administration
SPR	Strategic Petroleum Reserve
SRO	Savannah River Office
SWPA	Southwestern Power Administration
WAPA	Western Area Power Administration

**IV. EXEMPTION 3 STATUTES**

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
41 U.S.C. § 4702 (formerly at 41 U.S.C. § 253b(m)(1))	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	BPA	1	1
16 U.S.C. 470hh	Information pertaining to the nature and location of certain archaeological resources	Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance	BPA	1	1

		granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004); Starkey v. U.S. Dep't of the Interior, 238 F. Supp. 2d 1188, 1193-94 (S.D. Cal. 2002).			
5 U.S.C. app. 4 § 107(a)(2)	Confidential financial disclosure report pertaining to certain government employees	N/A	HQ	2	2
15 U.S.C. 638(k)(4)	Information contained within a Small Business Innovative Research (SBIR) and Small Business Technology Transfer (STTR) program evaluation databases	n/a	ID	1	1
26 U.S.C. §§ 6103, 6105	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax	Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Elec. Priv. Info. Ctr. v. IRS, 910 F.3d 1232 (D.C. Cir. 2018);	HQ	12	12



	convention information	Leonard v. U.S. Dep't of Treasury, 590 F. App'x. 141, 143-44 (3d Cir. 2014) (per curiam); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).			
41 U.S.C. § 2102 (amending 41 U.S.C. § 423(a)(1))	Contractor bid or proposal information; source selection information	Legal & Safety Emp. Rsch., Inc. v. U.S. Dep't of the Army, No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal. May 4, 2001) (dictum).	SPR	1	1
16 U.S.C. § 824o-1(d)	Information pertaining to Critical Electric Infrastructure Security	n/a	WAPA	1	1
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No.	Certain records that would reveal some secret aspect pertaining to	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Sorin v. DOJ, No. 18-99, 2018 WL 6431027	HQ	1	1

95-78, §2, 91 Stat. 319	grand jury proceedings	(2d Cir. Dec. 6, 2018) (per curium); Widi v. McNeil, No. 12-CV-00188, 2016 WL 4394724, at *23 (D. Me. Aug 16, 2016); Durham v. U.S. Att'y Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).			
42 U.S.C. §§ 2162, 2167, 2168(a)(1)	"Restricted Data" pertaining to atomic weapons and special nuclear material and certain safeguards information for nuclear material	Meeropol v. Meese, 790 F.2d 942 (D.C. Cir. 1986); Va. Sunshine All. v. NRC, 509 F. Supp. 863 (D.D.C 1981), aff'd per curiam on other grounds, 669 F.2d 788 (D.C. Cir. 1981).	NNSA	6	6

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

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
BPA	16	77	65	28



NRLFO	4	0	0	0	0	0	0	0	0	1	0	0	5
ORO	32	12	0	15	0	2	0	0	2	3	3	0	69
OSTI	1	0	0	3	0	0	0	0	0	0	1	0	5
ROO	6	13	2	7	1	10	0	0	0	0	0	0	39
SEPA	0	0	0	0	0	0	0	0	0	0	0	0	0
SPR	4	6	0	4	0	0	0	0	0	0	0	0	14
SRO	6	12	2	6	0	1	0	0	0	1	0	0	28
SWPA	1	0	0	0	0	0	0	0	0	0	0	0	1
WAPA	0	7	0	0	1	1	0	0	0	0	0	0	9
NNSA	68	48	4	45	13	36	4	3	11	13	3	0	248
AGENCY OVERALL	273	297	14	491	71	182	11	12	14	32	19	0	1416

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

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
BPA	n/a	0	0
CBFO	n/a	0	0
CH	n/a	0	0
EMCBC	n/a	0	0
GFO	n/a	0	0
HQ	n/a	0	0
ID	n/a	0	0
NETL	n/a	0	0
NR	n/a	0	0
NRLFO	n/a	0	0
ORO	n/a	0	0
OSTI	n/a	0	0
ROO	n/a	0	0
SEPA	n/a	0	0
SPR	n/a	0	0

SRO	n/a	0	0
SWPA	n/a	0	0
WAPA	n/a	0	0
NNSA	n/a	0	0
AGENCY OVERALL			0

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

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
BPA	0	6	2	11	6	13	0	0	0	0	0	0	0	0
CBFO	0	0	0	1	1	2	0	0	0	0	0	0	0	0
CH	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EMCBC	0	0	0	4	2	13	0	0	0	0	0	0	0	0
GFO	0	0	0	5	2	5	0	0	0	0	0	0	0	0
HQ	0	0	14	19	38	131	3	0	42	0	6	0	0	0
ID	0	0	1	2	0	0	0	0	0	0	0	0	0	0
NETL	0	0	0	6	1	3	0	0	0	0	0	0	0	0
NR	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NRLFO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ORO	0	0	0	1	1	11	0	0	0	0	0	0	0	0
OSTI	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ROO	0	0	0	1	1	15	0	0	1	0	1	1	0	0
SEPA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SPR	0	0	1	5	0	0	0	0	0	0	0	0	0	0
SRO	0	0	0	4	1	12	0	0	0	0	0	0	0	0
SWPA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WAPA	0	0	1	0	3	6	0	0	0	0	0	0	0	0
NNSA	2	0	6	8	13	35	0	0	0	0	6	4	0	0
AGENCY OVERALL	2	6	25	67	69	246	3	0	43	0	13	5	0	0

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

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
HQ	12	47	46	13
AGENCY OVERALL	12	47	46	13

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

Agency / Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
HQ	22	4	2	18	46
AGENCY OVERALL	22	4	2	18	46

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

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
HQ	0	0	1	4	8	5	0	0	1	0	0	0	0	0
AGENCY OVERALL	0	0	1	4	8	5	0	0	1	0	0	0	0	0

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

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
HQ	6	0	0	2	4	0	0	0	0	4	2
AGENCY OVERALL	6	0	0	2	4	0	0	0	0	4	2

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

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
HQ	Agency performed adequate search	2	2
AGENCY OVERALL			2

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

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
HQ	10	10	<1	24
AGENCY OVERALL	10	10	<1	24

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

Agency / Component	Date of Appeal	10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
HQ		2019-08-08	2018-11-20	2017-05-24	2016-06-21	2015-04-20	2014-12-08	2013-11-15	2013-10-16	2013-10-10	2012-07-03





NNSA	27	33	15	85	80	171.14	<1	1474	n/a	n/a	n/a	n/a
AGENCY OVERALL	31	81.11	<1	1022	78.50	157.97	<1	1913	45	68.78	14	189

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

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
BPA	17	36.92	5	187	143	212.18	18	894	n/a	n/a	n/a	n/a
CBFO	42.5	42.5	27	58	24.5	24.5	4	45	n/a	n/a	n/a	n/a
CH	6.5	9	<1	29	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
EMCBC	138	213.33	105	397	114	132.95	14	356	n/a	n/a	n/a	n/a
GFO	24	36	<1	77	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
HQ	113	156.33	4	947	77.5	199.39	8	1913	n/a	n/a	n/a	n/a
ID	25	27.6	<1	67	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
NETL	29	28.62	<1	65	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
NR	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
NRLFO	37.5	29.75	5	39	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
ORO	72	83.38	6	241	242	242	241	243	n/a	n/a	n/a	n/a
OSTI	5	5	5	5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
ROO	8	8.08	<1	19	20	25	8	58	29.5	29.5	14	45
SEPA	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
SPR	11.5	11.1	<1	23	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
SRO	49	71.94	10	288	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
SWPA	9	9	9	9	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
WAPA	12	18.43	6	60	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
NNSA	49	47.83	21	85	121.5	234.44	2	1474	n/a	n/a	n/a	n/a
AGENCY OVERALL	57	107.35	<1	947	111	206.63	2	1913	29.50	29.50	14	45





NRLFO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ORO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OSTI	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ROO	1	0	1	0	0	0	0	0	0	0	0	0	0	2
SEPA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SPR	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SRO	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SWPA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
WAPA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NNSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	3	0	1	1	1	0	0	0	1	1	0	0	0	8

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

Agency / Component	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
BPA	2	13.5	13	26	114	167	0	n/a	n/a
CBFO	0	n/a	n/a	2	146	146	0	n/a	n/a
CH	4	1	5	4	7	10	0	n/a	n/a
EMCBC	2	1014	1014	5	228	257	0	n/a	n/a
GFO	5	46	95	0	n/a	n/a	0	n/a	n/a
HQ	275	170	227	97	343	413	3	245	245
ID	1	35	35	0	n/a	n/a	0	n/a	n/a
NETL	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a
NR	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a
NRLFO	2	297.5	297	0	n/a	n/a	0	n/a	n/a
ORO	22	137.5	212	1	826	826	0	n/a	n/a
OSTI	8	275	484	0	n/a	n/a	0	n/a	n/a
ROO	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a
SEPA	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a
SPR	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a
SRO	3	1	7	0	n/a	n/a	0	n/a	n/a

SWPA	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a
WAPA	4	15	34	2	344	344	0	n/a	n/a
NNSA	1	33	33	197	323	374	1	141	141
AGENCY OVERALL	329	154	224.75	334	284	366.95	4	245	219

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
BPA	Date of Receipt	2020-04-06	2020-04-06	2020-03-23	2020-01-13	2020-01-06	2019-11-22	2019-11-18	2019-02-04	2017-07-26	2017-07-06
	Number of Days Pending	123	123	133	181	186	213	217	415	794	808
CBFO	Date of Receipt	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	2020-08-05	2019-09-27
	Number of Days Pending	0	0	0	0	0	0	0	0	39	251
CH	Date of Receipt	n/a	n/a	2020-09-30	2020-09-28	2020-09-23	2020-09-21	2020-09-21	2020-09-08	2020-08-24	2020-03-31
	Number of Days Pending	0	0	0	2	5	7	7	16	26	127
EMCBC	Date of Receipt	n/a	n/a	n/a	2020-08-04	2020-01-07	2019-11-04	2019-09-12	2019-03-18	2018-09-11	2013-08-19
	Number of Days Pending	0	0	0	40	185	226	262	386	512	1777
GFO	Date of Receipt	n/a	n/a	n/a	n/a	n/a	2020-08-31	2020-08-17	2020-07-27	2020-04-13	2019-09-19
	Number of Days Pending	0	0	0	0	0	22	32	46	118	257



	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
SEPA	Date of Receipt	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
SPR	Date of Receipt	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
SRO	Date of Receipt	n/a	n/a	n/a	n/a	n/a	n/a	n/a	2020-09-29	2020-09-29	2020-09-01
	Number of Days Pending	0	0	0	0	0	0	0	1	1	20
SWPA	Date of Receipt	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
WAPA	Date of Receipt	n/a	n/a	n/a	n/a	2020-09-11	2020-09-09	2020-09-09	2020-05-14	2019-11-06	2018-11-29
	Number of Days Pending	0	0	0	0	13	15	16	97	225	459
NNSA	Date of Receipt	2016-08-01	2016-08-01	2016-07-26	2016-07-26	2016-04-26	2016-02-16	2015-09-09	2015-09-02	2015-08-27	2013-12-11
	Number of Days Pending	1040	1040	1044	1044	1107	1156	1263	1267	1271	1699
AGENCY OVERALL	Date of Receipt	2016-02-16	2015-09-23	2015-09-09	2015-09-02	2015-08-27	2014-03-13	2013-12-11	2013-08-19	2013-05-21	2013-04-04

	Number of Days Pending	1156	1253	1263	1267	1271	1637	1699	1777	1839	1871
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### VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
BPA	0	0	n/a	n/a	n/a
CBFO	0	0	n/a	n/a	n/a
CH	0	1	<1	<1	1
EMCBC	1	1	3	3	2
GFO	0	1	2	2	1
HQ	9	26	6	12.51	24
ID	0	0	n/a	n/a	n/a
NETL	0	0	n/a	n/a	n/a
NR	0	0	n/a	n/a	n/a
NRLFO	0	1	1	1	1
ORO	0	0	n/a	n/a	n/a
OSTI	0	0	n/a	n/a	n/a
ROO	2	1	<1	<1	3
SEPA	0	0	n/a	n/a	n/a
SPR	0	1	<1	<1	1
SRO	0	0	n/a	n/a	n/a
SWPA	0	1	1	1	1
WAPA	0	1	12	12	0
NNSA	1	12	6	6.38	11
AGENCY OVERALL	13	46	5	9.20	45



**VIII.B. REQUESTS FOR A FEE WAIVER**

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
BPA	0	1	417	417
CBFO	0	0	n/a	n/a
CH	1	2	12	10.67
EMCBC	0	1	3	3
GFO	0	0	n/a	n/a
HQ	44	0	3	27.55
ID	0	0	n/a	n/a
NETL	0	0	n/a	n/a
NR	0	0	n/a	n/a
NRLFO	0	1	1	1
ORO	0	0	n/a	n/a
OSTI	0	0	n/a	n/a
ROO	3	1	<1	1.5
SEPA	0	0	n/a	n/a
SPR	0	0	n/a	n/a
SRO	0	0	n/a	n/a
SWPA	0	0	n/a	n/a
WAPA	1	1	22	22
NNSA	3	0	3	93.67
AGENCY OVERALL	52	7	3	33.83

## IX. FOIA PERSONNEL AND COSTS

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
BPA	3	1.57	4.57	541067.43	26612.00	567679.43
CBFO	0	0.15	0.15	6000.00	0.00	6000.00
CH	0	1.05	1.05	124117.50	0.00	124117.50
EMCBC	3	1.00	4.00	295678.00	0.00	295678.00
GFO	1	0.00	1.00	87039.50	0.00	87039.50
HQ	27	10.13	37.13	4625262.65	390845.00	5016107.65
ID	0	0.25	0.25	23884.00	0.00	23884.00
NETL	0	1.25	1.25	200000.00	0.00	200000.00
NR	0	0.00	0.00	0.00	0.00	0.00
NRLFO	0	0.05	0.05	8912.25	0.00	8912.25
ORO	2	0.75	2.75	137564.00	0.00	137564.00
OSTI	0	0.39	0.39	49784.43	0.00	49784.43
ROO	1	0.71	1.71	210880.61	0.00	210880.61
SEPA	0	0.00	0.00	0.00	0.00	0.00
SPR	0	0.30	0.30	31019.00	0.00	31019.00
SRO	1	0.00	1.00	75000.00	0.00	75000.00
SWPA	0	0.10	0.10	3000.00	0.00	3000.00
WAPA	0	0.50	0.50	18000.00	0.00	18000.00
NNSA	8	2.00	10.00	1300000.00	38000.00	1338000.00
AGENCY OVERALL	46	20.20	66.20	7737209.37	455457.00	8192666.37

**X. FEES COLLECTED FOR PROCESSING REQUESTS**

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
BPA	482.00	0.0900
CBFO	0.00	0.0000
CH	0.00	0.0000
EMCBC	0.00	0.0000
GFO	116.50	0.1300
HQ	0.00	0.0000
ID	0.00	0.0000
NETL	0.00	0.0000
NR	0.00	0.0000
NRLFO	0.00	0.0000
ORO	0.00	0.0000
OSTI	0.00	0.0000
ROO	3365.00	1.6000
SEPA	0.00	0.0000
SPR	408.41	1.3200
SRO	0.00	0.0000
SWPA	0.00	0.0000
WAPA	0.00	0.0000
NNSA	0.00	0.0000
AGENCY OVERALL	4371.91	0.0600

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

Agency / Component	Number of Times Subsection Used
BPA	0
CBFO	0

CH	0
EMCBC	0
GFO	0
HQ	0
ID	0
NETL	0
NR	0
NRLFO	0
ORO	0
OSTI	0
ROO	0
SEPA	0
SPR	0
SRO	0
SWPA	0
WAPA	0
NNSA	0
AGENCY OVERALL	0

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

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
BPA	0	0
CBFO	0	0
CH	0	6
EMCBC	0	0
GFO	0	0
HQ	3	32
ID	0	0
NETL	0	0
NR	0	0

NRLFO	0	0
ORO	0	0
OSTI	0	0
ROO	0	902
SEPA	0	0
SPR	0	0
SRO	0	0
SWPA	0	0
WAPA	0	0
NNSA	0	0
AGENCY OVERALL	3	940

**XII.A. BACKLOGS OF FOIA REQUESTS AND ADMINISTRATIVE APPEALS**

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
BPA	0	n/a
CBFO	2	n/a
CH	0	n/a
EMCBC	7	n/a
GFO	5	n/a
HQ	330	13
ID	1	n/a
NETL	0	n/a
NR	0	n/a
NRLFO	1	n/a
ORO	21	n/a
OSTI	8	n/a
ROO	0	n/a
SEPA	0	n/a
SPR	0	n/a

SRO	0	n/a
SWPA	0	n/a
WAPA	1	n/a
NNSA	178	n/a
AGENCY OVERALL	554	13

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

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
BPA	0	0	0	0
CBFO	0	0	0	0
CH	0	12	12	0
EMCBC	0	0	0	0
GFO	0	1	1	0
HQ	133	108	57	184
ID	0	0	0	0
NETL	0	0	0	0
NR	0	0	0	0
NRLFO	0	0	0	0
ORO	1	0	1	0
OSTI	0	0	0	0
ROO	0	0	0	0
SEPA	0	0	0	0
SPR	0	0	0	0



	Number of Days	0	0	0	0	0	0	0	0	0	0
NETL	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
NR	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
NRLFO	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
ORO	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
OSTI	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
ROO	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
SEPA	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
SPR	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
SRO	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
SWPA	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
WAPA	Date	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Number of Days	0	0	0	0	0	0	0	0	0	0
NNSA	Date	2019-08-06	2019-07-24	2018-09-10	2018-05-31	2017-10-31	2017-09-14	2017-07-24	2017-01-09	2016-10-13	2015-09-29



	Number of Days	288	297	513	583	727	759	796	931	989	1249
AGENCY OVERALL	Date	2018-05-31	2018-05-07	2017-11-03	2017-10-31	2017-09-14	2017-07-24	2017-06-26	2017-01-09	2016-10-13	2015-09-29
	Number of Days	583	600	724	727	759	796	815	930	988	1248

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

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
BPA	58	77	62	65
CBFO	4	5	2	5
CH	65	40	67	34
EMCBC	51	36	54	46
GFO	37	14	42	13
HQ	1023	834	1071	808
ID	17	12	17	12
NETL	27	13	29	15
NR	0	0	0	0
NRLFO	3	6	5	5
ORO	121	74	118	69
OSTI	14	8	13	5
ROO	43	39	46	39
SEPA	0	0	0	0
SPR	4	14	5	14

SRO	16	29	15	28
SWPA	8	1	8	1
WAPA	24	13	22	9
NNSA	340	238	307	248
AGENCY OVERALL	1855	1453	1883	1416

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

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
BPA	0	0
CBFO	0	2
CH	0	0
EMCBC	14	7
GFO	1	5
HQ	276	330
ID	0	1
NETL	2	0
NR	0	0
NRLFO	1	1
ORO	12	21
OSTI	5	8
ROO	1	0
SEPA	0	0
SPR	0	0
SRO	0	0
SWPA	0	0
WAPA	0	1

NNSA	181	178
AGENCY OVERALL	493	554

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

Agency / Component	NUMBER OF APPEALS RECEIVED		NUMBER OF APPEALS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
HQ	47	47	44	46
AGENCY OVERALL	47	47	44	46

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

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
HQ	11	13
AGENCY OVERALL	11	13