

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

| | 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 |
|-----------------------|--|---|--|--|
| OIP | *1,530 | 2,846 | 3,660 | 716 |
| USPC | 2 | 6 | 7 | 1 |
| | | | | |
| Agency Overall | 1,532 | 2,852 | 3,667 | 717 |

* In its administrative appeal backlog projections issued November 1, 2007, OIP initially identified its number of appeals pending as of the start of the fiscal year as 1,580. A subsequent audit of its appeal database led to the adjustment of this pending appeal number to 1,530.

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

All of Fiscal Year 2008

| | 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 |
|-----------------------|------------------------------|--|---|---|--------------|
| OIP | 1,466 | 0 | *577 | 1,617 | 3,660 |
| USPC | 2 | 3 | 0 | 2 | 7 |
| AGENCY OVERALL | 1,468 | 3 | 577 | 1,619 | 3,667 |

* OIP's appeal database makes no distinction between partial and complete affirmance or reversal/remand of a request, so this number necessarily includes some appeals that were affirmed or reversed/remanded in part. For the last quarter of fiscal year 2008, OIP hand-tabulated the closed appeals to differentiate between the partially and completely affirmed or reversed/remanded appeals. The chart below contains this data. It is a subset of the data above, reflecting the last quarter of the fiscal year.

Last Quarter of Fiscal Year 2008

| | 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 |
|-----|------------------------------|--|---|---|-------|
| OIP | 469 | 59 | 113 | 223 | 864 |

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

| | 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 |
|---------------------------|-----------|------------|------------|----------|------------|------------|-----------|----------|------------|------------|------------|------------|----------|----------|
| OIP | 55 | 344 | 121 | 4 | 169 | 98 | 92 | 1 | 636 | 191 | 122 | 128 | 0 | 0 |
| USPC | 0 | 2 | 0 | 0 | 0 | 3 | 2 | 0 | 3 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | | | | | | | |
| AGENCY OVERALL | 55 | 346 | 121 | 4 | 169 | 101 | 94 | 1 | 639 | 191 | 122 | 128 | 0 | 0 |

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

| | 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 |
|-----------------------|------------|---|-------------------|--------------------|----------------------------------|------------------------------------|-------------------|-----------------------------|-----------------------|---|-------------------------------|
| OIP | 877 | 4 | 75 | 55 | 0 | 309 | 5 | 55 | 62 | 7 | 223 |
| USPC | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 1 |
| | | | | | | | | | | | |
| AGENCY OVERALL | 878 | 5 | 75 | 55 | 0 | 310 | 5 | 57 | 62 | 7 | 224 |

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

| | DESCRIPTION OF "OTHER" REASONS FOR DENIAL ON APPEAL FROM CHART C(2) AND NUMBER OF TIMES THOSE EXEMPTIONS WERE RELIED UPON | TOTAL |
|-----------------------|---|------------|
| OIP | Administrative closure - 86 No substantive issue to resolve on appeal - 137 | 223 |
| USPC | No substantive issue to resolve on appeal - 1 | 1 |
| | | |
| AGENCY OVERALL | | 224 |

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

| | MEDIAN NUMBER OF DAYS | AVERAGE NUMBER OF DAYS | LOWEST NUMBER OF DAYS | HIGHEST NUMBER OF DAYS |
|-----------------------|-----------------------|------------------------|-----------------------|------------------------|
| OIP | 49 | 229 | 1 | 2,794 |
| USPC | 18.5 | 39 | 1 | 196 |
| | | | | |
| AGENCY OVERALL | 49 | 229 | 1 | 2,794 |

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

| | DATE OF RECEIPT OF 10TH OLDEST APPEAL AND NUMBER OF DAYS PENDING | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | DATE OF RECEIPT OF OLDEST APPEAL AND NUMBER OF DAYS PENDING |
|-----------------------|--|-------------------|------------------|------------------|------------------|-------------------|-------------------|-------------------|------------------|---|
| OIP | 11/20/2007 | 11/15/2007 | 11/6/2007 | 11/5/2007 | 11/2/2007 | 10/25/2007 | 10/24/2007 | 10/16/2007 | 10/2/2007 | 10/2/2007 |
| | 216 | 219 | 225 | 226 | 227 | 233 | 234 | 240 | 249 | 249 |
| | | | | | | | | | | |
| USPC | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 9/19/2008 |
| | | | | | | | | | | 8 |
| AGENCY OVERALL | 11/20/2007 | 11/15/2007 | 11/6/2007 | 11/5/2007 | 11/2/2007 | 10/25/2007 | 10/24/2007 | 10/16/2007 | 10/2/2007 | 10/2/2007 |
| | 216 | 219 | 225 | 226 | 227 | 233 | 234 | 240 | 249 | 249 |

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