

Federal Permitting Improvement Steering Council (Permitting Council)

Annual Freedom of Information Act (FOIA) Report

Fiscal Year 2024

I. Basic Information Regarding Report

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

- Adriel Pond
Director of Operations
Permitting Council
Email: foia@permitting.gov
Phone: (202) 227-8873
- Doug Cho
Deputy General Counsel
Permitting Council
Email: foia@permitting.gov
Phone: (202) 679-9502

2. Provide an electronic link for access to the Report on the agency Web site.

- <https://www.permitting.gov/resources/fy-2024-annual-foia-report-data>

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

- A copy of this Report in paper form may be requested by email to foia@permitting.gov.

II. Making a FOIA Request

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

- FOIA requests may be submitted by email to foia@permitting.gov. They may also be sent to the following individuals:

- Adriel Pond
Director of Operations
Permitting Council
Email: foia@permitting.gov
Phone: (202) 227-8873
- Doug Cho
Deputy General Counsel
Permitting Council
Email: foia@permitting.gov
Phone: (202) 679-9502

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.

- Some of the requests received may be out of scope for the agency, no records found, or are covered under exemptions (b)(4), (b)(6) or other federal statutes, i.e. Privacy Act, etc.

3. Provide a functional electronic link to agency FOIA regulations, including the agency's fee schedule. (NOTE: Agency FOIA Regulations were formerly listed at Section XI of the human-readable version of the Report).

- The Permitting Council has not published agency FOIA regulations and is not currently accepting fees. Additional information about the agency's FOIA program can be found in the agency's FOIA reading room at: <https://www.permitting.gov/foia-reading-room>

III. Agency Component Abbreviations

Component Abbreviation	Component Name
FPISC-Main	Federal Permitting Improvement Steering Council

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
N/A	N/A	N/A	FPISC-Main	0	0

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
FPISC-Main	1	60	52	9
AGENCY OVERALL	1	60	52	9

After reviewing its database, FPISC adjusted the number of requests pending as of the start of the Fiscal Year.

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

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
FPISC-Main	5	11	0	31	0	1	0	2	0	2	0	0	52
AGENCY OVERALL	5	11	0	31	0	1	0	2	0	2	0	0	52

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
FPISC-Main	N/A	0	0

AGENCY OVERALL			0
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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
FPISC-Main	0	0	0	0	7	9	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	0	0	7	9	0	0	0	0	0	0	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
FPISC-Main	0	1	1	0
AGENCY OVERALL	0	1	1	0

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
FPISC-Main	0	1	0	0	1
AGENCY OVERALL	0	1	0	0	1

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
FPISC-Main	0	0	0	0	0	1	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	0	0	0	1	0	0	0	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
FPISC-Main	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	0	0	0	0	0	0	0	0	0

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
FPISC-Main	N/A	0	0
AGENCY OVERALL			0

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
FPISC-Main	54	54	54	54
AGENCY OVERALL	54	54	54	54

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

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	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
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VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
FPISC-Main	17	19	1	44	6	15.56	16	121	N/A	N/A	N/A	N/A
AGENCY OVERALL	17	19	1	44	6	15.56	16	121	N/A	N/A	N/A	N/A

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
FPISC-Main	18	20.15	6	44	16	22.89	35	121	N/A	N/A	N/A	N/A

AGENCY OVERALL	18	20.15	6	44	16	22.89	35	121	N/A	N/A	N/A	N/A
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VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
FPISC-Main	35	7	3	0	0	0	0	0	0	0	0	0	0	45
AGENCY OVERALL	35	7	3	0	0	0	0	0	0	0	0	0	0	45

Updated to remove non-perfected requests.

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

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
FPISC-Main	1	1	1	1	0	0	1	0	0	0	0	0	0	5
AGENCY OVERALL	1	1	1	1	0	0	1	0	0	0	0	0	0	5

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

Agency / Component	<1- 20 Days	21- 40 Days	41- 60 Days	61- 80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
FPISC-Main	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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
FPISC-Main	8	5	6.29	0	N/A	N/A	0	N/A	N/A
AGENCY OVERALL	8	5	6.29	0	N/A	N/A	0	N/A	N/A

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
FPISC-Main	Date of Receipt	N/A	N/A	2024-09-27	2024-09-26	2024-09-25	2024-09-24	2024-09-17	2024-09-17	2024-09-17	2024-09-17
	Number of Days Pending	0	0	2	3	4	5	10	10	10	10
AGENCY OVERALL	Date of Receipt	N/A	N/A	2024-09-27	2024-09-26	2024-09-25	2024-09-24	2024-09-17	2024-09-17	2024-09-17	2024-09-17
	Number of Days Pending	0	0	2	3	4	5	10	10	10	10

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
FPISC-Main	0	0	N/A	N/A	0
AGENCY OVERALL	0	0	N/A	N/A	0

VIII.B. Requests for Fee Waiver

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
FPISC-Main	0	0	N/A	N/A
AGENCY OVERALL	0	0	N/A	N/A

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
FPISC-Main	0	0.50	0.50	124500.00	0.00	124500.00

AGENCY OVERALL	0	0.50	0.50	124500.00	0.00	124500.00
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X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
FPISC-Main	0.00	0.0000
AGENCY OVERALL	0.00	0.0000

XI.A. Number of Times Subsection (C) Used

Agency / Component	Number of Times Subsection Used
FPISC-Main	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
FPISC-Main	4	1
AGENCY OVERALL	4	1

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
FPISC-Main	0	0
AGENCY OVERALL	0	0

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
FPISC-Main	0	7	6	1
AGENCY OVERALL	0	7	6	1

XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY

[illegible]

	Number of Days	0	0	0	0	0	0	0	0	0	5
AGENCY OVERALL	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2024-09-24
	Number of Days	0	0	0	0	0	0	0	0	0	5

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
FPISC-Main	12	60	13	52
AGENCY OVERALL	12	60	13	52

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
FPISC-Main	0	0
AGENCY OVERALL	0	0

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

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
FPISC-Main	0	1	0	1
AGENCY OVERALL	0	1	0	1

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
FPISC-Main	0	0
AGENCY OVERALL	0	0