

CIRCULAR

DATE December 16, 2015

**PROCESSING REQUESTS UNDER THE FREEDOM OF INFORMATION AND
PRIVACY ACTS**

REVIEW DATE: December 16, 2020

1.0 PURPOSE

This circular contains the Bureau of Engraving and Printing's (BEP) policy and procedures for processing requests submitted pursuant to the Freedom of Information Act (FOIA), 5 United States Code (USC) § 552 or the Privacy Act (PA), 5 USC § 552a and applicable regulations of the Department of the Treasury found at 31 Code of Federal Regulations (CFR) Part 1.

The Disclosure Officer in the Office of the Chief Counsel - FOIA and Transparency Services is responsible for administering the FOIA and PA programs at the BEP. All requests for records received pursuant to either the FOIA and/or PA shall be referred to the Disclosure Officer in the Office of the Chief Counsel - FOIA and Transparency Services. Unless otherwise officially authorized to do so, no BEP employee or contractor other than the Disclosure Officer may release records of the BEP, in whole or in part, under the provisions of the FOIA and/or PA. The Disclosure Officer will make the final determination on what records are properly releasable under the FOIA and/or PA.

2.0 SCOPE

This circular applies to all BEP components involved in processing FOIA/PA requests including the District of Columbia Facility (DCF) and the Western Currency Facility (WCF).

3.0 POLICY

It is the policy of the BEP to make available to the public, upon written request, records or extracts thereof, in accordance with the FOIA/PA and applicable regulations of the Department of the Treasury found at 31 CFR Part 1.

4.0 SUPERSESSION

This circular supersedes Circular No. 40-00.6A, "Processing Public Inquiries Under the Freedom of Information and Privacy Acts," dated May 2, 1991.

5.0 AUTHORITIES AND REFERENCES

- 5.1. Freedom of Information Act, [5 USC § 552](#).
- 5.2. Privacy Act of 1974, 5 USC § 552a.
- 5.3. Department of the Treasury's regulations, [31 CFR Part 1](#).
- 5.4. Presidential Memorandum on the Freedom of Information Act, [74 Fed. Reg. 4683](#), dated January 21, 2009.

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- 5.5. Office of Attorney General [Memorandum](#) on the Freedom of Information Act, dated March 19, 2009.
- 5.6. Office of Management and Budget (OMB) [M-10-06](#), Open Government Directive, dated December 8, 2009.
- 5.7. OMB Fee Schedule and Guidelines Implementing Certain Provisions of the Freedom of Information Reform Act, [52 Fed. Reg. 10012](#), dated March 27, 1987.
- 5.8. Department of the Treasury, The Freedom of Information Act, TD 25-05, dated March 1, 2000.
- 5.9. Department of the Treasury, The Freedom of Information Act Handbook, [TDP 25-05](#), dated December 2005.
- 5.10. Department of the Treasury, The Privacy Act of 1974, [TD 25-04](#), dated August 26, 2010.
- 5.11. Department of the Treasury, The Privacy Act Handbook, [TD P 25-04](#), dated June 2006.
- 5.12. Department of Justice, [Guide to the Freedom of Information Act](#).
- 5.13. Department of Justice, [Overview of the Privacy Act of 1974](#).

6.0 RESPONSIBILITIES

The BEP's Chief Counsel is responsible for general oversight of the FOIA and PA program and for designating one or more employees to serve as Disclosure Officer and as Appeals Officer.

6.1 The Disclosure Officer is responsible for:

- 6.1.1 Administering the FOIA and PA programs as the Director's agent;
- 6.1.2 Designating a FOIA/PA Coordinator to assist the Disclosure Officer in all matters relating to the administration of the provisions of this circular;
- 6.1.3 Determining whether to honor requests, in whole or in part, in accordance with the FOIA/PA;
- 6.1.4 Establishing a system to assign an individualized tracking number within 10 business days for each request received and provide to each individual filing a request the tracking number assigned to the request;
- 6.1.5 Acknowledging, in writing, receipt of the request, not later than 10 business days from receipt of the request;
- 6.1.6 Ensuring that FOIA requests are processed within 20 business days and PA requests within 30 business days. A request for more time to search and review records should not exceed 30 days unless exceptional circumstances require a longer period. Those circumstances are:
 - 6.1.7 The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;
 - 6.1.8 The need to search, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or
 - 6.1.8.1 The need for consultation, which shall be conducted with all practical speed, with another bureau or agency having substantial subject matter interest therein.

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- 6.1.9 Reviewing and approving all requests for records, letters of acknowledgement, deficiency letters, expedited processing requests, fee waivers and categories, extension(s), consultation(s), referral(s), certification letter(s), and notices of denial or delay to complete processing the FOIA/PA requests;
 - 6.1.10 Ensuring that all payments are sent to the BEP-Office of Financial Management, Accounting Division and maintaining copies of all receipts and BEP Form 8643-1, "Report of Collection" (see [Exhibit A](#)).
 - 6.1.11 Reviewing, approving, and transmitting BEP's Monthly, Annual, and Chief FOIA/PA Reports to the Department of the Treasury-Departmental Office;
 - 6.1.8.2 *Ensuring FOIA/PA training for BEP employees and contractors;*
 - 6.1.12 Establishing a telephone line or internet service that provides information about the status of a request;
 - 6.1.13 Reviewing and updating BEP's FOIA/PA website;
 - 6.1.14 Maintaining BEP's FOIA Library;
 - 6.1.15 Transmitting the FOIA/PA file to the Appeals Officer for disposition; and
 - 6.1.16 Performing all other duties required by the FOIA/PA, Department of the Treasury's Departmental Office, and Department of the Treasury's directives.
- 6.2 The FOIA/PA Coordinator is responsible for:
- 6.2.1 Entering all FOIA/PA requests and appeals into the automated FOIA/PA Online System and Tracking Table on the same day as receipt. The information recorded into the FOIA/PA Online System and Tracking Table shall include, at least:
 - 6.2.1.1 date received;
 - 6.2.1.2 name of the requester;
 - 6.2.1.3 subject;
 - 6.2.1.4 exemptions claimed; and
 - 6.2.1.5 date of disposition of the request (see [Exhibit B](#));
 - 6.2.2 Maintaining a separate paper record of all FOIA/PA records;
 - 6.2.3 Ensuring that all requests for records made pursuant to the FOIA are delineated separately from those requests for records made pursuant to the PA;
 - 6.2.4 Providing a copy of the incoming request to the Disclosure Officer on the same day as receipt of the request;
 - 6.2.5 Preparing appropriate transmittal email(s), memorandum, and certification letter(s) requesting responsive records for review by the Disclosure Officer (see Exhibits [C](#), [D](#));
 - 6.2.6 Routing transmittal email(s), memorandum, and certification letter(s) to the appropriate Office Chief for initial search and technical review;
 - 6.2.7 Collecting and reviewing the certification letter and responsive records sent by the Office Chiefs for review by the Disclosure Officer;
 - 6.2.8 Drafting the acknowledgment or deficiency letter to the requester for final review and signature approval by the Disclosure Officer;
 - 6.2.9 Drafting proper notice of delay in responding to the requester for approval by the Disclosure Officer. In circumstances where the Disclosure Officer has approved an extension to complete processing the FOIA/PA request, preparing a written notification to the requester indicating the extended completion date for signature approval by the Disclosure Officer;

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- 6.2.10 Calculating fees in accordance with the FOIA/PA and 31 CFR § 1.7 and following up on outstanding fees due by requesters;
 - 6.2.11 Recording and hand delivering all payments to the BEP-Office of Financial Management, Accounting Division and maintaining copies of all cash receipts and BEP Form 8643-1, "Report of Collection". (See, [Exhibit A](#));
 - 6.2.12 Updating the FOIA/PA Liaison list within each BEP component;
 - 6.2.13 Compiling and reviewing data to prepare the BEP's Monthly, Annual, and Chief FOIA/PA Reports for review and signature approval by the Disclosure Officer;
 - 6.2.14 Updating BEP's FOIA Library and website; and
 - 6.2.15 Performing all other duties required by the FOIA/PA, Department of the Treasury's Departmental Office, and Department of the Treasury's directives.
- 6.3 The Appeals Officer is responsible for:
- 6.3.1 Reviewing FOIA appeals received by the Director; and
 - 6.3.2 Absent unusual circumstances, recommending a decision to the Director within 20 business days after receipt of the appeal.
- 6.4 The Office Chief is responsible for:
- 6.4.1 Preserving, searching, collecting, reviewing, and preparing records within that office;
 - 6.4.2 Designating a FOIA/PA Liaison;
 - 6.4.3 Notifying the Disclosure Officer and/or FOIA/PA Coordinator of the name, telephone number, room number, and email address of the FOIA/PA Liaison within that office;
 - 6.4.4 Reviewing and signing the certification letter along with any records prepared by the designated FOIA/PA Liaison within 10 calendar days. The Office Chief may designate the FOIA Liaison as the signatory authority for the certification letter. However, the Office Chief will remain responsible for certifying whether there are responsive records; and
 - 6.4.5 Requesting and justifying an extension of time within two (2) calendar days before the due date.
- 6.5 The FOIA/PA Liaison is responsible for:
- 6.5.1 Searching, collecting, reviewing, and preparing records within that office and ensuring completion of the certification letter;
 - 6.5.2 Coordinating with the Records Liaison within that office for purposes of searching and collecting responsive records; and
 - 6.5.3 Routing the certification letter and appropriate records to the FOIA/PA Coordinator. The FOIA/PA Liaison must provide the original record plus a copy along with the certification letter. The original records will be returned once the Office of the Chief Counsel - FOIA and Transparency Services concludes processing the request.

7.0 PROCEDURES

- 7.1 The BEP responds to FOIA/PA requests by mail, fax, or the FOIA Online System of the Department of the Treasury. The BEP does not accept FOIA/PA requests by electronic mail.

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- 7.2 A request under the FOIA must:
- 7.1.1 Be in writing and signed;
 - 7.1.2 State that it is made pursuant to FOIA;
 - 7.1.3 Contain a statement that enables the processing office to determine the appropriate fee category (i.e., commercial requesters, educational institutions, non-commercial scientific institutions, news media, or all other requesters);
 - 7.1.4 Describe the nature of the record(s) being sought in sufficient detail to enable personnel to locate the records, including the dates or timeframes if possible;
 - 7.1.5 Provide an address where the determination letter may be sent;
 - 7.1.6 State whether the requester wishes to inspect the record(s) or have a copy made without first inspecting them;
 - 7.1.7 Contain a statement agreeing to pay fees for search, duplication, and/or review as appropriate. In the absence of an agreement to pay, the requester may submit a request for a waiver or reduction of fees, along with a justification of how such a waiver request meets the criteria for a waiver or reduction of fees in accordance with the FOIA, 5 USC § 552(a)(4)(A)(iii) and regulations of the Department of the Treasury found at 31 CFR § 1.7(d) (see section 9.0, Fees and Fee Waivers); and
 - 7.1.8 State whether the requester desires expedited processing due to a compelling need (see section 8.0, Expedited Processing).
- 7.3 A request under the PA must:
- 7.3.1 Be in writing and signed by the individual about whom the record is maintained or her/his duly authorized representative. A request for records or amendment of records on an individual made by a third party must include a release signed by the individual whose records are being requested;
 - 7.3.2 State that it is made pursuant to the PA;
 - 7.3.3 Describe the nature of the record(s) being sought in sufficient detail (i.e., dates or timeframes if possible) to enable personnel to locate the records;
 - 7.3.4 Provide the name of the system/subsystem or categories of records to which access is sought;
 - 7.3.5 Provide an address where the determination letter may be sent; and
 - 7.3.6 Include proof of identity that bears the requester's signature (i.e., driver's license) or a signed and dated notarized statement swearing or affirming the requester's identity and that she/he understands the penalties provided in 5 USC § 552a (i)(3) for requesting or obtaining access to records under false pretenses.
- 7.4 Under the FOIA, 5 USC § 552(a)(6)(A) and the Department of the Treasury regulations found at 31 CFR § 1.5(h), the BEP is required to respond to a perfected request within 20 business days of receipt unless the requester agrees to an extension or an extension is warranted under unusual circumstances.
- 7.5 For a PA request, the BEP has up to 30 business days after receipt of a perfected request to complete processing the request as set forth in the Department of the Treasury regulations found at 31 CFR § 1.26(g) unless unusual circumstances warrant a delay.

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- 7.6 When a determination has been made to grant or deny a request, a final determination will be mailed along with a certificate of service.
- 7.7 If the requester asks to inspect the record(s) in person, the record(s) will be made available in an area designated by the Disclosure Officer after reviewing the records(s) and any appropriate deletions are made. When it is not possible to bring the record to the individual, an escort will be provided and will remain with the individual until completion of the inspection.
- 7.8 If a requester does not respond within 30 calendar days to any communication from the BEP, the request file will be closed. The requester shall be advised of this rule.
- 7.9 The Office of the Chief Counsel - FOIA and Transparency Services will not process FOIA/PA requests during the Year-End Shutdown (YES) period. All FOIA/PA requests received during this time will be processed when operations resume at the DCF and WCF.

8.0 EXPEDITED PROCESSING

- 8.1 For expedited processing, the requester must demonstrate a "compelling need" in writing in accordance with the FOIA, 5 USC § 552(a)(6)(E) and the Department of the Treasury regulations found at 31 CFR § 1.5(e). Both the envelope and the request itself must be clearly marked "Expedited Processing Request."
- 8.2 A "compelling need" means that:
 - 8.1.1 Failure to obtain requested records on an expedited basis could reasonably be expected to pose an imminent threat to life or physical safety of an individual; or
 - 8.1.2 The requester is an individual primarily engaged in disseminating information, and there is an urgency to inform the public concerning actual or alleged Federal government activities.
- 8.3 The demonstration of "compelling need" must be supported by a certified statement by the requester under penalty of perjury to be true and correct to the best of her/his knowledge and belief. The statement should be in the form prescribed by 28 USC § 1746 as followed: "I declare under penalty of perjury that the foregoing is true and correct. Executed on (date)."
- 8.4 According to the FOIA, 5 USC § 552(a)(6)(E) and the Department of the Treasury regulations found at 31 CFR § 1.5(e), the BEP has 10 calendar days to grant or deny a request for expedited processing.
- 8.5 When expedited processing has been denied, requesters may file an appeal within 10 calendar days of the date of the notice of denial. The appeal must be in writing and addressed to: Disclosure Officer, Bureau of Engraving and Printing, Office of the Chief Counsel - FOIA and Transparency Services, 14th & C Streets, Room 419-A, SW, Washington, D.C. 20228. The appeal determination and notification must be made by the BEP within 10 business days of receipt of the appeal.

9.0 FEES AND FEE WAIVERS

9.1 When Charged.

Fees to be charged under the FOIA/PA will vary depending upon the requester category (i.e., commercial requester, educational institution, non-commercial scientific institution,

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news media, or all other requesters). Search, review, and duplication fees are calculated in accordance with the procedures set forth by the Department of the Treasury's regulations found at 31 CFR § 1.7, and may be charged, when applicable, even if no records are found or disclosed.

The BEP reserves the right to request payment after a request is processed and before records are released. Requesters have the option of deciding how much they are willing to pay for requested information, but it should not be less than twenty five dollars (\$25.00). The BEP does not charge a fee if the total cost of processing a FOIA request is fifteen dollars (\$15.00) or less and for a PA request three dollars (\$3.00) or less.

When it is anticipated that the fees will exceed two hundred and fifty dollars (\$250.00) and the requester has not indicated in advance her/his willingness to pay fees as high as are anticipated, payment of the estimated fees must be obtained prior to performing such work in the case of requesters with no history of payment.

When a requester or group of requesters attempts to break a request into a series of requests for the purposes of evading the assessment of fees, the BEP shall aggregate any such requests and charge accordingly.

The following schedule of fees shall be charged for materials and/or services furnished in response to requests for records received from commercial requesters, educational institutions, non-commercial scientific institutions, news media, or all other requesters. This also includes BEP's search and review, and costs of preparing records for inspection in those cases when the requester has not requested copies of the records.

- 9.1.1 Standard Paper Duplication. Twenty cents (20¢) per page (maximum size 8.5 x 14).
- 9.1.2 Photo Prints. An amount equal to actual processing costs based on labor, materials, and overhead expenses.
- 9.1.3 Formats/Tools (CD's DVD's, etc.). The actual cost of the tool(s), supplies, and time expended will be charged based on labor, material and overhead expenses.
- 9.1.4 Search and Review. The actual salary rate(s) of the individual(s) conducting the search and review, based on grade and step for each hour or fraction thereof.
- 9.1.5 Electronic Records Search and Review. Actual direct costs of the search, including computer search time, runs, and the operator's salary. The fee for a computer printout will be actual costs.
- 9.1.6 Other services. Other services and materials requested which are not covered by this section nor required by the FOIA/PA are chargeable at actual costs. This includes, but is not limited to: a) certifying that records are true copies, and/or b) sending records by special methods such as express mail, etc.

9.2 Fee Category

Fees to be charged under the FOIA/PA will vary depending upon the requester's category. The fee categories are as follows:

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- 9.2.1 **Commercial Use.** Refers to requests from or on behalf of one who seeks information for a use or purpose of furthering the commercial, trade, or profit interests of the requester.
- 9.2.2 **Educational Institution.** Refers to a preschool, a public or private elementary or secondary school, an institution of graduate higher education, an institution of undergraduate higher education, an institution of professional education, and an institution of vocational education, which operates a program or programs of scholarly research. This category does not include requesters wanting records for use in meeting individual academic research or study requirements.
- 9.2.3 **Non-Commercial Scientific Institution.** Refers to educational institutions which operate program(s) of scholarly research or non-commercial institutions which operate solely for the purpose of conducting scientific research -- the results of which are not intended to promote any particular product or industry.
- 9.2.4 **Representative of the News Media/Freelancers.** Refers to any individual gathering news for an entity organized and operated to publish or broadcast news to the public. This includes freelance journalists who, though not actually employed by the media, expect future publication of such information by the media.
- 9.2.5 **All other requesters.** Refers to requesters not falling into any of the categories mentioned above.

The following chart shows the services that are provided free of charge and the services, which are chargeable for the different requester categories:

Category	Free	Chargeable Fees
Commercial	None.	Search, review, and duplication.
Educational Institution	Search, review, and duplication up to 100 pages.	Duplication over 100 pages.
Non-Commercial Scientific Institution	Search, review, and duplication up to 100 pages.	Duplication over 100 pages.
News Media	Search, review, and duplication up to 100 pages.	Duplication over 100 pages.
All other requesters	For FOIA: 2 hours of search, review, and duplication up to 100 pages. For PA: Search, review, and duplication up to 100 pages.	For FOIA: Search after 2 hours and duplication over 100 pages. For PA: Duplication over 100 pages.

9.3 Waiver or Reduction of Fees

- 9.3.1 If the requester desires a waiver or reduction of fees, this must be done in writing. Fee waivers or reductions are not automatically granted. A requester is not eligible for a fee waiver solely because of indigence.
- 9.3.2 Pursuant to the FOIA, 5 USC § 552(a)(4) and Department of the Treasury regulations found at 31 CFR § 1.7(d), the BEP may waive or reduce the fees for services only under the following conditions:

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9.3.1.1 Furnishing the information is likely to contribute significantly to the public understanding of the operations or activities of the Federal government and is not primarily in the commercial interest of the requester.

9.3.1.2 When the collection of the aggregate fee is not considered to be in the public interest, such as when the cost of collection exceeds the fee to be paid.

9.4 Appeals of Denials of Requests for Waiver/Reduction of Fees or Fee Category.

- 9.4.1 When a request for waiver/reduction of fees has been denied, or there has been an adverse determination of the requester's fee category, requesters may file an appeal within 35 calendar days of the date of the notice of denial.
- 9.4.2 The appeal must be in writing and addressed to: The Director, Bureau of Engraving and Printing, 14th & C Streets, SW, Washington, D.C. 20228. Requesters must include the assigned FOIA/PA number, a copy of the request, the BEP final response letter, and any other correspondence associated with the request. The letter and the envelope should be clearly marked "Freedom of Information Act Appeal-Fee" or "Privacy Act Appeal-Fee."

10.0 PAYMENTS

Payment shall be sent in the form of a check or money order payable to the Bureau of Engraving and Printing and sent to the Disclosure Officer, Bureau of Engraving and Printing, Office of the Chief Counsel - FOIA and Transparency Services, 14th & C Streets, Room 419-A, SW, Washington, D.C. 20228. The Disclosure Officer shall record and hand-carry payments to the BEP-Office of Financial Management, Accounting Division, accompanied by a completed Form 8643-1, "Report of Collection" (see [Exhibit A](#)).

11.0 ADMINISTRATIVE APPEALS

- 11.1 A requester may appeal an initial FOIA determination to the Director of the BEP in any of the following circumstances:
- 11.1.1 Access to the record(s) has been denied in whole or in part;
 - 11.1.2 It has been determined that no responsive record(s) exist;
 - 11.1.3 An adverse determination has been made as to the fee waiver or category applicable to the request; or
 - 11.1.4 A request for expedited processing has been denied.
- 11.2 The appeal must be filed within 35 calendar days of the date of the notice of the relevant determination. However, an appeal of a denial for expedited processing must be filed within 10 calendar days of the denial.
- 11.3 Appeals must be in writing and addressed to: The Director, Bureau of Engraving and Printing, 14th & C Streets, SW, Washington, D.C. 20228. Requesters must include the assigned FOIA/PA number, a copy of the request, the BEP final response letter, and any other correspondence associated with the request. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal" or "Privacy Act Appeal."
- 11.4 Absent unusual circumstances, the BEP must make a determination with respect to any appeal within 20 business days after receipt of such appeal. If an adverse

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determination is made upon appeal, the Director shall inform the requester of her/his right to commence an action in the U.S. District Court.

12.0 FOIA LIBRARY

- 12.1 The FOIA, 5 USC § 552(a)(2) and the Department of the Treasury regulations found at 31 CFR § 1.4 require each agency to provide a place where the public may inspect and copy or have copied the following categories of records:
- 12.1.1 Final opinions, including concurring and dissenting opinions and orders made in the adjudication of cases, as defined in 5 USC § 551, that may be cited, used, or relied upon as precedents in future adjudications.
 - 12.1.2 Statements of policy and interpretations that have been adopted by BEP and are not published in the Federal Register. This qualification is generally met when the head of an agency or a responsible official who has been empowered by the agency to make an authoritative issuance has taken action.
 - 12.1.3 Administrative staff manuals and instructions, or portions thereof, which establish a BEP policy that affects a member of the public.
 - 12.1.4 Records that have been located and processed in response to a FOIA request that have become or are likely to become the subject of subsequent requests for substantially the same records, regardless of form or format. These are often referred to as "frequently requested" records.
 - 12.1.5 A general index of the records referred to under 12.1.4 above.
- 12.2 Listed below are some of the categories of records, which may be examined, copied, or reproduced in response to public inquiries:
- 12.2.1 Circulars
 - 12.2.2 Notices
 - 12.2.3 Bulletins
 - 12.2.4 Manuals and Operating Documents
 - 12.2.5 General Rules, Regulations, and Handbooks
 - 12.2.6 Production Reports
 - 12.2.7 Financial Statements with Respect to BEP Operations
 - 12.2.8 Invitations to Bid
 - 12.2.9 Purchase Orders
 - 12.2.10 Logs

The categories of records listed above have been published solely for the convenience of the public, and their inclusion in this index should not be construed as a determination that specific records are releasable. The BEP has the right to invoke the exemptions listed in the FOIA, 5 USC § 552(b) in appropriate instances.

- 12.3 The BEP FOIA Library is located at 14th & C Streets, SW, Washington, D.C. 20228-0001. Please contact the Disclosure Officer at (202) 874-2500 to schedule an appointment.

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13.0 RETENTION PERIOD

FOIA/PA records will be retained in accordance with the National Archives and Records Administration (NARA) General Records Schedule No. 4.2.

14.0 OFFICE OF PRIMARY RESPONSIBILITY

Office of the Chief Counsel - FOIA and Transparency Services

<ELECTRONICALLY APPROVED>

Leonard R. Olijar
Director

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EXHIBIT B

FOIA/PA REQUESTS FISCAL YEAR XXXX

REQUEST #	FOIA/PA	NAME	DESCRIPTION	DO	DATE REQUEST REC'D	DATE DEFICIENCY LETTER	ACKNOWLEDGMENT LETTER	DATE TASK DOCS SENT	DATE CERTIFICATION LETTER REC'D	AMENDED REQUEST REC'D	TRACK (I, II, III)	EXPEDITED PROCESSING	WAVES OF FEES	EXTENSION OF TIME REQUEST	DATE CLOSED	DISPOSITION	FOIA/PA EXEMPTION	FEES CHARGED	DATE PAYMENT REC'D	DATE APPEAL REC'D	COMMENTS	
1	XXXX-XX-XX	FOIA	Doc. John	BEP Monthly Production Report	XX	8/29/2012	8/30/2012	N/A	N/A	N/A	I	NO	NO	NO	10/5/2012	ACTIVE	N/A	NO	N/A		News Media	
2	XXXX-XX-XX	FOIA	Doc. John		XX	8/31/2012	N/A	9/6/2012	9/12/2012	9/27/2012	N/A	II	GRANTED	NO	9/28/2012	10/10/2012	ACTIVE - Imperfect	N/A	NO			
3	XXXX-XX-XX	FOIA	Doc. John		XX	9/4/2012	9/6/2012	N/A	N/A	N/A	II	NO	DENIED	NO	10/10/2012	CLOSED - Imperfect	N/A	NO	N/A			
4	XXXX-XX-XX	FOIA/PA	Doc. John	Contracts EMC, Net App and BEP	XX	9/4/2012										CLOSED - Full Grant		\$107.54	10/1/2012		*TD to OA 7/16/2013, CD	
5	XXXX-XX-XX	FOIA/PA	Doc. John		XX	9/10/2012								9/28/2012	CLOSED - Full Grant	b(5)					11/1/2012	
6	XXXX-XX-XX	FOIA	Doc. John		XX											CLOSED - Partial Grant/Denial	b(5), b(7)					
7	XXXX-XX-XX	PA	Doc. John		XX											CLOSED - Assigned to Another Agency						Referred to the OIG-Treas
8	XXXX-XX-XX	PA	Doc. John		XX											CLOSED - No Records Delivered						

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EXHIBIT C**MEMORANDUM**

TO: Name, Chief
Office of _____

FROM: Name, Disclosure Officer
Office of the Chief Counsel-FOIA and Transparency Services

SUBJECT: FOIA/PA Request for Records
FOIA/PA Request No. xxxx-xx-xxxx

DATE: Month, Day, Year

On (Month, Day, Year), the Office of the Chief Counsel - FOIA and Transparency Services received a Freedom of Information Act (FOIA) request under 5 USC § 552 (or Privacy Act (PA) request under 5 USC § 552a) from (Name of Requester) to obtain (description of records requested). Attached please find for your review the (FOIA or PA) request and a certification response letter that must be completed and signed.

Once you review the request, please determine if you have any responsive records. In determining whether you have responsive records, BEP is not obliged to create records. However, we are required to provide records that exist in either an automated system or manual record file.

If responsive records are found, please provide them within 10 calendar days upon receipt of this memorandum. Please provide the original record(s) plus one copy along with the certification response letter to the Office of the Chief Counsel-FOIA and Transparency Services, Room XX. We will determine what is appropriate for release pursuant to the (FOIA or PA). The original record(s) will be returned once we conclude processing the request. If you cannot respond within 10 calendar days, please submit a written request with a justification, within two (2) calendar days of your due date.

If you have any questions about this request, please call me at (xxx) xxx-xxxx.

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EXHIBIT D

CERTIFICATION LETTER FOIA/PA REQUEST FOR RECORDS

I. BACKGROUND DATA

Privacy Request No: xxx-xx-xxx
Date Received: (Month, Day, Year)

FOIA Request No. xxx-xx-xxx

Requester: (Name)

Nature of Request: (Description of Records)

II. OFFICE/PERSON RESPONSIBLE FOR PROVIDING INFORMATION TO THE OFFICE OF CHIEF COUNSEL-FOIA AND TRANSPARENCY SERVICES:

Name, Chief-Office of _____

III. CERTIFICATION AS TO INFORMATION PROVIDED FOR BEP RESPONSE

The attached is a FOIA/PA request filed under 5 USC § 552 or § 552a. You must provide all records maintained in your files relative to the above-captioned request within 10 calendar days upon receipt of this certification letter. Upon completion of your search and review, please indicate (X) the appropriate statement, sign and return to the Disclosure Officer, Office of Chief Counsel-FOIA and Transparency Services, Room XX.

1. _____ This certifies that records are on file and the records are enclosed.
2. _____ We are unable to provide you with copies in the time frame you requested. We shall furnish you with the required information by: _____. Please provide justification in the notes section below.
3. _____ We have searched and reviewed the files maintained in this office, and certify that there are no records responsive to this FOIA/PA request.

IV. EFFORT REQUIRED TO FURNISH REQUESTED INFORMATION

Please complete the information below.

SEARCH	REVIEW	NUMBER OF PAGES/COPIES	MATERIALS (i.e., COST OF CD, DVD ETC.)
HOURS: GS & STEP:	HOURS: GS & STEP:		

Print name: _____
Signature: _____
Title: _____

Date: _____

Notes _____
