

CHIEF FOIA OFFICER REPORT
High-Volume Agencies

2026

(Reporting period - March 2025 to March 2026)

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Section 1: FOIA Leadership and Applying the Presumption of Openness

The guiding principle underlying the Department of Justice’s (DOJ) 2022 FOIA Guidelines is the presumption of openness. The Guidelines also highlight the importance of agency leadership in ensuring effective FOIA administration. Please answer the following questions about FOIA leadership at your agency and describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA.

A. Leadership Support for FOIA

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. *See* 5 U.S.C. § 552(j)(1) (2018). Is your agency’s Chief FOIA Officer at or above this level?

Answer: Yes. The FOIA program is the responsibility of our Office of the General Counsel (“OGC”). I, FMSHRC’s Chief FOIA Officer, am an Attorney-Advisor (Senior) in OGC, and I administer the FOIA program under the authority of the Acting General Counsel Sarah Stewart.

2. Please provide the name and title of your agency’s Chief FOIA Officer.

Answer: Stacey George, Attorney-Advisor (Senior), Office of the General Counsel.

3. What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan?

Answer: While FOIA has been and continues to be a priority for the Commission, the program has not been incorporated into the Agency’s strategic plan to date. However, we have made it standard operating procedure to provide FOIA training to all incoming employees and periodic refresher training for existing employees. The Commission’s senior management is currently considering the inclusion of FOIA metrics in its Strategic Plan.

B. Presumption of Openness

4. DOJ’s 2022 FOIA Guidelines provides that “agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.” Does your agency provide such confirmation in its response letters?

Answer: Generally, yes, we do. Depending on the complexity of the release or denial or lack thereof, on occasion we may determine that the confirmation is not necessary.

5. In some circumstances, agencies may respond to a requester that it can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interested party protected by a FOIA exemption. This is commonly referred to as a Glomar response. If your agency tracks Glomar responses, please provide:

a) the number of times your agency issued a full or partial Glomar response during Fiscal Year 2025 (separate full and partial if possible);

Answer: We did not issue any Glomar responses this year.

b) the number of times a Glomar response was issued by exemption during Fiscal Year 2025 (e.g., Exemption 7(C) – 20 times, Exemption 1 – 5 times).

Answer: Zero.

6. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

Answer: Beyond proactively publishing records, making sure to apply the foreseeable harm analysis, and erring on the side of openness, there are no others to speak of at this time.

Section II: Ensuring Fair and Effective FOIA Administration

DOJ's 2022 FOIA Guidelines provide that "[e]nsuring fair and effective FOIA administration requires . . . proper training, and a full understanding of FOIA obligations by the entire agency workforce." The Guidelines reinforce longstanding guidance to "work with FOIA requesters in a spirit of cooperation." The Attorney General also "urge[s] agency Chief FOIA Officers to undertake comprehensive review of all aspects of their agency's FOIA administration" as part of ensuring fair and effective FOIA administration.

A. FOIA Training

1. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.

Answer: We provide FOIA training to all FMSHRC staff, including all new hires and Senior Leaders within their first 60 days at the Commission. We last held new hire FOIA training in October 2024, at the time of the Commission's last hiring of new personnel. The training consists of the agency's FOIA responsibilities, how the FOIA works, the FOIA scenarios particular employees are likely to encounter in their departments, and the role they will play in ensuring that the FOIA is properly carried out. In FY 2025 all agency personnel were required to complete the e-Learning modules provided by the Office of Information Policy ("OIP"). The modules will be available to all agency personnel for FY 2026.

2. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?

Answer: Yes.

3. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.

Answer: FMSHRC FOIA Personnel attended the: (1) Virtual Administrative Appeals, FOIA Compliance and Customer Service training, which covered FOIA the FOIA appeals process, accurate FOIA administration reporting, etc.; (2) Virtual Exemptions 4 and 5 training, which covered the requirements for protecting trade secrets, certain commercial and financial information, the submitter-notice process for exemption determinations, etc.; and (3) Privacy Considerations Training, which discussed FOIA/Privacy Act interface, and Exemptions 6 and 7(c).

4. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

Answer: 100% of our personnel attended one or more OIP trainings.

5. OIP has directed agencies to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

Answer: N/A.

6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff; and if senior leaders at your agency received a briefing on your agency’s FOIA resources, obligations and expectations during the FOIA process?

Answer: We provide FOIA training to all new FMSHRC staff, including senior leaders such as our Administrative Law Judges, Commissioners, and upper management, within their first 60 days of joining the Commission. The trainings give agency employees an opportunity to meet our entire FOIA staff, so they know who to contact with questions. Our trainings are sometimes in person and sometimes virtual. Historically, we would also conduct agency-wide refresher training every few years for all staff. However, since release of OIP’s e-learning modules, we use the modules for periodic agency-wide training. Finally, we post our FOIA memorandum to staff on our agency intranet site, which also outlines the responsibilities of non-FOIA professionals.

B. Outreach

7. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue and, if applicable, any specific examples.

Answer: Yes. Whenever we have a particularly voluminous or confusing request, we routinely reach out to the requesters to narrow and/or refine the scope of their requests. Requesters

generally welcome this as it helps to decrease their processing time and on occasion their processing fees. Sometimes we reach out through email communications and other times we call them directly. Whenever we speak with them over the phone, we always send a follow-up email describing the telephone discussion and asking the requester to confirm the FOIA Office's understanding of their amended request. This past year we worked on a request seeking all material submitted through OMB Max Portal. We engaged in successful conversations with the requester, which resulted in a narrowing of the scope of the search and a significant reduction in the potential number of records captured and requiring review.

8. Outside of the standard request process or routine FOIA Liaison or FOIA Requester Service Center interactions, did your FOIA professionals engage in any outreach or dialogue, with the requester community or open government groups regarding your administration of the FOIA? For example, did you proactively contact frequent requesters, host FOIA-related conference calls with open government groups, or provide FOIA training to members of the public? Please describe any such outreach or dialogue and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.

Answer: No.

9. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during Fiscal Year 2024 (please provide a total number or an estimate of the number for the agency overall).

Answer: Assistance was sought from our FOIA Public Liaison on two occasions during FY 2025.

C. Other Initiatives

10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement.

Answer: Yes. In the past, we discussed enlisting an employee from our Office of the Executive Director to assist with some administrative needs of the FOIA office. However, our agency has faced several challenges over the last few years, including changes in upper management, budget tightening, hiring freezes, and now the continued loss of agency staff as a result of retirement and deferred resignations. Consequently, these issues keep the FOIA program lower on the agency's list of priorities at a time when we have seen an increase in a broad range of complex requests from two requesters over the last two to three years. With only two part-time FOIA professionals to process all requests, our capacity and resources are stretched very thin for this micro-sized agency. In conclusion, we are simply unable to implement changes at this time due, in part, to circumstances outside of our agency's control.

11. How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics, etc. In addition, please specifically highlight any data analysis methods or technologies used.

Answer: Our agency is small and lacks adequate resources to generate sophisticated FOIA data processing metrics. As such, we use our FOIA log along with previous quarterly and annual reports as the basis for any metrics used to track and manage our overall processing times. For instance, the log allows us to quickly reference a specific request, which can assist in processing a subsequent, similar request quicker and more efficiently. The reports allow us to compare our processing numbers to our current data, which informs us of overall program lags in processing times and aids in setting useful benchmarks.

12. Optional -- If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here.

Answer: N/A

Section III: Proactive Disclosures

DOJ's 2022 FOIA Guidelines emphasize that "proactive disclosure of information is . . . fundamental to the faithful application of the FOIA." The Guidelines direct agencies to post "records online quickly and systematically in advance of any public request" and reiterate that agencies should post records "in the most useful, searchable, and open formats possible."

1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.

Answer: We routinely publish all final opinions and orders rendered in the adjudication of cases on our website. Once an adjudicatory opinion/order is issued, our docketing department forwards it to our website director for publication. When we receive a request for records not usually requested, we automatically consider whether it is appropriate for proactive disclosure. If we determine that it is, our FOIA Public Liaison has it published in our e-FOIA Library in the relevant proactive disclosure category (<https://www.fmsshrc.gov/content/foia-library>). We also preemptively identify records that we believe may be of significant public interest. If we deem it suitable for proactive disclosure, we have it published in our e-FOIA Library. Finally, we rely heavily on our FOIA log to track records that have been requested three or more times or even records requested only twice but may be of public interest.

2. Does your agency post logs of its FOIA requests?

Answer: Yes.

a. If so, what information is contained in the logs?

Answer: Our log includes received date, disposal date, information requested, disposition, exemption/description/information withheld, tracking number, and FOIA Portal tracking number (if applicable).

b. Are they posted in CSV format? If not, what format are they posted in?

Answer: No. They are posted in human readable format, specifically HTML. However, we are currently working with the appropriate internal departments to have the records posted in multiple formats for greater accessibility.

- c. Please provide a link to the page where any FOIA logs are posted. If applicable, please provide component links.

Answer: https://www.fmshrc.gov/foia/foia_logs.

3. Provide examples of any material (with links) that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D).

Answer: Under "Policies," we posted our Memorandum Concerning Whistleblower Protections and Prohibited Personnel Practices (2024), as well as our Equity Action Plan (Jan. 2022), which can be found at <https://www.fmshrc.gov/content/foia-library>.

4. Please provide a link (or component links, if applicable) where your agency routinely posts its frequently requested records.

Answer: <https://www.fmshrc.gov/content/foia-library>.

5. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?

Answer: Yes.

- If yes, please provide examples of such improvements, such as steps taken to post information in open and machine-readable formats. If not taking steps to make posted information more useful, please explain why.

Answer: The FMSHRC site is slated for a partial redesign to update the technology, make it more 508 compliant, and incorporate more user-friendly formats. Our IT team has been working with our Privacy Act team, EEO Director, and Records Officer to flush out the needed improvements, and the necessary changes are currently underway. In the meantime, the layout of the FOIA Library clearly delineates the categories of proactive disclosures so that the requester community understands why the record has been proactively disclosed, and we will continue to do our best to keep the website updated and running smoothly.

6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction.

Answer: Yes. Currently, when we identify any record that we believe may be suitable for proactive disclosure, we usually discuss it with the custodian of the record, which could be in any of the various agency departments. During this discussion, we ask that the keeper of the record identify any sensitive aspect of the record that we are unfamiliar with and why they believe the information to be sensitive. We then work with our website director to ensure proper placement and publication of our proactive disclosures.

7. Optional -- Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area.

Answer: One best practice we employ is that in addition to the FOIA team actively looking for records suitable for proactive disclosure, we have asked department heads to identify records they believe may be of sufficient interest to the public. Another best practice is that we clearly identify the category of proactive disclosure a record falls within when we publish the record.

The primary challenge we face in this area is that we already routinely proactively disclose the documents that are appropriate for this initiative, and we rarely have documents requested more than twice. Therefore, unless a major action has been taken in a case of significant interest to the public, we seldom have new documents suitable for proactive disclosure.

Section IV: Steps Taken to Make Better Use of Technology

A key component of FOIA administration is using technology to make information available to the public and to gain efficiency in FOIA processing. DOJ's 2022 FOIA Guidelines emphasize the importance of making FOIA websites easily navigable and complying with the FOIA.gov interoperability requirements. Please answer the following questions to describe how your agency is using technology to improve its FOIA administration and the public's access to information.

1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?

Answer: Yes.

2. Please briefly describe any new types of technology your agency uses to support your FOIA program.

Answer: There were no new technologies introduced to our FOIA program this year.

3. Does your agency currently use any technology to automate request intake, customer service, or record processing? For example, does your agency use artificial intelligence or other tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology.

Answer: Yes. We use Office 365 Security & Compliance Center eDiscovery, which is a more reliable and comprehensive means to search for specific agency records in electronic format. This system is vast and very complex, so it will take some time to become proficient in using it. Currently, it does not appear to save much time for the FOIA team. We have only two processing officers, working on FOIA part-time, and we use the system infrequently. Thus, there is a need to refamiliarize ourselves when we use it, which adds to search time. It does, however, provide the FOIA team with direct access to certain agency records rather than having to go through IT or individual employees to gain access. It is also extremely useful when searching for records that were under the control of former employees or employees on leave. The financial resources saved, if any, is unclear at this time.

4. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

Answer: Yes. Our FOIA homepage is in compliance with the key information and resources requirements discussed in the 2017 Guidance. We also update the site as needed throughout the year.

5. Did all four of your agency's quarterly reports for Fiscal Year 2025 appear on FOIA.gov?

Answer: Yes.

6. If your agency did not successfully post all quarterly reports on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2026.

Answer: N/A.

7. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2024 Annual FOIA Report and, if available, for your agency's Fiscal Year 2025 Annual FOIA Report.

Answer: The link for the FY 2024 report is <https://www.fmshrc.gov/node/5513203>.

The link for the FY 2025 report is NOT YET AVAILABLE.

8. In February 2019, DOJ and OMB issued joint Guidance establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance?

Answer: Yes. Currently, the Commission accepts FOIA requests via a formal, structured email to a designated e-mail inbox. We also maintain an account on FOIA.gov where we update information about the Commission's FOIA administration, including our FOIA contact information. In addition, we maintain a customized FOIA request form on our website tailored to our own FOIA regulations.

9. Optional -- Please describe your agency best practices in better utilizing technology and any challenges your agency faces in this area.

Answer: We rely heavily on email as our primary mode of communication. This makes receiving and responding to requests quicker and more efficient. We also went completely paperless in March of 2020, which we believe has resulted in greater efficiency with our program. The main challenge faced by our agency is our lack of access to more sophisticated technology, which is largely due to our small size, commensurate budget, and insufficient resources.

Section V: Steps Taken to Remove Barriers to Access, Improve Timeliness in Responding to Requests, and Reduce Backlogs

DOJ's 2022 FOIA Guidelines instruct agencies "to remove barriers to requesting and accessing government records and to reduce FOIA processing backlogs." Please answer the following questions to describe how your agency is removing barriers to access, improving timeliness in responding to requests, and reducing FOIA backlogs.

A. Remove Barriers to Access

1. Has your agency established alternative means of access for any categories of first-party requested records, outside of the typical FOIA or Privacy Act process?

Answer: Outside of requesters having the ability to submit Privacy Act requests through the FOIA Office, we have not established any alternative means of access.

2. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know.

Answer: We have not experienced any problems with first-party requesters obtaining records, so we saw no need to seek an alternative means of access. Additionally, we receive limited first-party requests. Finally, we are only recently building out our Privacy program and currently have no permanent Privacy Act Officer or Senior Agency Official for Privacy, although we have an Acting Senior Agency Official for Privacy and a Privacy Act team.

3. Please describe any other steps your agency has taken to remove barriers to accessing government information.

Answer: None to speak of at this time.

B. Timeliness

4. For Fiscal Year 2025, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2025 Annual FOIA Report.

Answer: One day.

5. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2025 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

Answer: N/A.

6. Does your agency utilize a separate track for simple requests?

Answer: Yes.

7. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2025?

Answer: Yes.

8. If not, did the simple track average processing time decrease compared to the previous Fiscal Year?

Answer: N/A.

9. Please provide the percentage of requests processed by your agency in Fiscal Year 2025 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.

Answer: 56%.

10. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

Answer: N/A.

C. Backlogs

BACKLOGGED REQUESTS

11. If your agency had a backlog of requests at the close of Fiscal Year 2025, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024?

Answer: Yes.

12. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2025 than it did during Fiscal Year 2024?

Answer: N/A

13. If your agency's request backlog increased during Fiscal Year 2025, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests
- A loss of staff
- An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)
- Litigation
- Any other reasons – please briefly describe or provide examples when possible

Answer: N/A

14. If you had a request backlog, please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."

Answer: 2.8%.

BACKLOGGED APPEALS

15. If your agency had a backlog of appeals at the close of Fiscal Year 2025, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024?

Answer: N/A.

16. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2025 than it did during Fiscal Year 2024?

Answer: N/A.

17. If your agency's appeal backlog increased during Fiscal Year 2025, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming appeals
- A loss of staff
- An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)
- Litigation
- Any other reasons – please briefly describe or provide examples when possible

Answer: N/A.

18. If you had an appeal backlog, please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2025 and/or has no appeal backlog, please answer with "N/A."

Answer: N/A.

D. Backlog Reduction Plans

19. In the 2025 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2024 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2025?

Answer: N/A.

20. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2025, please explain your agency's plan to reduce this backlog during Fiscal Year 2026.

Answer: N/A.

E. Reducing the Age of Requests, Appeals, and Consultations

TEN OLDEST REQUESTS

21. In Fiscal Year 2025, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2024 Annual FOIA Report?

Answer: Yes.

22. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2024 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

Answer: N/A.

23. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

Answer: With only a part-time FOIA staff who have other duties, we try to prioritize processing the oldest requests as best we can.

TEN OLDEST APPEALS

24. In Fiscal Year 2025, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2024 Annual FOIA Report?

Answer: N/A.

25. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2024 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

Answer: N/A.

26. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

Answer: N/A.

TEN OLDEST CONSULTATIONS

27. In Fiscal Year 2025, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2024 Annual FOIA Report?

Answer: N/A.

28. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2024 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

Answer: N/A.

ADDITIONAL INFORMATION REGARDING TEN OLDEST

29. If your agency did not close its ten oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2026.

Answer: N/A.

F. Additional Information about FOIA Processing

30. Were any requests at your agency the subject of FOIA litigation during the reporting period? If so, please describe the impact on your agency’s overall FOIA request processing and backlog. If possible, please indicate:

- The number and nature of requests subject to litigation
- Common causes leading to litigation
- Any other information to illustrate the impact of litigation on your overall FOIA administration

Answer: No.