**FOIA Measurement Project Codebook**

**David E. Lewis**

**Abby K. Wood**

This codebook describes the data collected as part of the FOIA Measurement Project. This was a collaborative project between David E. Lewis at Vanderbilt University and Abby K. Wood at the University of Southern California (formerly UC Berkeley). The project data was collected by the principal investigators and a research team comprised of Gbemende Johnson, Evan Haglund, John Hudak, Saskia Lewis, and Jennifer Selin during 2011.

The dataset is comprised of 1) data stemming from multiple Freedom of Information Act requests sent by the research team to 132 agencies during the month of May, 2011 and 2) data on the agencies, FOIA offices, and FOIA officers that were the respondents targeted in these FOIA requests. The FOIA requests asked agencies for information useful for several ongoing research projects for the team. Specifically we asked for data about FOIA offices themselves (Lewis), appointed personnel (Lewis), political oversight of agencies (Selin), and whistleblower complaints (Wood).

We organized the content and timing of these requests to also be able to use the responses themselves as a data-generating process. This dataset includes information about the FOIA responses, including whether or not agencies responded, how long it took agencies to respond, and the quality of their responses. Notably, we organized our requests as an audit study to develop a measurement of responsiveness. We conduct a census of the entire list of federal agencies with a FOIA office, save a few that we omitted due to centralized FOIA processing (meaning they probably should not have been listed independently by the DOJ, the source of our list of FOIA offices) or core mission overlap with another agency on the list.

*Agency Data*

**Case#**--Unique case identifier that varies from 1 to 264.

**AgencyName**—Name of the agency.

**AgencyID**—Unique agency identifier that varies from 1 to 132.

**EOP (0,1)**—Indicator for whether the agency is located in the Executive Office of the President.

**Cabinet (0,1)**—Indicator for whether the agency is or is located within a Cabinet Department.

**Independent (0,1)**—Indicator for whether the agency is or is located outside a Cabinet Department or the Executive Office of the President.

**Department**—Denotes the name of the cabinet department the agency is located within. Those not in the cabinet are coded with either “Independent” or “Executive Office of the President”.

**DepartmentID**—Unique department identifier that varies from 1 to 16. Agencies that are not part of the cabinet are coded with a 0 if they are an independent agency and a 5 if they are part of the Executive Office of the President.

**Commission (0,1)**—Indicator for whether or not the agency is run by a board or commission. This can sometimes be difficult to disentangle, particularly for government corporations and foundations. For example, if a government corporation has a part-time, unpaid board and a full-time CEO is it a commission? For coding purposes, all agencies with the word board, committee, or commission in the name are coded with a 1. In other cases where there was a question (i.e., agencies not called a commission, committee, or board), agencies with full time board members were coded with a 1. Agencies without full-time paid boards were coded with a 0.[[1]](#footnote-1)

**Bureau (0,1)**—Indicator for whether the agency is a sub-cabinet agency.

*FOIA Request Data*

Over the course of three weeks in May 2011, we submitted 2 sets of FOIA requests to almost all agencies in the federal government.[[2]](#footnote-2) We sent baseline and politically sensitive requests. We sent the requests in on May 9 2011 (132 of each type). The full set of requests is in Appendix B. The letters did ask for an educational classification for fee purposes but no other information indicated anything about the requester. Letters were printed on plain white paper and placed into plain white envelopes (typed) and stamps were placed on the letters.

**Request** (Baseline, Politically Sensitive)—Indicates whether the request sent to the agency was a baseline or politically sensitive request.

**SendDate**—The date that the request was sent to the agency. We placed the first wave of requests, which included requests concerning the FOIA office itself, in the mail on May 9, 2011. We placed the second wave of requests in the mail on May 25, 2011.

**ConfirmationDate**—The date that the agency acknowledged the request. This is the date we received an email, letter, or telephone call from the agency. The normal procedure for agencies is to send a confirmation by letter or email that they have received a request and they assign the request a unique case identifier. In some cases the confirmation date and final response date are the same. We take the date on the letter as being determinative even in cases where it took a lot longer to get the confirmation than the date on the letter.

**Confirm (0,1)**: This is an indicator coded 1 if the agency had confirmed receipt of the request by May 9, 2012 (one year after the initial request).

**Timeconfirm**: This the number of days from the time the letter was sent until we received confirmation. The maximum is 366 days, one year after the request was sent.

**ConfirmationMethod**—The form in which we were contacted by the agency the first time. Most responses come via email or letter. Some confirmations are first made via telephone call.

**Tracking# —**Agency case number assigned to each FOIA request. Not all agencies give FOIA requests unique identifiers but most do.

**Respondent**—Name of the person confirming the request, namely the person signing the letter, signing the email, or making the telephone call which first confirms the receipt of a request.

**Title**—The title associated with their signature.

**Contact1Method**—The mode of communication if an agency contacted us for some other reason than a standard confirmation or filling of request.

**Contact1Nature**—Subject of the contact. Some examples include: 1) Clarification of the details of a request and 2) Request for an extension. FOIA regulations require an agency to issue a determination within 20 working days of receiving a request, excluding weekends and holidays. Agencies may ask for extensions to this time frame or stop working on a request until the requester provides fees or clarifying information.

**Contact1Date**—Date of contact

**Contact**—Name of contact

**FinalresponseDate**—Date on which the agency made a final determination. This is the date we received an email, letter, or telephone call from the agency with their final decision. In some cases the confirmation date and final response date are the same. We take the date on the letter as being determinative even in cases where it took a lot longer to get the confirmation than the date on the letter. Responses can be to deny the request, partially fill the request, or fill the request in full.

**Respond (0,1):** This is an indicator coded 1 if the agency had made a final determination on the request by May 9, 2012 (one year after the initial request).

**Timerespond:** This the number of days from the time the letter was sent until we received a final determination on the request. The maximum is 366 days, one year after the request was sent.

**Finalresponsemethod**—The form in which we were contacted by the agency in the final determination. All responses come via either email or letter.

**Outcome**—Responses can be to *deny* the request, *partial*ly fill the request, or fill the request in *full*. If a request is filled but with exemptions, this is classified as a partial filling. If the agency says they are denying a request but provide us a link to the information anyway, this is coded as filling the request in full. Agencies can also indicate that they have *no records* responsive to our request.

**Respondent**—Name of the person signing the letter or signing the email that includes the final determination on request.

**Title**—Title of the person signing the letter or signing the email that includes the final determination on request.

**Determination**—Content of the response. What did the agency send in response? This column also includes details of the quality of the response. Some examples include:

* Fees charged
* Asking for notarized proof of identity
* Claiming their agency does not have political appointees when their letterhead includes information about their appointees
* Changing the grounds on which a request is rejected
* Providing more information than was requested
* Filling requests that could have been denied
* Using Federal Express or UPS overnight to fill requests
* Harassing telephone calls

**Fydateonly (0,1, NA):** This is an indicator for whether the agency provided a FOIA docket as requested by fiscal year rather than calendar year. NA responses include those where there was no response.

**Bad (0,1):** This is an indicator for whether the response quality was poor. A response was coded with a 1 if the response did not comply with the law or was not fully responsive. Reasons for a 1 coding included asking for notarized proof of identity, wrong information, partial year logs, fee requests.

**Fee (0,1):** This is an indicator for whether the agency tried to charge us a fee despite the fact that we were educational requesters.

**Norecords (0,1):** This is an indicator for whether the agency claimed it had no records responsive to our request.

**Texemption:** This is a count of the number of different types of exemptions claimed. This varies from 0 to 3.

**Exemption (1-9):** Agencies responding to requests were able to block out information or refuse to provide information if the information fell under one or more of nine exemptions. The dataset includes indicators for whether or not the agency blocked out some information in their response. These exemptions are[[3]](#footnote-3):

(b)(1) EXEMPTION - Protects Classified Matters of National Defense or Foreign Policy;

(b)(2) EXEMPTION - Internal Personnel Rules and Practices;

(b)(3) EXEMPTION - Information Specifically Exempted by Other Statutes;

(b)(4) EXEMPTION - Trade Secrets, Commercial or Financial Information;

(b)(5) EXEMPTION - Privileged Interagency or Intra-Agency Memoranda or Letters;

(b)(6) EXEMPTION - Personal Information Affecting an Individual's Privacy;

(b)(7) EXEMPTION - Investigatory Records Compiled for Law Enforcement Purposes;

(b)(8) EXEMPTION - Records of Financial Institutions;

(b)(9) EXEMPTION - Geographical and Geophysical Information Concerning Wells.

*Agency and FOIA Office Data*

**Employees (FY2010)—**Number of full-time FOIA employees in FY 2010 according to FOIA.gov.

**Staff (FY2010)—**Number of full-time FOIA staff in FY 2010 according to FOIA.gov.

**Number of Requests (FY2010)—**Number of FOIA requests the agency received in FY 2010.

**Number Pending—**Number of requests pending at the end of FY 2010. These are requests where the agency has not taken a final action.

**Number of Full Grants—**Number of requests that were granted in full by the agency in FY 2010.

**Median Days for Simple—**Median number of days the agency took to respond to a simple request according to their own data. According to FOIA.gov a simple request is “A FOIA request that an agency anticipates will involve a small volume of material or which will be able to be processed relatively quickly.”[[4]](#footnote-4)

**Median Days for Complex—**Median number of days the agency took to respond to a complex request according to their own data. According to FOIA.gov, a complex request is “A FOIA request that an agency anticipates will involve a voluminous amount of material to review or will be time-consuming to process.” The agency FOIA staffs make the determination of what constitutes a simple or complex request.

**Average Days for Simple—**Average number of days the agency took to respond to a simple request according to their own data. According to FOIA.gov a simple request is “A FOIA request that an agency anticipates will involve a small volume of material or which will be able to be processed relatively quickly.”[[5]](#footnote-5)

**Average Days for Complex—**Average number of days the agency took to respond to a complex request according to their own data. According to FOIA.gov, a complex request is “A FOIA request that an agency anticipates will involve a voluminous amount of material to review or will be time-consuming to process.” The agency FOIA staffs make the determination of what constitutes a simple or complex request.

**Number of Backlogged Requests—**Number of requests pending beyond the statutory time period for a response at the end of FY 2010.

**BenefitsPrograms**: Number of programs implemented by agency that confer benefits. Agencies with more benefits programs are more likely to be subject of litigation. FOIA requests often accompany litigation for benefits. Source: Benefits.gov.

 

Given the coarseness of the data, we use a simple indicator for whether or not an agency was responsible for benefits programs.

**Respondent on Initial Response—**This is the person that confirmed the initial request.

**Title.2--** This is the title of the person that confirmed the initial request.

**Bio in Yellow Book (0,1)—**This indicates whether the *Federal Yellow Book* (<http://www.leadershipdirectories.com/>, last accessed June 30, 2011) includes a listing for this person.

**Appointment Authority—**This column indicates whether the person is a career professional (CA), a career member of the Senior Executive Service (CA (SES)), a non-career member of the Senior Executive Service (NA), a Schedule C appointee (SC), or a Senate-confirmed political appointee. In cases where the person could not be found, these columns are left blank unless there is other evidence in the letter or *Federal* *Yellow Book* indicating the location of the FOIA office and its personnel. All persons not in the *Federal Yellow Book* are assumed to be career professionals. Below is an example of a FOIA contact from the Pension Benefit Guaranty Corporation.

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| Best Contact Information |
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| Career History |
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| Deputy Director, Communications and Public Affairs Department, Office of the Executive Director, Pension Benefit Guaranty Corporation |

**Location—**This is the part of the agency where the FOIA respondent works. The most common locations are *management* directorates, *general counsel*s*’* offices, *executive secretariat*s (i.e., in a separate office under the secretary, administrator, or commission chair), or the office of *public affairs*. Each agency refers to these portions of their agencies by different names (e.g., legal affairs, administration, or communications). This column labels similar parts of the agencies by the same name rather than using the name each agency uses for itself. In the case of the person listed above, this would be coded with General Counsel since his office is located under the General Counsel’s office.

**Number of Layers—**This is the number of layers in the organization chart between the office that includes the nearest appointee in the organization chart.



So, for example, in the Pension Benefit Guarantee Corporation, the director of the Disclosure Division (FOIA/Privacy Act) office is E. William Fitzgerald, a careerist.[[6]](#footnote-6) Above him in the organization chart is the Office of the General Counsel (1), headed by Judith R. Starr, another careerist.



Above the Office of the General Counsel is the Office of the Director (2), Joshua Gotbaum, a Senate Confirmed Appointee. This is two layers above Fitzgerald. If Fitzgerald or someone in his office were the respondent in a letter, this would be coded with a 2, indicating that the respondent would have to go two levels up in the organization chart to reach and appointee. A person that was an appointee or working in an office directly headed by an appointee would be coded with a 0.

In some cases the *Federal Yellow Book* indicates offices and divisions within agencies by their listing in the book rather than in the organization chart. So, for example, the Office of the Secretary will include offices of civil rights, general counsel, public affairs, etc. but only the Office of the Secretary will be included in the organization chart. In such cases the text listing of the Office of the Secretary will include internal organization via formatting. Namely, the office in question will be indented in the following manner:

Office of the Secretary

Chief of Staff

Deputy Chief of Staff

 General Counsel

 Associate Counsel

 Associate Counsel

In such cases the indented office (e.g., General Counsel’s office) is considered as an office below the office of the secretary, but only if the text listing in the *Federal Yellow Book* includes this indenting and suggests such a structure.

**Contact 2 Method**—The mode of communication if an agency contacted us a second time for some other reason than a standard confirmation or filling of request.

**Contact 2 Reason**—Subject of the second contact. Some examples include: 1) Clarification of the details of a request and 2) Request for an extension. FOIA regulations require an agency to issue a determination within 20 working days of receiving a request, excluding weekends and holidays. Agencies may ask for extensions to this time frame or stop working on a request until the requester provides fees or clarifying information.

**Contact 2—**Name of second person contacting us.

**Contact 2 Date**—Date of second contact.

**PAS Appointees (PAS)—**The number of Senate-confirmed positions in an agency as of November, 2008. Source: U.S. Congress. Senate. Committee on Homeland Security and Governmental Affairs. 2008. *Policy and Supporting Positions*. 110th Cong., 2d Sess (<http://www.gpoaccess.gov/plumbook/2008/index.html>, last accessed June 30, 2011).

**Non-career SES (NA)—**The number of persons serving in the agency as non-career members of the Senior Executive Service as of March, 2011. Source: data from the Office of Personnel Managements, Central Personnel Data File (<http://www.fedscope.opm.gov/>, last accessed June 30, 2011).

**Career SES (CA)—**The number of persons serving in the agency as career members of the Senior Executive Service as of March, 2011. Source: data from the Office of Personnel Managements, Central Personnel Data File (<http://www.fedscope.opm.gov/>, last accessed June 30, 2011).

**Sch C appointees (SC)**—The number of persons serving in the agency as Schedule C appointees as of March, 2011. Source: data from the Office of Personnel Management, Central Personnel Data File (<http://www.fedscope.opm.gov/>, last accessed June 30, 2011).

**Totalapp—**The total number of appointees serving in the agency. This is calculated as the sum of the number of Senate-confirmed positions, non-career members of the Senior Executive Service, and Schedule C appointees.

**Employment (March 2011)—**The total number of employees serving in the agency as of March, 2011. Source: data from the Office of Personnel Managements, Central Personnel Data File (<http://www.fedscope.opm.gov/>, last accessed June 30, 2011).

**budgetOutlays2010—**Agency budget in fy2010.

**FOIA Contact—**This the person FOIA.gov lists as the person to contact with FOIA requests or questions for each agency. Most agencies name a specific person but a small handful list only “FOIA Contact” or the equivalent. In cases where no specific person is listed we tried to identify a person by looking through the *Federal Yellow Book* and the agency website. Usually, this person is the head of the FOIA office or the FOIA public liaison listed on the agency’s FOIA website.

**FCTitle—**The title of the person listed on the FOIA.gov website as the FOIA contact.

**FCBio (in Yellow Book)**—This indicates whether the *Federal Yellow Book* (<http://www.leadershipdirectories.com/>, last accessed June 30, 2011) includes a listing for the person listed as the FOIA contact on the FOIA.gov website.

**FCAppointment Authority—**This column indicates whether the person is a career professional (CA), a career member of the Senior Executive Service (CA (SES)), a non-career member of the Senior Executive Service (NA), a Schedule C appointee (SC), or a Senate-confirmed political appointee. In cases where the person could not be found, these columns are left blank unless there is other evidence in the letter or *Federal* *Yellow Book* indicating the location of the FOIA office and its personnel. All persons not in the *Federal Yellow Book* are assumed to be career professionals. Below is an example of a FOIA contact from the Pension Benefit Guaranty Corporation.

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| Career History |
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| Deputy Director, Communications and Public Affairs Department, Office of the Executive Director, Pension Benefit Guaranty Corporation |

In cases where the respondent was not listed in the *Federal Yellow Book* we tried to find out the location of the FOIA office and the number of layers by examining other information in the respondent communication, the *Federal Yellow Book*, the FOIA.gov website, and the agency website.

**FCLocation—**This is the part of the agency where the FOIA respondent works. The most common locations are *management* directorates, *general counsel*s*’* offices, *executive secretariat*s (i.e., in a separate office under the secretary, administrator, or commission chair), or the office of *public affairs*. Each agency refers to these portions of their agencies by different names (e.g., legal affairs, administration, or communications). This column labels similar parts of the agencies by the same name rather than using the name each agency uses for itself. In the case of the person listed above, this would be coded with General Counsel since his office is located under the General Counsel’s office. In cases where the respondent was not listed in the *Federal Yellow Book* we tried to find out the location of the FOIA office and the number of layers by examining other information in the respondent communication, the *Federal Yellow Book*, the FOIA.gov website, and the agency website.

**FCLayers—**This is the number of layers in the organization chart between the office that includes the nearest appointee in the organization chart.



So, for example, in the Pension Benefit Guarantee Corporation, the director of the Disclosure Division (FOIA/Privacy Act) office is E. William Fitzgerald, a careerist.[[7]](#footnote-7) Above him in the organization chart is the Office of the General Counsel (1), headed by Judith R. Starr, another careerist.



Above the Office of the General Counsel is the Office of the Director (2), Joshua Gotbaum, a Senate Confirmed Appointee. This is two layers above Fitzgerald. If Fitzgerald or someone in his office were the respondent in a letter, this would be coded with a 2, indicating that the respondent would have to go two levels up in the organization chart to reach and appointee. A person that was an appointee or working in an office directly headed by an appointee would be coded with a 0.

In some cases the *Federal Yellow Book* indicates offices and divisions within agencies by their listing in the book rather than in the organization chart. So, for example, the Office of the Secretary will include offices of civil rights, general counsel, public affairs, etc. but only the Office of the Secretary will be included in the organization chart. In such cases the text listing of the Office of the Secretary will include internal organization via formatting. Namely, the office in question will be indented in the following manner:

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In such cases the indented office (e.g., General Counsel’s office) is considered as an office below the office of the secretary, but only if the text listing in the *Federal Yellow Book* includes this indenting and suggests such a structure.

**Chief FOIA Officer—**According to FOIA.gov this is a high-level person in the department or agency that has responsibility for FOIA. Specifically, the site says the Chief FOIA officer is “A designated high-level official within each agency who has overall responsibility for the agency’s compliance with the FOIA. Each federal agency is required to have a Chief FOIA Officer, who is responsible for ensuring that their agency is compliant with the FOIA, that their agency is working efficiently on FOIA requests and appeals, and constantly improving how each agency works with the FOIA. While each agency has a Chief FOIA Officer, these officers serve in an oversight position, and are not always the main FOIA contact in each agency.”[[8]](#footnote-8)

 One complication here is cases where the agency is a sub-cabinet agency such as the Food and Drug Administration or the Department of the Army. Should be Chief FOIA Officer for the Army be considered the Chief FOIA Officer for the Department of Defense? Ultimately, we decided in the affirmative but note that the dataset includes an indicator for bureaus that allows the user of the data to separate out these cases easily.

**Title.3—** The title of the person listed on the FOIA.gov website as the Chief FOIA Officer.

**CFOIABio( in Yellow Book)**—This indicates whether the *Federal Yellow Book* (<http://www.leadershipdirectories.com/>, last accessed June 30, 2011) includes a listing for the person the FOIA.gov website identifies as the Chief FOIA Officer.

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So, for example, in the Pension Benefit Guarantee Corporation, the director of the Disclosure Division (FOIA/Privacy Act) office is E. William Fitzgerald, a careerist.[[9]](#footnote-9) Above him in the organization chart is the Office of the General Counsel (1), headed by Judith R. Starr, another careerist.



Above the Office of the General Counsel is the Office of the Director (2), Joshua Gotbaum, a Senate Confirmed Appointee. This is two layers above Fitzgerald. If Fitzgerald or someone in his office were the respondent in a letter, this would be coded with a 2, indicating that the respondent would have to go two levels up in the organization chart to reach and appointee. A person that was an appointee or working in an office directly headed by an appointee would be coded with a 0.

In some cases the *Federal Yellow Book* indicates offices and divisions within agencies by their listing in the book rather than in the organization chart. So, for example, the Office of the Secretary will include offices of civil rights, general counsel, public affairs, etc. but only the Office of the Secretary will be included in the organization chart. In such cases the text listing of the Office of the Secretary will include internal organization via formatting. Namely, the office in question will be indented in the following manner:

Office of the Secretary

Chief of Staff

Deputy Chief of Staff

 General Counsel

 Associate Counsel

 Associate Counsel

In such cases the indented office (e.g., General Counsel’s office) is considered as an office below the office of the secretary, but only if the text listing in the *Federal Yellow Book* includes this indenting and suggests such a structure.

**ISAgency**: Name of agency receiving the request from Rep. Issa.

**Issa Request**: (1) Issa sent request for FOIA logs to the department or agency; (0) Issa did not send a request to the department or agency. Source: Issa Documents

**Issa Request Date**: If Issa sent the request, the date he sent the request to the department or agency. Source: 2010 Vanderbilt FOIA responses

**Issa Receive Date**: If Issa sent the request, the date the department or agency sent its response. Source: 2010 Vanderbilt FOIA responses

**ISRespond (0, 1):** This is an indicator coded 1 if the agency responded to Rep. Issa’s request. Source: Issa Documents.

**IDaysRespond:** The number of working days between the date of Issa’s request and the date the department or agency responded to it. Cases where the agency did not respond are coded with NA.

**Sufficient: (1)** Issa staff considered the department or agency’s response to be sufficient; (0) Issa staff considered the department or agency’s response to be deficient in some way. Source: Issa Documents

**Incomplete logs:** (1) Issa staff noted that the department or agency’s FOIA logs were incomplete in some way. Examples of incomplete logs include those which fail to tell what the subject of the request was, who requested it, or whether records were ever released; (0) Issa staff did not consider the department or agency’s FOIA logs incomplete. Source: Issa Documents

**No electronic log:** (1) Issa staff noted that the department or agency did not produce its FOIA logs in electronic format as requested; (0) Issa staff noted that the department or agency produced logs electronically. Source: Issa Documents

**No log:** (1) Issa staff noted that the department or agency did not produce any logs in response to Issa’s request; (0) Issa staff noted that the department or agency produced at least one log (however incomplete or deficient). Source: Issa Documents

**JLS Request Date**: The date the Vanderbilt request was sent to the department or agency

**JLS Receive Date**: The date the department or agency sent its response to the Vanderbilt request

**JDaysRespond:** The number of working days between the date of the Vanderbilt request and the date the department or agency responded to it

**Include Issa** (0,1): (1) The Vanderbilt response included the Issa request; (0) the Vanderbilt response did not include the Issa request; (.) Issa did not sent the agency a request.

**TotalPart:** Total number of programs an agency had evaluated in the PART program assessments during the Bush Administration.

**DMest**: Selin (2015) measure of agency insulation on the decision maker dimension. Selin’s estimates of agency insulation include two dimensions, one related to decision makers and one related to whether agency decisions can be reviewed by other actors in the political system.

**DMstdev**: Standard deviation of DMest estimate.

**PRest**: Selin (2015) measure of agency insulation on the review of policy decisions dimension. Selin’s estimates of agency insulation include two dimensions, one related to decision makers and one related to whether agency decisions can be reviewed by other actors in the political system.

**PRstdev**: Standard deviation of PRest estimate

**SFGS\_pol1:** The 2007-2008 Survey on the Future of Government Service (SFGS) asked top career federal executives “How much influence do the following groups have over policy decisions in your agency? [Political appointees, Senior civil servants]”. This is the difference in average responses for political appointees and career professionals by agency. Source: 2007-8 Survey on the Future of Government Service.

**Appendix A**

Below is a list of all the agencies we included in our initial list, which we obtained from the Department of Justice. Offices with one asterisk (\*) were not included in the letters that went to the Offices of the Inspectors General, because they lacked a stand-alone OIG. Agencies with a double asterisk (\*\*) were excluded from all requests.

Department of Agriculture

Department of Commerce

National Oceanic and Atmospheric Administration\*

Department of Defense\*

Air Force

Army

Defense Commissary Agency (DeCA)

Defense Contract Audit Agency\*

Defense Contract Management Agency\*

Defense Finance and Accounting Service\*

Defense Information Systems Agency

Defense Intelligence Agency

Defense Logistics Agency

Defense Security Service

Defense Technical Information Center\*

Defense Threat Reduction Agency\*

Department of Defense Education Activity

Marine Corps

Missile Defense Agency\*

National Geospatial-Intelligence Agency

National Guard Bureau/JA-FOIA\*

National Reconnaissance Office

National Security Agency

Navy

Department of Defense Office of the Inspector General\*\*

Office of the Secretary of Defense and Joint Staff\*

TRICARE Management Activity\*

United States Africa Command FOIA Requester Service Center\*\*

United States Central Command FOIA Requester Service Center\*\*

United States European Command FOIA Requester Service Center\*\*

United States Joint Forces Command FOIA Requester Service Center\*\*

United States Northern Command FOIA Requester Service Center\*\*

United States Pacific Command FOIA Requester Service Center\*\*

United States Special Operations Command FOIA Requester Service Center\*\*

United States Southern Command FOIA Requester Service Center\*\*

United States Strategic Command FOIA Requester Service Center\*\*

United States Transportation Command FOIA Requester Service Center\*\*

Department of Education

Department of Energy

Department of Health and Human Services

Centers for Medicare & Medicaid Services\*

Food and Drug Administration\*

National Institutes of Health\*

Public Health Service\*

Department of Homeland Security\*

Bureau of Customs and Border Protection\*

United States Citizenship and Immigration Services\*

United States Coast Guard\*

Federal Emergency Management Agency\*

Federal Law Enforcement Training Center\*

United States Immigration and Customs Enforcement\*

DHS Office of Inspector General\*\*

United States Secret Service\*

Transportation Security Administration\*

US-VISIT\*\*

Department of Housing and Urban Development

Department of the Interior

Department of Justice

Department of Labor

Department of State

Department of Transportation

Federal Aviation Administration\*

Department of the Treasury

Comptroller of the Currency\*

Internal Revenue Service\*

Office of Thrift Supervision\*

Department of Veterans Affairs

Agency for International Development

American Battle Monuments Commission\*

Amtrak (National Railroad Passenger Corporation)\*

Broadcasting Board of Governors\*

Central Intelligence Agency

Chemical Safety and Hazard Investigation Board\*

Commission on Civil Rights\*

Committee for Purchase from People who Are Blind or Severely Disabled\*

Commodity Futures Trading Commission

Consumer Product Safety Commission

Corporation for National Service

Court Services and Offender Supervision Agency\*

Defense Nuclear Facilities Safety Board\*

Environmental Protection Agency

Equal Employment Opportunity Commission

Council on Environmental Quality\*

Office of Management and Budget\*

Office of National Drug Control Policy\*

Office of Science and Technology Policy\*

Office of the United States Trade Representative\*

Export-Import Bank

Farm Credit Administration

Farm Credit System Insurance Corporation\*

Federal Communications Commission

Federal Deposit Insurance Corporation

Federal Election Commission

Federal Energy Regulatory Commission\*

Federal Financial Institutions Examination Council\*

Federal Housing Finance Agency

Federal Labor Relations Authority

Federal Maritime Commission

Federal Mediation and Conciliation Service\*

Federal Mine Safety and Health Review Commission\*

Federal Open Market Committee\*\*

Federal Reserve System

Federal Retirement Thrift Investment Board\*

Federal Trade Commission

General Services Administration

Institute of Museum and Library Services\*

Inter-American Foundation\*

Legal Services Corporation

Merit Systems Protection Board

Millennium Challenge Corporation\*

National Aeronautics and Space Administration

National Archives and Records Administration

National Capital Planning Commission\*

National Credit Union Administration

National Endowment for the Arts

National Endowment for the Humanities

National Indian Gaming Commission\*

National Labor Relations Board

National Mediation Board

National Science Foundation

National Transportation Safety Board\*

Nuclear Regulatory Commission

Occupational Safety and Health Review Commission\*

Office of the Director of National Intelligence

Office of Government Ethics\*

Office of Navajo and Hopi Indian Relocation\*

Office of Personnel Management

Office of Special Counsel

Overseas Private Investment Corporation

Peace Corps

Pension Benefit Guaranty Corporation

Postal Regulatory Commission

Railroad Retirement Board

Securities and Exchange Commission

Selective Service System\*

Small Business Administration

Social Security Administration

Special Inspector General for Iraq Reconstruction\*

Surface Transportation Board\*

Tennessee Valley Authority

United States African Development Foundation\*

United States Copyright Office\*

United States International Boundary and Water Commission\*

United States International Trade Commission

United States Postal Service

United States Trade and Development Agency\*

**Appendix B**

Below are examples of letters that we sent to target the FOIA office itself, the political liaison’s office, human resources office, and office of inspector general.

[BASELINE]

*To Whom It May Concern:*

*Under the Freedom of Information Act, 5 U.S.C. § 552, I am requesting copies of the following sets of records from the Department of Agriculture:*

* *The agency’s FOIA log from 2010 or equivalent listing the FOIA request number, name of requester, and a description of the records being requested.*

*If there are any fees for searching or copying the records, please let me know before you fill my request. Or, please supply the records without informing me of the cost if the fees do not exceed $200, which I agree to pay. This request is for educational purposes.*

*If you deny all or any part of this request, please cite each specific exemption you think justifies your withholding of information. Notify me of appeal procedures available under the law.*

*If you have any questions about handling this request, you may reach me by email at dsjlewis@yahoo.com, or by telephone at 615-712-9087.*

*Sincerely,*

*Saskia C. Lewis*

*2006 Linden Avenue*

*Nashville, TN 37212*

[POLITICALLY SENSITIVE]

*To Whom It May Concern:*

*Under the Freedom of Information Act, 5 U.S.C. § 552, I am requesting copies of the below-listed sets of records from Department of Agriculture. If there are any fees for searching or copying the records, please let me know before you fill my request. Or, please supply the records without informing me of the cost if the fees do not exceed $200, which I agree to pay. This request is for educational purposes.*

*If you deny all or any part of this request, please cite each specific exemption you think justifies your withholding of information. Notify me of appeal procedures available under the law.*

*If you have any questions about handling this request, you may telephone me at 203-231-0287. I can also be reached via email at john.hudak.1@gmail.com.*

*Sincerely,*

*John Hudak*

*4600B Idaho Avenue
Nashville, TN 37209*

***Requested Records:*** *A list of the FOIA requests from 2010 about which a political appointee (persons appointed under schedule C, a non-career member of the Senior Executive Service, or Senate-confirmed appointee) personally made an inquiry, personally reviewed, or personally had a hand in the disposition of the request.*

[BASELINE, POLITICAL LIAISON]

*To Whom It May Concern:*

*Under the Freedom of Information Act, 5 U.S.C. § 552, I am requesting copies of the following sets of records from the Department of Agriculture:*

* *A list of reports that the Agency made to Congress in 2010 that were mandated in statute and to whom they were sent (e.g. House/Senate committees and subcommittees).*
* *A list of the House and Senate committees and subcommittees that heard testimony from agency officials in 2010.*

*If there are any fees for searching or copying the records, please let me know before you fill my request. Or, please supply the records without informing me of the cost if the fees do not exceed $100, which I agree to pay. This request is for educational purposes. The information received will be used in an academic research project at Vanderbilt University.*

*If you deny all or any part of this request, please cite each specific exemption you think justifies your withholding of information. Notify me of appeal procedures available under the law.*

*If you have any questions about handling this request, you may email me at jennifer.selin@gmail.com.*

*Sincerely,*

*Jennifer Selin*

*803 Bracken Trail*

*Nashville, TN 37214*

1. Source: Federal Yellow Book (<http://www.leadershipdirectories.com/>, last accessed June 30, 2011) and U.S. Congress. Senate. Committee on Homeland Security and Governmental Affairs. 2008. *Policy and Supporting Positions*. 110th Cong., 2d Sess (<http://www.gpoaccess.gov/plumbook/2008/index.html>, last accessed June 30, 2011). [↑](#footnote-ref-1)
2. If two agencies shared a FOIA office or officer, we only sent the request to the “parent” agency that hosted the FOIA office. This design choice resulted in our excluding all military commands (like Africa Command and Northern Command) and a few other DoD sub-agencies, as well as a few other agencies in similar situations. For the complete list of cases and those we excluded, see Appendix A. This list of agencies and addresses came from the Department of Justice website ([www.justice.gov](http://www.justice.gov)). This information is now available on the federal government’s Freedom of Information Act website (<http://www.foia.gov/report-makerequest.html>, last accessed June 29, 2011). The current information on this website provides more information about bureau-specific FOIA offices that was not available at the time of our requesting. [↑](#footnote-ref-2)
3. This list provided by the Department of Commerce (<http://www.osec.doc.gov/omo/foia/exemptions.htm>, last accessed June 12, 2011). [↑](#footnote-ref-3)
4. Source: <http://www.foia.gov/glossary.html>, last accessed June 29, 2011. [↑](#footnote-ref-4)
5. Source: <http://www.foia.gov/glossary.html>, last accessed June 29, 2011. [↑](#footnote-ref-5)
6. This is determined by the fact that the *Federal Yellow Book* does not indicate another appointment authority in his individual listing. [↑](#footnote-ref-6)
7. This is determined by the fact that the *Federal Yellow Book* does not indicate another appointment authority in his individual listing. [↑](#footnote-ref-7)
8. Source: <http://www.foia.gov/glossary.html>, last accessed June 29, 2011. [↑](#footnote-ref-8)
9. This is determined by the fact that the *Federal Yellow Book* does not indicate another appointment authority in his individual listing. [↑](#footnote-ref-9)