

3. Agency Component Abbreviations

Component Abbreviation	Component Name
FTC	Federal Trade Commission

IV. Exemption 3 Statutes

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
21 U.S.C. § 355	Any information or documentary material that may have been filed pursuant to a pharmaceutical agreement notification.	N/A	FTC	3	3
15 U.S.C. § 18a(h)	Information submitted in connection with the premerger notification provisions of the Hart-Scott-Rodino Antitrust	Lieberman v. FTC, 771 F.2d 32 (2nd Cir. 1985) (dictum).	FTC	13	13

	Improvements Act of 1976				
15 U.S.C. §§ 46(f), 57b-2(f)	"[A]ny trade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential" and certain investigative materials received by the FTC and "provided pursuant to any compulsory process under this subchapter or which is provided voluntarily in place of such compulsory process"	A. Michael's Piano, Inc. v. FTC, 18 F.3d 138, 143-44 (2d Cir. 1994) (15 U.S.C. § 57b-2); Ctr. for Digit. Democracy v. FTC, 189 F. Supp. 3d 151, 158- 59 (D.D.C. 2016) (15 U.S.C. § 46(f)); Ayuda, Inc. v. FTC, 70 F. Supp. 3d 247, 278-79 (D.D.C. 2014) (15 U.S.C. § 57b-2); Nat'l Educ. Ass'n v. FTC, No. 79-959-S, 1983 WL 1883, at *1 (D. Mass. Sept. 26, 1983) (15 U.S.C. § 57b-2).	FTC		115
				115	115

V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year

FTC	38	1385	1375	48
AGENCY OVERALL	38	1385	1375	48

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

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

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
FTC	494	412	128	145	5	19	7	31	49	15	26	44	1375
AGENCY OVERALL	494	412	128	145	5	19	7	31	49	15	26	44	1375

V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS BASED ON REASONS OTHER THAN EXEMPTIONS"

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was	TOTAL
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		Relied Upon	
FTC	Directed requester to publicly available information	23	44
	Aggregated Request	21	
AGENCY OVERALL			44

V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
FTC	2	10	113	72	94	375	107	4	15	13	9	0	1	1
AGENCY OVERALL	2	10	113	72	94	375	107	4	15	13	9	0	1	1

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

Agency / Component	Number of Appeals Pending as of	Number of Appeals	Number of Appeals	Number of Appeals Pending as of

FTC	0	0	2	1	6	2	4	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	2	1	6	2	4	0	0	0	0	0	0	0

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

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
FTC	2	0	1	0	0	0	0	0	0	0	3
AGENCY OVERALL	2	0	1	0	0	0	0	0	0	0	3

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

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other"	TOTAL

FTC	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	2021-09-16	2021-09-13	2021-09-09	2021-09-09
	Number of Days Pending	0	0	0	0	0	0	11	14	16	16
AGENCY OVERALL	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	2021-09-16	2021-09-13	2021-09-09	2021-09-09
	Number of Days Pending	0	0	0	0	0	0	11	14	16	16

VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
FTC	2.00	3.80	<1	125	8.00	19.86	<1	180	2.50	15.38	<1	258
AGENCY OVERALL	2.00	3.80	<1	125	8.00	19.86	<1	180	2.50	15.38	<1	258

VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
FTC	2.00	4.00	<1	125	17.00	30.44	<1	180	3.00	16.48	<1	258
AGENCY OVERALL	2.00	4.00	<1	125	17.00	30.44	<1	180	3.00	16.48	<1	258

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

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
FTC	780	20	1	1	2	0	1	0	0	0	0	0	0	805
AGENCY OVERALL	780	20	1	1	2	0	1	0	0	0	0	0	0	805

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

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
FTC	259	52	22	6	7	7	3	1	4	1	0	0	0	362
AGENCY OVERALL	259	52	22	6	7	7	3	1	4	1	0	0	0	362

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

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
FTC	26	2	0	1	0	0	0	0	0	0	1	0	0	30
AGENCY OVERALL	26	2	0	1	0	0	0	0	0	0	1	0	0	30

VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS

	SIMPLE	COMPLEX	EXPEDITED PROCESSING
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Agency / Component	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
FTC	19	8	17	25	9	21	1	4	4
AGENCY OVERALL	19	8	17	25	9	21	1	4	4

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
FTC	Date of Receipt	2021-08-20	2021-08-16	2021-08-12	2021-08-09	2021-08-06	2021-07-15	2021-07-09	2021-06-23	2021-06-04	2021-02-19
	Number of Days Pending	29	32	34	37	38	54	58	69	82	156
AGENCY OVERALL	Date of Receipt	2021-08-20	2021-08-16	2021-08-12	2021-08-09	2021-08-06	2021-07-15	2021-07-09	2021-06-23	2021-06-04	2021-02-19
	Number of Days Pending	29	32	34	37	38	54	58	69	82	156

VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
FTC	49	94	3	12.7	112
AGENCY OVERALL	49	94	3	12.7	112

VIII.B. Requests for Fee Waiver

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
FTC	115	97	2	9.6
AGENCY OVERALL	115	97	2	9.6

IX. FOIA Personnel and Costs

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
FTC	11	4.00	15.00	1123844.20	166155.00	1289999.20
AGENCY OVERALL	11	4.00	15.00	1123844.20	166155.00	1289999.20

X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
FTC	8951.60	0.8000
AGENCY OVERALL	8951.60	0.8000

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

Agency / Component	Number of Times Subsection Used
FTC	0
AGENCY OVERALL	0

XI.B. Number of Subsection (A)(2) Postings

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
FTC	3	3
AGENCY OVERALL	3	3

XII.A. Backlogs of FOIA Requests and Administrative Appeals

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
FTC	9	0
AGENCY OVERALL	9	0

XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
FTC	0	11	11	0

AGENCY OVERALL	0	11	11	0
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XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY

Agency / Component		10th Oldest Consultation	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation
FTC	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0

XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from	Number Received During Fiscal Year from	Number Processed During Fiscal	Number Processed During Fiscal

	Last Year's Annual Report	Current Annual Report	Year from Last Year's Annual Report	Year from Current Annual Report
FTC	1177	1385	1208	1375
AGENCY OVERALL	1177	1385	1208	1375

XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
FTC	2	9
AGENCY OVERALL	2	9

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

Agency / Component	NUMBER OF APPEALS RECEIVED		NUMBER OF APPEALS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
FTC	24	35	22	34
AGENCY OVERALL	24	35	22	34

XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
FTC	0	0
AGENCY OVERALL	0	0

