

### 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
41 U.S.C. § 2102 (amending 41 U.S.C. § 423(a)(1))	Contractor bid or proposal information; source selection information	Legal & Safety Employer Research, Inc. v. U.S. Dep't of the Army, No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal. May 4, 2001) (dictum).	FTC	2	2
15 U.S.C. §	Information submitted in connection with the	NA	FTC	27	27

18a(h)	premerger notification provisions of the HartScott-Rodino Antitrust Improvements Act of 1976				
15 U.S.C. § 46(f)	"[A]ny trade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential"	Ctr. for Digit. Democracy v. FTC, 189 F. Supp. 3d 151, 158- 59 (D.D.C. 2016)	FTC	41	41
15 U.S.C. § 57b-2(f)	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); Nat'l Educ. Ass'n v. FTC, No. 79-959-S, 1983 WL 1883, at *1 (D. Mass. Sept. 26, 1983).	FTC	54	54
18 U.S.C. § 208(d)(1)	Providing that "a copy of any determination granting an exemption under subsection (b)(1) or (b)(3) [from application of penalties for acts affecting personal financial interests	Seife v. NIH, 874 F. Supp. 2d 248, 256 (S.D.N.Y. 2012).	FTC	1	1

	determined to constitute bribery, graft, or conflicts of interest] shall be made available to the public," but exempting from this disclosure requirement "any information contained in the determination that would be exempt from disclosure under section 552 of title 5"				
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**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	88	1820	1812	96
AGENCY OVERALL	88	1820	1812	96

**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	536	448	157	240	0	44	18	66	202	8	35	58	1812
AGENCY OVERALL	536	448	157	240	0	44	18	66	202	8	35	58	1812

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

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
FTC	Directed Requester to Publicly Available Information	38	58
	Aggregated Request	20	
AGENCY OVERALL			58

**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	0	10	99	51	110	404	170	1	8	8	15	0	0	0
AGENCY OVERALL	0	10	99	51	110	404	170	1	8	8	15	0	0	0

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

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
FTC	4	39	39	4
AGENCY OVERALL	4	39	39	4

**VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS**



		Level			Described	Reasons		Appeal		Request for Expedited Processing	below
FTC	0	1	0	0	0	2	0	0	0	0	0
AGENCY OVERALL	0	1	0	0	0	2	0	0	0	0	0

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

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
FTC	N/A	0	0
AGENCY OVERALL			0

**VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS**

Agency /	Median Number	Average	Lowest Number	Highest Number
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Component	of Days	Number of Days	of Days	of Days
FTC	20.00	12.86	<1	21
AGENCY OVERALL	20.00	12.86	<1	21

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

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
FTC	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	2023-09-22	2023-09-20	2023-09-14	2023-08-29
	Number of Days Pending	0	0	0	0	0	0	5	7	11	22
AGENCY OVERALL	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	2023-09-22	2023-09-20	2023-09-14	2023-08-29
	Number of Days Pending	0	0	0	0	0	0	5	7	11	22

**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	3.00	5.73	<1	101	14.00	25.61	<1	266	6.50	16.87	<1	150
AGENCY OVERALL	3.00	5.73	<1	101	14.00	25.62	<1	266	6.50	16.87	<1	150

**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	3.00	6.04	<1	101	20.00	34.34	<1	266	6.00	22.59	<1	150
AGENCY OVERALL	3.00	6.04	<1	101	20.00	34.31	<1	266	6.00	22.59	<1	150

**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	929	34	5	0	1	1	0	0	0	0	0	0	0	970
AGENCY OVERALL	929	34	5	0	1	1	0	0	0	0	0	0	0	970

**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	324	94	36	23	4	11	6	5	0	2	3	0	0	508
AGENCY OVERALL	324	94	36	23	4	11	6	5	0	2	3	0	0	508

**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
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FTC	37	5	1	0	2	0	0	1	0	0	0	0	46
AGENCY OVERALL	37	5	1	0	2	0	0	1	0	0	0	0	46

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

Agency / Component	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
FTC	29	7	31	56	39.5	56	0	N/A	N/A
AGENCY OVERALL	29	7	31	56	39.5	56	0	N/A	N/A

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
FTC	Date of Receipt	2023-05-01	2023-03-15	2023-03-08	2023-03-01	2023-02-21	2023-02-10	2023-01-17	2022-07-07	2022-06-17	2022-06-08

	Number of Days Pending	105	138	143	148	154	160	178	309	322	329
AGENCY OVERALL	Date of Receipt	2023-05-01	2023-03-15	2023-03-08	2023-03-01	2023-02-21	2023-02-10	2023-01-17	2022-07-07	2022-06-17	2022-06-08
	Number of Days Pending	105	138	143	148	154	160	178	309	322	329

**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	56	146	3	8.3	169
AGENCY OVERALL	56	146	3	8.3	169

**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	76	64	2	6.16
AGENCY OVERALL	76	64	2	6.16

**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	24	0.00	24.00	1901296.00	787888.81	2689184.81
AGENCY OVERALL	24	0.00	24.00	1901296.00	787888.81	2689184.81

**X. Fees Collected for Processing Requests**

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
FTC	13369.76	0.7000
AGENCY OVERALL	13369.76	0.7000

**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	993	0
AGENCY OVERALL	993	0

**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	37	0
AGENCY OVERALL	37	0

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

Agency /	Number of Consultations	Number of Consultations	Number of Consultations	Number of Consultations
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**XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED**

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
FTC	1619	1820	1579	1812
AGENCY OVERALL	1619	1820	1579	1812

**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	23	37

AGENCY OVERALL	23	37
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**XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED**

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
FTC	49	39	49	39
AGENCY OVERALL	49	39	49	39

**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	Number of Backlogged Appeals as of End

	of the Fiscal Year from Previous Annual Report	of the Fiscal Year from Current Annual Report
FTC	0	0
AGENCY OVERALL	0	0