



# **Committee for Purchase From People Who Are Blind or Severely Disabled**

*(An independent Federal agency that administers the AbilityOne Program under  
the authority of the Javits-Wagner-O'Day Act)*

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## **FREEDOM OF INFORMATION ACT ANNUAL REPORT Fiscal Year 2010**

### **I. Basic Information Regarding Report**

The Committee for Purchase From People Who Are Blind or Severely Disabled is a small agency. All its FOIA requests are processed at the agency level. This report represents information for the agency overall and does not include any separate component office information.

- A. Name, title, address, and telephone number of person(s) to be contacted with questions about the report.

Janice Coleman, Records Management Specialist  
Committee for Purchase From People Who Are Blind or Severely Disabled  
1421 Jefferson Davis Highway, Suite 10-800  
Arlington, VA 22202-3259  
Telephone: 703-603-2136

- B. An electronic copy of the report may be obtained by accessing the Committee for Purchase website at the following address:

[www.abilityone.gov/laws\\_regs/foia.html](http://www.abilityone.gov/laws_regs/foia.html)

- C. A copy of this report in paper form may be obtained by requesting a copy in writing to the address stated in I.A. above.

## II. How to Make a FOIA Request

1. Requests pursuant to the Freedom of Information Act (FOIA) to obtain copies of any material maintained by the Committee for Purchase must be submitted in writing to the Executive Director at the Committee's offices.

E. Ballard, Executive Director  
Committee for Purchase From People Who Are Blind or Severely Disabled

Mail: 1421 Jefferson Davis Highway, Suite 10-800  
Arlington, VA 22202-3259  
Facsimile: 703-603-0655  
E-mail: FOIA@AbilityOne.gov

2. FOIA requests presented to the Committee may not be granted when the information meets the criteria or standard which precludes disclosure under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.

## III. Definitions of Terms and Acronyms Used in the Report

1. Agency-specific acronyms or other terms.
  - a. *Committee or CPPBSD* means the Committee for Purchase From People who are Blind or Severely Disabled.
  - b. *FOIA* means the Freedom of Information Act (5 U.S.C. 552).
  - c. *FY* means Fiscal Year.
  - d. *JWOD* means the Javits-Wagner-O'Day Act (Public Law 92-28, Stat. 77 (1971), as amended, 41 U.S.C. 46-48c).
2. Basic terms, expressed in common terminology, common to all FOIA statistics.
  - a. *Administrative Appeal* means a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
  - b. *Average Number* means the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
  - c. *Backlog* means the number of requests or administrative appeals that are classified as pending at the end of the fiscal year and have exceeded the statutory time limit for a final action.

- d. *Consultation* means the procedure whereby a document potentially responsive to a FOIA request is forwarded to another agency for its review and recommendation because that other agency has an interest in the document. Once the agency in receipt of the document finishes its review, it responds back to the sender in order for the document to be considered in the sender's final action regarding the FOIA request.
- e. *Exemption 3 Statute* means a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the Freedom of Information Act (5 U.S.C. 552).
- f. *FOIA Request* means a request for access to records concerning a person, or an organization, or a particular topic of interest which fall under the authority of the Freedom of Information Act and are in the control of the Committee.
- g. *Full Denial* means an agency decision not to release any record in the Committee's control in response to a FOIA request because the record is exempt in its entirety under one or more of the FOIA Exemption 3 statutes, or because of a procedural reason, such as when no records could be located.
- h. *Full Grant* means an agency decision to disclose all records in the control of the Committee in its final action regarding a FOIA request.
- i. *Median Number* means the middle—not average—number. For example, of 3, 7, and 14, the median number is 7.
- j. *Multi-Track Processing* means a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first-in/first-out basis.
  - i. *Expedited Processing* means that the process for the completion of a FOIA request is accelerated in terms of placement for search, review, and/or response relative to other FOIA requests.
  - ii. *Simple Request* means the clarified information sought by a requester may be identified, reviewed and an action completed with the application of straight-forward methods applied to a low-volume of documents.
  - iii. *Complex Request* means that the information sought may reside in a high-volume of records and/or requires in-depth analysis and review before a final action.
- k. *Partial Grant/Partial Denial* means a decision to disclose portions of the requested records and to withhold other portions, which may be exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- l. *Pending Request or Pending Administrative Appeal* means a request or administrative appeal that is perfected, but is not yet at a point in the FOIA process appropriate for final action.
- m. *Perfected Request* means a request at the stage in the FOIA process when records sought are reasonably described and the request adheres to published rules stating the time, place, fees (if any) and procedures to be followed.

- n. *Processed Request or Processed Administrative Appeal* means a request or administrative appeal at the end of the FOIA process resulting in a final action.
  - o. *Range in Number of Days* means the lowest and highest number of days to process requests or administrative appeals.
  - p. *Time Limits* means the time period described in the legislation the FOIA (ordinarily 20 working days from receipt of a perfected FOIA request) that a final action or respond must be made related to a FOIA request.
3. FOIA Exemptions are described as follows:
- a. **Exemption 1:** classified national defense and foreign relations information.
  - b. **Exemption 2:** internal agency rules and practices.
  - c. **Exemption 3:** information that is prohibited from disclosure by another federal law.
  - d. **Exemption 4:** trade secrets and other confidential business information.
  - e. **Exemption 5:** inter-agency communications that are protected by legal privileges.
  - f. **Exemption 6:** information involving matter of personal privacy.
  - g. **Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety or any individual.
  - h. **Exemption 8:** information relating to the supervision of financial institutions.
  - i. **Exemption 9:** geological information on wells.

IV. Exemption 3 Statutes

A. List of Exemption 3 statutes relied on by agency during current fiscal year.

Statute	Type of Information Withheld	Case Citation	Total Number of Times Relied Upon by Agency
0	0	0	0

V. Initial FOIA/Privacy Act Access Requests

A. Received, Processed and Pending FOIA Requests

	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
CPPBSD	0	12	12	0

B. (1) Disposition of FOIA Requests - All Processed Requests

	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 [1]	Total
CPPBSD	3	3	0	6	12

[1] Number of Full Denials Based on Reasons Other than Exemptions									
No Records	All Records Referred to Another Component or Agency	Request With-drawn	Fee - Related Reason	Records Not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Dup-licate Request	Other	Sub-Total
4	0	0	0	0	0	0	0	2	6

B. (2) Disposition of FOIA Requests - Other Reasons for Full Denials Based on Reasons Other Than Exemptions from Section V, B (1) Chart

	Description of Other Reasons for Denials from Chart B (1) & Number of Times Those Reasons were Relied Upon	TOTAL
CPPBSD	Requester did not approve cost estimate and/or alternatives suggested which may have reduced cost.	2

B. (3) Disposition of FOIA Requests - Number of Times Exemptions Applied

	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
CPPBSD	0	0	0	2	1	0	0	0	0	0	0	0	0	0

VI. Administrative Appeals of Initial Determinations of FOIA/Privacy Act Requests

A. Received, Processed and Pending Administrative Appeals

	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
CPPBSD	0	0	0	0

B. Disposition of Administrative Appeals - All Processed Appeal

	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/ Remanded on Appeal	Number Completely Reversed/ Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
CPPBSD	0	0	0	0	0

VI. C. (1) Reasons for Denial on Appeal - Number of Times Exemptions Applied.

	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
CPPBSD	0	0	0	0	0	0	0	0	0	0	0	0	0	0

VI. C. (2) Reasons for Denial on Appeal - Reasons Other Than Exemptions

	No Records	Records Referred at Initial Request Level	Request With-drawn	Fee - Related Reason	Records Not Reasonably Described	Improper Request for Other Reason	Not Agency Record	Duplicate Request or Appeal	Appeal Based Solely on Denial of Request for Expedited Processing	Other *see chart below
CPPBSD	0	0	0	0	0	0	0	0	0	0

C. (3) Reasons for Denial on Appeal - Other Reasons

	Description of Other Reasons for Denial on Appeal from Chart C (2)	Number of Times "Other" Reason Was Relied Upon	Component Total
CPPBSD	N/A	0	0

C. (4) Response Time for Administrative Appeals

	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
CPPBSD	0.00	0.00	0.00	0.00

C. (5) Ten Oldest Pending Administrative Appeals

		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
CPPBSD	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0

VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS  
Committee for Purchase From People Who Are Blind or Severely Disabled (CPPBSD)

A. Processed Requests - Response Time for All Processed Perfected Requests

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
2	1.7	1	4	6.5	8.5	3	18	0	0	0	0

B. Processed Requests - Response Time for Perfected Request in Which Information was Granted

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
1	1	1	1	6.5	8.5	3	18	0	0	0	0

C. Processed Requests - Response Time in Day Increments – Simple Requests

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
6	0	0	0	0	0	0	0	0	0	0	0	0	6

C. Processed Requests - Response Time in Day Increments – Complex Requests

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
4	0	0	0	0	0	0	0	0	0	0	0	0	4

C. Processed Requests - Response Time in Day Increments – Requests Granted Expedited Processing

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
0	0	0	0	0	0	0	0	0	0	0	0	0	0



D. Pending Requests – All Pending Perfected Requests

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
0	0	0	0	0	0	0	0	0	0	0	0

E. Pending Requests – Ten Oldest Pending Perfected Requests

		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
CPPBSD	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0

VIII. A. REQUESTS FOR EXPEDITED PROCESSING

	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated within Ten Calendar Days
CPPBSD	0	0	0	0	0

VIII. B. REQUESTS FOR FEE WAIVER

	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
CPPBSD	3	2	4	3.6

IX. FOIA PERSONNEL AND COSTS

	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
CPPBSD	0	0.25	0.25	\$3723.38	0	\$3723.38

X. FEES COLLECTED FOR PROCESSING REQUESTS

	Total Amount of Fees Collected	Percentage of Total Costs
CPPBSD	\$0.00	0.00 %

XI. FOIA Regulations

An electronic copy may be obtained by accessing the Committee's website at the following address:

[www.abilityone.gov/laws\\_regs/foia.html](http://www.abilityone.gov/laws_regs/foia.html)

XII. BACKLOGS, CONSULTATION, AND COMPARISONS

A. Backlogs of FOIA Requests and Administrative Appeals

	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
CPPBSD	0	0

B. Consultations on FOIA Requests - Received, Processed, and Pending Consultations

	Number of Consultations Received from Other Agencies that Were <u>Pending</u> 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> during the Fiscal Year	Number of Consultations Received from Other Agencies that Were <u>Pending</u> as of <u>End</u> of the Fiscal Year
CPPBSD	0	0	0	0

C. Consultations on FOIA Requests - Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency

		10th Oldest Consultations	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation
CPPBSD	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

D. 1. Comparison of Numbers of Requests from Previous and Current Annual Report

	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
CPPBSD	15	12	17	12

D. 2. Comparison of Backlogged Requests from Previous and Current Annual Report

	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of the End of the Fiscal Year from Current Annual Report
CPPBSD	0	0

E. 1. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report

	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
CPPBSD	0	0	0	0

E. 2. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report

	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of the End of the Fiscal Year from Current Annual Report
CPPBSD	0	0