

ANNUAL FOIA REPORT
SUMMARY OF CERTAIN DATA AND COMPARISON WITH PRIOR YEARS

FOIA REQUESTS	FY21	FY20	FY19	FY18	FY17
Requests Received in FY	12363	13300	11546	14229	13063
Requests Processed in FY	12171	13258	11487	14248	13069
Requests Pending at end of FY	833	641	599	540	559
FOIA APPEALS					
Appeals Received in FY	647	585	596	621	624
Appeals Processed in FY	645	599	587	637	605
Appeals Pending at end of FY	3	1	15	6	22
PERSONNEL & COST DATA					
Number of FTE in FOIA Office	26	30	32	34	34.5
Total of FOIA Liaison FTE	7.30	8.46	10	10	6.47
Total FOIA Staff	33.3	38.46	42	44	40.97
Processing Costs	\$9,273,658	\$9,700,308	\$7,238,733	\$9,096,609	\$7,895,241
Litigation - Related Costs	\$199,884	\$461,496	\$343,201	\$186,604	\$381,224
Total FOIA Costs	\$9,473,542	\$10,161,804	\$7,581,935	\$9,283,213	\$8,276,465
FOIA Fees Collected	\$7,711	\$13,791	\$17,921	\$33,179	\$35,025
Percentage of Total FOIA Costs	.08%	.14%	.24%	.36%	.44%
AVERAGE PROCESSING TIME - DAYS					
Simple requests	16.23	13.79	16.89	11.79	12.5
Complex requests	697	689	574	726	733

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BREAKDOWN OF WORKLOAD VOLUME BY REQUESTOR TYPE FOR FY 21**

FOIA REQUESTS BY CATEGORY OF REQUESTOR	FY21 Requests Rec'd	% of total requests rec'd	
Commercial	6751	55%	
News Media	3193	26%	
Educational	398	3%	
Government	38	>1%	
Other	1983	16%	
Total Requests Received	12363	100%	
Breakdown of Commercial Requestors		% of All requests rec'd	Type of records requested
Other commercial entities	2159	18%	Attorneys representing clients; small scale due diligence, small scale confidential exhibits
AUS Consultants	1784	14%	Confidential exhibits to registration related filings
KtMINE	774	6%	Confidential exhibits to registration related filings
Check Fund Manager LLC	751	6%	Due diligence on broker dealers, investment advisors, and firms and corporate background checks
Bioscience Advisors	614	5%	Confidential exhibits to registration related filings
Clarivate Analytics	270	2%	Confidential exhibits to registration related filings
Sectilis LLC	218	2%	Confidential exhibits to registration related filings
Venture Valuation AG	181	2%	Confidential exhibits to registration related filings
Total Commercial requests	6751	55%	
Breakdown of Media Requestors	Number of Requests Filed	% of All requests rec'd	
SECProbes.com (John Gavin)	2494	20%	Records on ENF matters
Other media entities	699	6%	Variety of subject matters
Total media requests	3193	26%	

TEN OLDEST PENDING FOIA REQUESTS and APPEALS at END OF FY 21
As noted in Sections VI.C.(5) and VII.E. of the Annual Report

Oldest	FOIA Number	Received Date	Subject	Current Status
1	17-00013-FIFO	7/7/2017	In the Matter of Certain Trading in Threshold Securities. (NY-7729)	In Process
2	18-00013-FIFO	6/27/2018	Information concerning Larry Gray (18-01346-FOIA), and Gray Financial Group, Inc. (18-01347-FOIA)	In Process
3	18-00014-FIFO	9/10/2018	All interim replies made by the Office of FOIA Services in response to information requests from January 1, 2010 to June 20, 2018	In Process
4	19-00001-FIFO	11/1/2018	Videotape depositions in the Teradata and Brumfield matters for 10 individuals	On Hold
5	19-00003-FIFO	11/19/2018	18-00281-FOPA: All information related to any investigation of Natin Paul from 2014 to the present, 18-03229-FOIA: All information related to any complaint regarding World Class Capital Group, LLC from 2014 to the present.	On Hold
6	19-00004-FIFO	11/27/2018	F & S Asset Management Group, Inc.	On Hold
7	19-00005-FIFO	4/1/2019	1)All communications between the SEC and BlackRock, Inc., regarding the SEC's efforts to regulate money market funds (MMF); and 2) All communications between the SEC and BlackRock, Inc., regarding congressional efforts to modify the SEC's 2014 MMF rule.	On Hold
8	19-00006-FIFO	5/7/2019	Copy of all exhibits and all filings concerning Administrative Proceeding File No. 3-10890	On Hold
9	19-00007-FIFO	6/25/2019	Copies of all in response to the suggestion made by President Donald Trump via tweet on Thursday August 16, 2018	On Hold
10	19-00008-FIFO	6/28/2019	Commission records relating to any investor in connection with three rule proposals issued in April 2018 that address the standards of conduct applicable to financial professionals.	On Hold
Oldest	APPEAL Number	Received Date	Subject	Date request sent to OGC
1	21-00509-APPS	7/8/2021	An electronic record of EDGAR search traffic from third quarter of 2017 through the fourth quarter of 2020	7/8/2021
2	22-00001-APPS	9/30/2021	SEC v. Middleton, et al. Case No. 19-cv-4625 E.D.N.Y.	10/1/2021
3	21-00601-APPS	9/9/2021	The vote of individual commissioners on the removal of William Duhnke as chairman of the Public Company Accounting Oversight Board; the decision to designate Duane M. DesParte as acting chairman; and the intention to remove the remaining board members.	9/10/2021