



**SOCIAL SECURITY ADMINISTRATION**

**FREEDOM OF INFORMATION ACT**

**ANNUAL REPORT**

**FISCAL YEAR 2023**

**FREEDOM OF INFORMATION ACT (FOIA) ANNUAL REPORT  
FOR THE SOCIAL SECURITY ADMINISTRATION  
FOR FISCAL YEAR 2023**

## I. BASIC INFORMATION REGARDING REPORT

1. Provide name, title, address, and telephone number of person(s) to be contacted with questions about the Report.

**Name:** Michelle Christ

**Title:** Freedom of Information Act Officer

**Agency/Component:** Social Security Administration  
Office of the General Counsel  
Office of Privacy and Disclosure

**Telephone Number:** (212) 264-2098

**FAX:** (410) 966-4304

**E-mail Address:** [foia.public.liaison@ssa.gov](mailto:foia.public.liaison@ssa.gov)

**Mailing Address:** Social Security Administration  
Office of the General Counsel  
Office of Privacy and Disclosure  
G-401 West High Rise  
6401 Security Boulevard  
Baltimore, MD 21235-0001

2. Provide an electronic link for access to the Report on the agency Web site.

**Website:** <https://www.ssa.gov/foia/annualreports.html>

3. Explain how to obtain a copy of the Report in paper form.

**To obtain a paper copy of this report, write to the address shown above, or phone, fax, or e-mail the Office of Privacy and Disclosure (OPD). Our e-mail address is [foia.public.liaison@ssa.gov](mailto:foia.public.liaison@ssa.gov).**

## II. MAKING A FOIA REQUEST

1. Provide names, addresses, and telephone numbers of all individual agency components that receive FOIA requests.

**Office of Privacy and Disclosure (OPD), 6401 Security Boulevard, Baltimore, MD 21235-0001, (410) 965-1797.**

**Division of Earnings and Business Services (DEBS), P.O. Box 33003, Baltimore, MD 21290-3003, (410) 597-1730. (This office only processes FOIA**

**requests for decedent's original Applications for a Social Security card (SS-5) and Numident printouts)**

2. Provide a brief description of why some requests are not granted and an overview of certain general categories of the agency's records to which the FOIA exemptions apply.

**In general, we do not disclose: internal personnel rules; records of investigation; information deemed confidential by law; personal information about living people; information that is otherwise legally privileged; or trade secrets found in confidential financial information within procurement records.**

**The following are some examples of agency records covered by FOIA exemptions:**

- **Exemption 2, Internal Personnel Rules and Practices.** We withhold information regarding Federal agency personnel matters such as conditions of employment, hiring tests, work rules, disciplinary actions, and employee benefits.
- **Exemption 3, Prohibited by Law.** We use Exemption 3 when the law strictly prohibits disclosing the requested information or when we can withhold information under specific criteria set by law. For example, the Internal Revenue Code (26 U.S.C. §§ 6103, 6105) restricts the disclosure of tax return information, such as third-party addresses, employers' names, addresses, and earnings information. The Federal Information Security Management Act of 2002 ([44 U.S.C. § 3541](#)) protects sensitive information about our systems because its release would increase the opportunity of fraud and pose cyber-security risks to our networks.
- **Exemption 4, Trade Secrets and Commercial or Financial Information.** We withhold information contained in contracts that relates to "trade secrets and commercial or financial information which, if disclosed, would either cause substantial harm to a person's ability to compete with others in his business or impair the Government's ability to obtain needed information." These records may include detailed information concerning profits, losses, and business costs.
- **Exemption 5, Deliberative Process.** We withhold documents that contain advice, opinions, recommendations, predecisional discussion, and evaluative remarks that are part of the government decision-making process.
- **Exemption 6, Invasion of Privacy.** We withhold any personal information if disclosing it would constitute a clearly unwarranted invasion of personal

privacy. For example, we would invoke this exemption when a requester asks if his neighbor receives Social Security benefits. Disclosing this information would not serve the public interest and would constitute an invasion of the neighbor's privacy.

- **Exemption 7, Investigatory Records.** We withhold records compiled for law enforcement purposes if the production of this information could reasonably be expected to interfere with law enforcement proceedings, deprive a person of his or her right to a fair trial, disclose the identity of a confidential source, disclose investigative techniques or procedures, or endanger the life or physical safety of law enforcement personnel. We apply this exemption to Office of the Inspector General (OIG) reports and investigations.
3. Provide a functional electronic link to agency FOIA regulations, including the agency's fee schedule.

Website: <http://www.socialsecurity.gov/foia/>

### III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Provide any agency-specific acronyms or terms used in this report.

**OPD- Office of Privacy and Disclosure**

**SSA- Social Security Administration**

**SSN- Social Security number**

**OIG – Office of the Inspector General**

2. Include the following definitions of terms used in this Report:
  - a. **Administrative Appeal** – 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** – 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** – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.

- d. **Component** – for agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency or component within the same agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** – a Federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** – a FOIA request is generally a request to a Federal agency for access to records concerning another person (i.e., a “third-party” request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “systems of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report. Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)
- h. **Full Grant** – an agency decision to disclose all records in full in response to a FOIA request.
- i. **Full Denial** – an agency decision not to release any records in response to a FOIA request because the records are exempt in their entireties under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-Track Processing** – 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** – an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
- ii. **Simple Request** – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
- iii. **Complex Request** – a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- l. **Partial Grant/Partial Denial** – in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- m. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.
- n. **Perfect Request** – a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed.
- o. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
- p. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
- q. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).

3. Include the following concise descriptions of the nine FOIA exemptions:
  - a. **Exemption 1:** classified national defense and foreign relations information
  - b. **Exemption 2:** information that is related solely to the internal personnel rules and practices of an agency
  - 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 or intra-agency communications that are protected by legal privileges
  - f. **Exemption 6:** information involving matters 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 of any individual
  - h. **Exemption 8:** information relating to the supervision of financial institutions
  - i. **Exemption 9:** geological information on wells

### 3. Agency Component Abbreviations

Component Abbreviation	Component Name
SSA	Social Security Administration

### 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
N/A	N/A	N/A	SSA	0	0

### 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
SSA	637	10130	10305	462
AGENCY OVERALL	637	10130	10305	462

*After reviewing its database, SSA updated the number of requests pending at 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	
SSA	4694	1995	1651	724	153	34	760	81	113	34	66	0	10305
AGENCY OVERALL	4694	1995	1651	724	153	34	760	81	113	34	66	0	10305

**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
SSA	N/A	0	0
AGENCY OVERALL			0

**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
SSA	0	19	0	3	16	1998	3	0	20	1	12	1	0	0
AGENCY OVERALL	0	19	0	3	16	1998	3	0	20	1	12	1	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
SSA	55	113	4	26	31	15	0	29	0	0	0
AGENCY OVERALL	55	113	4	26	31	15	0	29	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
SSA	N/A	0	0
AGENCY OVERALL			0

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

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
SSA	11	23	<1	499
AGENCY OVERALL	11	23	<1	499

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

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
SSA	Date of Appeal	2023-01-23	2022-12-19	2022-11-18	2022-09-26	2022-09-14	2022-09-07	2022-07-13	2022-07-01	2021-09-23	2021-09-15
	Number of Days Pending	175	197	216	252	260	265	304	311	502	508
AGENCY OVERALL	Date of Appeal	2023-01-23	2022-12-19	2022-11-18	2022-09-26	2022-09-14	2022-09-07	2022-07-13	2022-07-01	2021-09-23	2021-09-15
	Number of Days Pending	175	197	216	252	260	265	304	311	502	508

**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
SSA	11	26	1	219	48	79	1	525	N/A	N/A	N/A	N/A
AGENCY OVERALL	11	26	1	219	48	79	1	525	N/A	N/A	N/A	N/A

**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
SSA	14	30	1	376	66	110	5	526	N/A	N/A	N/A	N/A
AGENCY OVERALL	14	30	1	376	66	110	5	526	N/A	N/A	N/A	N/A



**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
SSA	166	2	6	296	96	131	0	N/A	N/A
AGENCY OVERALL	166	2	6	296	96	131	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
SSA	Date of Receipt	2021-12-20	2021-11-18	2021-11-08	2021-09-27	2021-06-21	2021-06-01	2021-05-06	2021-03-31	2021-02-26	2021-02-26
	Number of Days Pending	444	464	471	500	568	581	598	624	647	647
AGENCY OVERALL	Date of Receipt	2021-12-20	2021-11-18	2021-11-08	2021-09-27	2021-06-21	2021-06-01	2021-05-06	2021-03-31	2021-02-26	2021-02-26
	Number of Days Pending	444	464	471	500	568	581	598	624	647	647

**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
SSA	0	383	4	5	343
AGENCY OVERALL	0	383	4	5	343

**VIII.B. Requests for Fee Waiver**

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
SSA	0	374	5	7
AGENCY OVERALL	0	374	5	7

**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
SSA	10	10.00	20.00	2430354.93	28245.75	2458600.68
AGENCY OVERALL	10	10.00	20.00	2430354.93	28245.75	2458600.68



**X. Fees Collected for Processing Requests**

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
SSA	200051.25	8.2300
AGENCY OVERALL	200051.25	8.2300

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

Agency / Component	Number of Times Subsection Used
SSA	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
SSA	46	0
AGENCY OVERALL	46	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
SSA	251	47
AGENCY OVERALL	251	47

**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
SSA	1	15	15	1
AGENCY OVERALL	1	15	15	1

**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
SSA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2023-06-13
	Number of Days	0	0	0	0	0	0	0	0	0	109
AGENCY OVERALL	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2023-06-13
	Number of Days	0	0	0	0	0	0	0	0	0	109

**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
SSA	11762	10130	11811	10305
AGENCY OVERALL	11762	10130	11811	10305

**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
SSA	92	251
AGENCY OVERALL	92	251

**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
SSA	792	951	774	957
AGENCY OVERALL	792	951	774	957

**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
SSA	37	47
AGENCY OVERALL	37	47