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Freedom of Information Act (FOIA) Standard Operating
Procedures (SOP) 2023

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Source of document: Federal Motor Carrier Safety Administration
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**U.S. Department
of Transportation**

**Federal Motor Carrier
Safety Administration**

**1200 New Jersey Ave., SE
Washington, DC 20590**

March 7, 2024
FMCS-2022-03431

This is in response to your request dated May 22, 2022, requesting records pertaining to Internal FOIA Standard Operating Procedure (SOP) at the FMCSA FOIA Office.

Pursuant to the FOIA, 5 U.S.C. § 552, enclosed are the documents we located responsive to your request, released in their entirety. Other information pertaining to our FOIA program can be found on our web site at [Freedom of Information Act \(FOIA\) | FMCSA \(dot.gov\)](https://www.fmcsa.dot.gov/foia).

This is all of the information we have which falls within the scope of your request and regret any inconvenience caused by the delay in responding to your request.

Sincerely,

//Signed//
Jennifer Weatherly
FMCSA FOIA Officer



**Federal Motor Carrier
Safety Administration**

Standard Operating Procedure

Division	Office of Information Services		
SOP ID	2023-SOP-MC-MI 01-1	Version	1.0
Effective Date	12/13/2023	Page 1 of 6	

Classification

Freedom of Information Act (FOIA) Request
Multi-Track Processes

SOP Title

Categorization of Types of Freedom of Information Act (FOIA) Request

Purpose and Scope

- In accordance with the FOIA, agencies may promulgate regulations providing for aggregation of requests and multi-track processing of their FOIA requests – which allows agencies to process requests on a first-in, first-out basis within each track, and permits them to respond to relatively simple requests more quickly than requests involving complex and/or voluminous records.
- FMCSA generally processes requests on a first-in, first-out basis and has established processes for Simple, Complex, Super Simple¹ and Expedited tracks.
- The purpose of categorizing the type of FOIA request is to properly identify the request that can be processed faster than those that will take more time. The FOIA analyst uses the different tracks to determine the approximate processing time and the complexity of the documents.

Multi-Track Processes

When FOIA requests are received, the FOIA Coordinator determines what track the request will be processed in by the number of records and the complexity of records found.

- **Super Simple-** requests are considered super simple when the requester is requesting a single specific document, (such as a CSP, MCS150, OP1, or a specific Safety audit), when the requested carrier has two or less records listed in their EDMS and MCMIS file, if there are no records in MCMIS or EDMIS or if the documents found can be processed in 1-3 days. All PSPs (driver report) requests are considered super simple.
- **Simple-** requests are considered simple when there are not any large enforcements or compliance reviews listed in the carrier file or the documents found could be processed within 20 days. **(Our most common type of request).**
- **Complex -** requests are considered complex when there are enforcement(s) or compliance review(s) with over 100 pages. The request is also considered complex if there are a lot of complaints listed with a large amount of pages. All data requests and requests that request records from other program offices are usually assigned to the complex track.
- **Expedited-** request are handled swiftly as they are needed urgently by the requester due to the threat of a person's life or safety; it would inform the public concerning actual or alleged federal government activity

¹ Super simple is a FMCSA invention and does not exist in FOIAexpress or universal FOIA terminology.

by a person disseminating information to the public; or an individual will suffer the loss of substantial due process rights. In this regard, a request will not be expedited merely because the requester is facing a court deadline in a judicial proceeding.

Policy Document Cited

- 5 U.S.C. § 55249 CFR § 7 Department of Justice (DOJ) Guide to the Freedom of Information Act

Organization of Policy Origin

- [Office of Information Policy | The Freedom of Information Act, 5 U.S.C. § 552 \(justice.gov\)](#)
- [eCFR :: 49 CFR Part 7 -- Public Availability of Information](#)
- [Office of Information Policy | Department of Justice Guide to the Freedom of Information Act](#)

SOP Point of Contact

Ranita Jackson, Supervisory Program Manager, FOIA Operations

SOP Signoff Authority

Jennifer Weatherly, Division Chief, Information Services

1.0 Definition of Terms

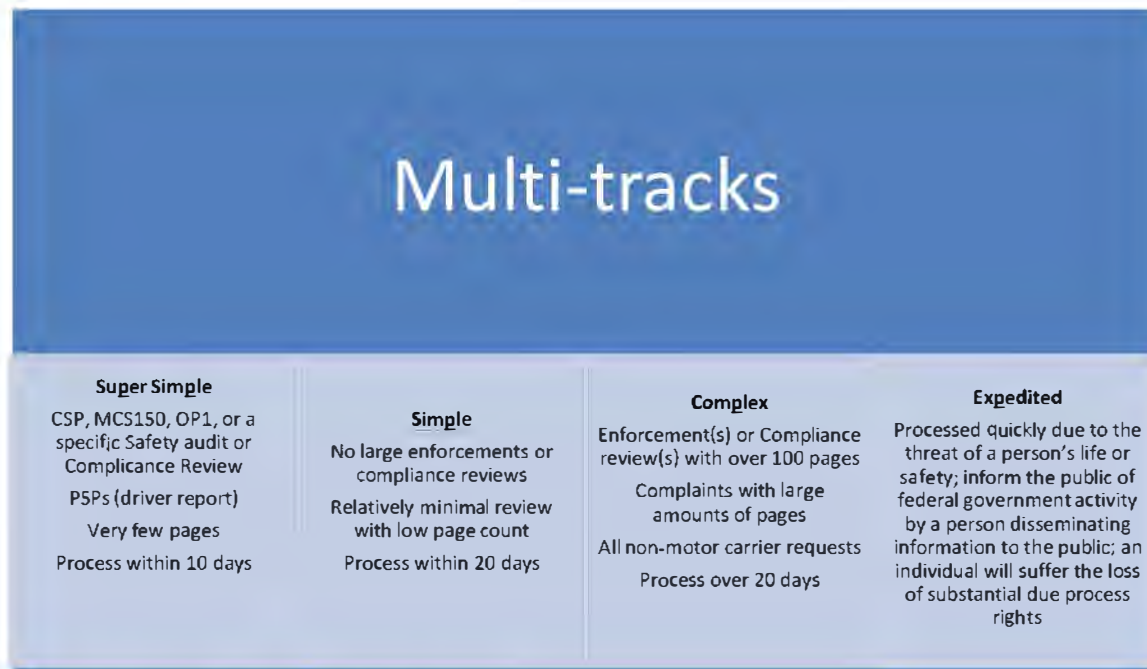
Term	Definition
<ul style="list-style-type: none"> ▪ Requester ▪ Process ▪ Category ▪ Super Simple ▪ Simple ▪ Complex ▪ Expedited 	<ul style="list-style-type: none"> ▪ Requester - The person who is making a request to obtain records. ▪ Process - action taken to complete a task. (Assigning request to appropriate track). ▪ Category - group of common interest ▪ Super Simple – request established by FMCSA that is fast tracked to be processed in one to two days and reduce the backlog. ▪ Simple – requests require relatively minimal review that have a low volume of records and/or records not deemed difficult to process. ▪ Complex – requests typically contain high volume records and/or complexity of the records that require additional steps to process. ▪ Expedited - to have an action accomplished quickly. Note: A request for expedited processing must be accompanied by a statement setting forth the reasons why your request should be expedited. Furthermore, expedition is only granted under certain circumstances.

2.0 Roles and Responsibilities

Title	Description of Responsibility
Supervisor, FOIA Operations	<ul style="list-style-type: none"> • Oversees operation of the Intake Team • Provides guidance on processing of requests • Communicates with requesters when needed

Title	Description of Responsibility
FOIA Coordinator	<ul style="list-style-type: none"> Manages FOIA in-box and all communication received Reviews requests for records Determines track based on requested records Logs requests in FOIAXpress and selects assigned track
Intake Team	<ul style="list-style-type: none"> Logs requests in FOIAXpress and selects assigned track

3.0 Procedure Overview



Process Steps for Motor Carrier requests

Step	Action	Output	Timeline
Name of Activity			
1. Review Request	<ul style="list-style-type: none"> Review to ensure it reasonably describes the records sought and the requested records would be maintained or possibly maintained by FMCSA. 		
2. Motor Carrier Requests	<ul style="list-style-type: none"> Ensure requester provides name of Carrier and DOT #. Using the DOT # review Systems listed above to determine if the request is super simple, simple, or complex by the records requested, timeframe and the number of documents possibly responsive. 		
3. Log Request	<ul style="list-style-type: none"> Once the track is determined, log into FOIAXpress and select the correct track. For Super Simple, these are assigned right away in a rotating order 		

Process Steps for Data Requests

Step	Action	Output	Timeline
Name of Activity			
1. Review Request	<ul style="list-style-type: none"> Review to ensure it reasonably describes the records sought and the requested records would be maintained or possibly maintained by FMCSA. 		
2. Data Requests	<ul style="list-style-type: none"> Ensure requester provides specific data elements on carrier information and timeframe. If a request is received asking for an entire system, request for a narrowed scope. All data requests are considered complex due to the logistics in retrieving the information and in most cases the volume. 		
3. Log Request	<ul style="list-style-type: none"> All data requests are logged in as complex and assigned to specific FOIA Analyst. 		

Process Steps for Medical requests

Step	Action	Output	Timeline
Name of Activity			
1. Review Request	<ul style="list-style-type: none"> Review to ensure it reasonably describes the records sought and the requested records would be maintained or possibly maintained by FMCSA. Ensure proper authorization was submitted with the request. Request is not log in without proper consent. 		
2. Medical Requests	<ul style="list-style-type: none"> Medical requests are considered complex due to the logistics in retrieving the information. Once authorization is validated, the request is logged in and then sent to the Medical Program Division. 		
3. Log Request	<ul style="list-style-type: none"> All medical requests are logged as complex and assigned to specific FOIA Analyst. 		

Process Steps for PSP requests

Step	Action	Output	Timeline
Name of Activity			
1. Review Request	<ul style="list-style-type: none"> Review to ensure it reasonably describes the records sought and the requested records would be maintained or possibly maintained by FMCSA. Ensure proper authorization was submitted with the request. Request is not log in without proper consent. 		

Step	Action	Output	Timeline
2. PSP Requests	<ul style="list-style-type: none"> PSP requests are considered Super Simple and can be processed in 3-5 days. PSPs can be processed with a completed Privacy Waiver and copy of a driver's license or notarized document. Once authorization is validated, the request is logged in and then processed 		
3. Log Request	<ul style="list-style-type: none"> All PSPs are logged in as Super Simple and processed by a specific FOIA Analyst. 		

Process Steps for Non - Motor Carrier requests

Step	Action	Output	Timeline
Name of Activity			
1. Review Request	<ul style="list-style-type: none"> Review to ensure it reasonably describes the records sought and the requested records would be maintained or possibly maintained by FMCSA. All non-motor carrier requests are sent to office supervisors for review. Clarification may be needed. 		
2. Non-Motor Carrier Requests	<ul style="list-style-type: none"> Track will be determined by the number of records being requested or logistics. Narrowing of scope may be required. 		
3. Log Request	<ul style="list-style-type: none"> Once the track is determined, log into FOIAXpress and select the correct track. 		

Process Steps for Law Enforcement and Federal Subpoenas Requests

Step	Action	Output	Timeline
Name of Activity			
1. Review Request	<ul style="list-style-type: none"> Review to ensure it reasonably describes the records sought and the requested records would be maintained or possibly maintained by FMCSA. 		
2. Law Enforcement & Federal Subpoena Requests	<ul style="list-style-type: none"> These requests must be for official business and state what the need to know is for in order to perform their duties. They also must include the requester's name and position title. 		
3. Log Request	<ul style="list-style-type: none"> These requests are logged in as Simple but assigned right away to the specific FOIA Analyst for processing 		

Process Steps for Registration, Insurance and Authority Requests

Step	Action	Output	Timeline
Name of Activity			

Step	Action	Output	Timeline
4. Review Request	<ul style="list-style-type: none"> Review to ensure it reasonably describes the records sought and the request contains the DOT # and Company Name 		
5. Registration, Insurance and Authority Requests	<ul style="list-style-type: none"> These requests will likely be Super Simple if they are only requesting a specific single form pertaining to registration, insurance, or authority. 		
6. Log Request	<ul style="list-style-type: none"> These requests are logged in assigned to the specific FOIA Analyst for processing 		

3.0 Revision History

Version	Primary Author (s)	Description of Change	Date Completed
1.0	Ranita Jackson	Original Submission	09/25/2023

4.0 SOP Sign- Off

Approval:



 FMCSA Quality Representative

12-13-2023

 Date