



MANUAL TRANSMITTAL

Department of the Treasury
Internal Revenue Service

7.1.7

NOVEMBER 18, 2025

EFFECTIVE DATE

(11-18-2025)

PURPOSE

- (1) This transmits revised IRM 7.1.7, TE/GE Administrative Procedures and Programs, Processing Information Requests

MATERIAL CHANGES

- (1) Revised IRM 7.1.7.1, Program Scope and Objectives, to incorporate all internal control elements required by IRM 1.11.2.2.4, Address Management and Internal Controls.
- (2) Revised IRM 7.1.7.3, Media Requests, to ensure the functional FOIA POC corresponds with the TE/GE FOIA Program Coordinator who corresponds with IRS-C&L.
- (3) Revised IRM 7.1.7.4, Freedom of Information (FOIA) Requests, to ensure the functional FOIA POC corresponds with the TE/GE FOIA program coordinator who corresponds with PGLD.
- (4) Revised IRM 7.1.7.5.5, Step 6: Search for Responsive Documents, to ensure the functional FOIA POC works with the TE/GE FOIA program coordinator who then works with Disclosure on FOIA issues.
- (5) Revised IRM 7.1.7.5.6, Step 6: Process Documents, to ensure the functional FOIA POC works with the TE/GE FOIA program coordinator who then works with TEGEDC for redaction recommendations.
- (6) Revised IRM 7.1.7.5.8, Step 8: Coordination with Disclosure and Closing the Case Out of TE/GE, to list the responsibilities of the TE/GE FOIA program coordinator when closing a FOIA request.
- (7) Changed "TEGE FOIA coordinator" to "TE/GE FOIA program coordinator" throughout.
- (8) Made editorial updates including linkage corrections, capitalization updates, plain language, and grammatical changes throughout.

EFFECT ON OTHER DOCUMENTS

This supersedes IRM 7.1.7, dated September 22, 2021.

AUDIENCE

Tax Exempt and Government Entities

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Acting Commissioner
Tax Exempt and Government Entities

7.1.7

Processing Information Requests

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7.1.7.1
(11-18-2025)
Program Scope and Objectives

- (1) This section provides guidance on the process for Tax Exempt and Government Entities (TE/GE) employees to track and request clarification on media and Freedom of Information Act (FOIA) requests that relate to TE/GE.
- (2) **Purpose:** This section serves as a comprehensive guide for TE/GE employees to process FOIA requests.
- (3) **Audience:** All TE/GE employees, regardless of occupational series, pay plan, or grade.
- (4) **Policy Owner:** Privacy, Governmental Liaison, and Disclosure (PGLD) is the policy owner for FOIA (5 USC 552) as described in IRM 11.3.13. Tax Exempt and Government Entities is the owner of the policies in this manual section, subject to additional guidance from PGLD.
- (5) **Program Owner:** Tax Exempt and Government Entities is the program owner for the procedures in this section.
- (6) **Primary Stakeholders:** TE/GE Leadership
- (7) **Program Goals:** By following the procedures outlined in this section, TE/GE employees ensure the prompt and proper handling of FOIA requests, with the goal of meeting the FOIA and media request deadlines and requirements.

7.1.7.1.1
(09-22-2021)
Background

- (1) TE/GE developed the instructions in this section to clarify procedures for its employees and to incorporate references to specific computer systems. This IRM complements these other IRMs which provide general instructions for all IRS employees to work and respond to:
 - IRM 11.1.3 - media requests
 - IRM 11.3.13 - Freedom of Information Act requests

7.1.7.1.2
(11-18-2025)
Authority

- (1) The *Freedom of Information Act (FOIA)*, 5 USC 552, as amended, provides for public access to records and information maintained by federal agencies.
- (2) *Policy Statement 11-13* provides that agency records are to be made available to the public unless required or permitted to be withheld. The IRS is committed to administering the FOIA with respect to agency records in a manner consistent with preserving the fundamental values held by our society, including public accountability, safeguarding national security, enhancing the effectiveness of law enforcement agencies and the decision-making processes, protecting sensitive business information, and protecting personal privacy.
- (3) *Delegation Order 11-2* identifies officials who are authorized to disclose tax information and provides a reference chart for the authorities granted under IRC 6103 and IRC 6104.

7.1.7.1.3
(11-18-2025)
Roles and Responsibilities

- (1) The following individuals hold specific responsibilities outlined in this section:
 - TE/GE FOIA Program Coordinator
 - Functional FOIA Point of Contact (POC)
 - Subject Matter Expert
 - Tax Exempt and Government Entities Division Counsel (TEGEDC)
- (2) Visit the *TE/GE Centralized Points of Contact List* for a list of the individuals identified above.

7.1 TE/GE Administrative Procedures and Programs

(3) The TE/GE FOIA Program Coordinator:

- Is the liaison between TE/GE and PGLD-Disclosure (Disclosure).
- Considers the scope of a FOIA request and determines whether it relates to TE/GE.
- Receives and monitors all FOIA requests in TE/GE.
- Discusses extensions with Disclosure.
- Informs Disclosure when a FOIA request does not relate to TE/GE.
- Maintains a list of functional FOIA POCs.
- Disseminates FOIA requests to the appropriate functional FOIA POCs.
- Notifies Disclosure of whether other IRS business units may have responsive documents.
- Coordinates and submits FOIA request responses, including responsive documents and the Response to FOIA Search Request Form, to Disclosure.
- Maintains a spreadsheet that captures pertinent information for all FOIA requests for tracking and monitoring purposes.
- Prepares a monthly report on the status of each FOIA case.

(4) The functional FOIA POC:

- Completes the Response to FOIA Search Request Form and submits it to the TE/GE FOIA Program Coordinator.
- Disseminates the FOIA request to appropriate person(s) in their function.
- Ensures a thorough search for and review of responsive documents is conducted.
- Forwards the collected responsive documents to the TE/GE FOIA Program Coordinator.
- Identifies subject matter experts within their function.
- Prepares a monthly report on the status of each FOIA case assigned to the function.
- Coordinates with TEGEDC as needed.

(5) The subject matter expert:

- Is a TE/GE employee who is assigned by the function to fulfill the search request.
- Confirms identified documents are responsive to the FOIA request.
- Converts emails that are responsive documents to PDF format.
- Fulfills the search request.
- Forwards the collected responsive documents to the functional FOIA POC.
- Coordinates with TEGEDC as needed.

Note: The subject matter expert may carry out some of the same responsibilities as the functional FOIA POC/coordinator, such as interacting with Disclosure, when technical expertise or other aspects of the interaction require such actions.

(6) Tax Exempt and Government Entities Division Counsel (TEGEDC):

- Applies FOIA exemptions to responsive documents.
- Identifies any active litigation bearing on a FOIA request.
- Suggests redactions to responsive documents.

7.1.7.1.4
(12-19-2018)
**Program Management
and Review**

- (1) **Program Reports:** The TE/GE FOIA Program Coordinator:
 - a. Controls and monitors all TE/GE FOIA requests.
 - b. Prepares a monthly report on the status of each FOIA case.
 - c. Issues the report to the TE/GE commissioner and other officials designated by the TE/GE commissioner.
- (2) **Program Effectiveness:** Not currently tracked.

7.1.7.1.5
(12-19-2018)
Program Controls

- (1) The TE/GE FOIA Program Coordinator controls all TE/GE FOIA requests. This person monitors each FOIA request and provides regular reports to the TE/GE commissioner.
- (2) All searches in response to a FOIA request must be completed within 20 days. If a search cannot be done by then, a request for an extension to complete the search and/or review must be submitted to Disclosure.

7.1.7.1.6
(09-22-2021)
Terms and Acronyms

Defined Terms

Term	Definition
Disclosure	A functional division within Privacy, Governmental Liaison and Disclosure.
Function	A functional division within TE/GE: <ul style="list-style-type: none"> • Compliance, Planning and Classification • Employee Plans • Exempt Organizations and Government Entities • Shared Services
Subject Matter Expert	A TE/GE employee who is assigned by her or his function to fulfill the search request.
Redaction	Censoring or obscuring part of a document for legal or security purposes.
Responsive Documents	Those records within the employee's possession and control as of the date of receipt of the FOIA request by Disclosure.
Search	To locate, manually or by automated means, agency records for the purpose of identifying those records which are responsive to a request.

- (2) See the table below for definitions of specific acronyms used in this manual:

Acronyms

Acronym	Definition
CP&C	Compliance, Planning and Classification

Acronym	Definition
EDS	Employee Plans & Exempt Organizations Determination System
EO/GE	Exempt Organizations and Government Entities
EP	Employee Plans
FOIA	Freedom of Information Act
SS	Shared Services
IDRS	Integrated Data Retrieval System
IRC	Internal Revenue Code
POC	Point of Contact
RCCMS	Reporting Compliance Case Management System
TE/GE	Tax Exempt and Government Entities
TEGEDC	Tax Exempt and Government Entities Division Counsel
USC	United States Code

7.1.7.1.7
(09-22-2021)

Related Resources

- (1) See the *TE/GE Centralized Points of Contact List* for the list of contacts.
- (2) View the text of the *Freedom of Information Act*.
- (3) View the pertinent regulations by downloading the PDF of the *Code of Federal Regulations*.
- (4) See IRM 11.3.13, Freedom of Information Act for additional guidance from Disclosure on Freedom of Information Act procedures.

7.1.7.2
(09-22-2021)

Disclosure of Case Files

- (1) A taxpayer or taxpayer representative has a right to information used to determine his/her tax liability, which includes a copy of the case file. The legal basis for giving taxpayers copies of their own tax records is contained in IRC 6103(e). This section says the Service shall give taxpayers access to their returns upon written request. It also says the Service may provide copies of return information unless the Secretary determines release would seriously impair tax administration.
- (2) IRC 6103(e)(7) allows the IRS to withhold return information if that release would impair tax administration.
 - a. If you are asked to provide copies of your case file, ensure the person requesting access has a legal right to the information.
 - b. When you are satisfied they can have copies, review the information before release to determine that release of the information would not seriously impair tax administration.
- (3) Impairment determinations should not be so narrowly construed to prevent the release of all information. Approval authority for determinations is delegated to

the supervisory level personnel. If you have any concerns about whether to release something in the file, contact Disclosure for assistance.

- (4) Questions to consider when making an impairment determination:
 - a. Does the file contain any informant information? If so, do not release it.
 - b. Is there any sensitive information that could reveal the nature, scope or direction of your examination?

Example: Notes regarding a possible fraud determination.

 - c. Does the file contain third-party tax information? If so, do not release it.
- (5) Summoned documents and third-party contact information are return information. Such information can be withheld if the Service determines that such release would:
 1. Jeopardize the collection of any tax,
 2. Involve reprisal against any person, or
 3. Jeopardize any pending criminal investigation.
- (6) Every consideration should be given to releasing the records requested. If you determine that requested information cannot be released, make sure that determination is made so as to withhold only the narrowest range of information possible. The Freedom of Information Act (FOIA) or Privacy Act request process is available when a requester is not satisfied with a denial of access and no resolution can be reached with managerial involvement. Helpful information to aid the requester in submitting a formal FOIA request and other information about the FOIA process are available at *IRS Freedom of Information Act*.

7.1.7.3
(11-18-2025)
Media Requests

- (1) If a TE/GE employee receives a TE/GE-related document request directly from a member of the media that was not submitted as a FOIA request:
 1. He or she will route the request to his/her functional FOIA POC.
 2. The functional FOIA POC will route the request to the TE/GE FOIA Program Coordinator.
 3. The TE/GE FOIA Program Coordinator will coordinate with IRS Communications & Liaison (IRS-C&L) who will review and assign the request as deemed appropriate.
- (2) As the IRS's FOIA public liaison, Privacy, Governmental Liaison & Disclosure (PGLD) may receive general questions from both media requesters and other members of the public about obtaining TE/GE-related documents. To respond to these general questions, PGLD may consult informally with TE/GE. TE/GE employees may help PGLD respond to these general questions.
- (3) When a member of the media submits a FOIA request seeking TE/GE-related documents, PGLD processes the request the same way as other FOIA requests.

7.1.7.4
(11-18-2025)
Freedom of Information Act (FOIA) Requests

- (1) FOIA requests come to TE/GE from PGLD-Disclosure to secure responsive records. Generally, PGLD forwards a copy of all TE/GE-related FOIA requests to the TE/GE FOIA Program Coordinator for proper tracking. In certain instances, PGLD may submit a copy of a FOIA request directly to a TE/GE employee who is likely to have responsive documents. Employees who receive

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a FOIA request directly from PGLD should immediately notify their manager and functional FOIA POC and provide them a copy of the request. The functional FOIA POC will notify the TE/GE FOIA Program Coordinator, who will coordinate the request with PGLD. Do not release any documents before receiving guidance from the functional FOIA POC.

- (2) PGLD Disclosure is the owner of the FOIA and reaches out to TE/GE to assist in securing responsive records to complete PGLD Disclosure's response.

7.1.7.4.1 (09-22-2021) **Informal Initial Consultation**

- (1) TE/GE employees may answer PGLD inquiries as to whether TE/GE possesses documents, or know where documents might be found, without first being presented with a FOIA request.
- (2) If you need to reach out to a Disclosure manager, find the *Disclosure Offices* for the state or area served.

7.1.7.4.2 (08-16-2016) **Clarifying FOIA Requests**

- (1) TE/GE must immediately return information requests they receive that are ambiguous, vague or overly broad to PGLD. PGLD will take the lead with the requestor to clarify the request.
- (2) If clarification on a FOIA request is needed, the TE/GE FOIA Program Coordinator will consult PGLD to discuss how to clarify the request.
- (3) If the requestor clarifies the original request, the requestor amends the original request in writing (an email is sufficient) and sends it to PGLD. PGLD sends the amended request to the TE/GE FOIA Program Coordinator for processing.
- (4) To expeditiously respond to FOIA requests, if a request is a multi-part request and only a portion needs clarification, the TE/GE employee assigned to respond to the request should continue to fulfill the parts that do not need clarification.

7.1.7.5 (11-18-2025) **Processing Freedom of Information Act Requests**

- (1) The purpose of this IRM is to provide guidance for processing FOIA requests in TE/GE. Our goal under FOIA is to be as responsive, complete, and transparent as possible in responding to these requests.

7.1.7.5.1 (09-22-2021) **Step 1: Establish Controls for the Case**

- (1) FOIA requests may be grouped into two general categories:
 - **Tax or Personnel Records** – these requests typically seek information on a particular entity that can be located by researching an EIN or an SSN. In these cases, Disclosure will research IDRS to locate the case and then goes directly to the source of the files with the request. If Disclosure seeks information in a closed file, they request determination related files from the Federal Records Center (FRC). For related case files, the functional FOIA POC makes sure a search of inventory systems has been completed. For more information, see IRM 11.3.13.3.3, Identity of Requester.
 - **Agency Records** – these requests typically are more comprehensive than a field request and can cover more than one TE/GE function. They include requests on policy, training material, litigation, etc. Typically, Disclosure directs these requests to the TE/GE Commissioner's office, or to

a specific TE/GE office such as Communications & Liaison. For more information, see IRM 11.3.13.3.4, Definition of Agency Record.

- (2) If a request comes directly from the public to an employee of a function, the employee notifies his/her functional FOIA POC and the TE/GE FOIA Program Coordinator of the request and then follows *Disclosure Basics: Using the CAP Process*. (The public should not send FOIA requests directly to employees, but instead, to the Disclosure office, which routes them to the appropriate office).
- (3) If a request comes directly to a function from the Disclosure office, instead of through the TE/GE FOIA Program Coordinator or the functional FOIA POC, the TE/GE employee informs the functional FOIA POC and the TE/GE FOIA Program Coordinator by sending them a copy of the request.
- (4) A typical FOIA request package includes a copy of the FOIA request letter or form submitted by the requestor, a memo from Disclosure requesting a search, and Disclosure's "Response to FOIA Request Form."
- (5) The functional FOIA POC and Tax Exempt and Government Entities Division Counsel identify any active litigation bearing on a FOIA request and notify the function working the request.

7.1.7.5.2
(12-19-2018)
**Step 2: Charging Time,
Monthly Report**

- (1) Report all time spent on FOIA activities under SETR code 800-85330.
- (2) Report time spent on FOIA activities in WebETS under Activity Code 186, Project Code 0999.
- (3) To properly track emails on individual FOIA requests, include in the **subject** line the FOIA case number assigned to the request by Disclosure.
- (4) The TE/GE FOIA Program Coordinator controls and monitors all FOIA requests per IRM 7.1.7.1.3 (3).

7.1.7.5.3
(09-22-2021)
**Step 3: Initial
Considerations**

- (1) The TE/GE FOIA Coordinator considers the scope of the FOIA request and determines whether it relates to TE/GE. If other functions may have responsive documents, the TE/GE FOIA Program Coordinator notifies Disclosure of the same. If the FOIA request does not relate to TE/GE, the TE/GE FOIA Program Coordinator notifies Disclosure, and no further action is required by TE/GE.
- (2) If the request is ambiguous or imprecise, TE/GE works with Disclosure to obtain a clarification from the requestor. Similarly, if the request appears overly broad or exceptionally difficult or time-consuming to work, TE/GE requests that Disclosure consult with the requestor to explore ways to narrow the request's scope or stage of the work.
- (3) If from appearances, we will not be able to meet the statutory 20-day deadline (20 business days) for responding to the FOIA request, the functional FOIA coordinator or the subject matter expert should promptly discuss an extension with the TE/GE FOIA Program Coordinator. See IRM 11.3.13.6.3, Extension Letters, regarding extensions.
- (4) A function initially surveys the potential of responsive documents. It informs Disclosure of the estimates of:
 - a. Number of documents it is likely to produce.
 - b. Costs to locate, copy, and redact the documents.

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- (5) The IRS may initially incur costs up to \$250, or a higher amount that the requestor agrees to pay. If the search costs will likely exceed \$250, or the higher agreed amount, discuss cost with Disclosure before you do additional work. The fee is often waived for FOIA requests from the media.

7.1.7.5.4 (12-19-2018)

Step 4: Identify Locations of Responsive Documents

- (1) The TE/GE FOIA Program Coordinator maintains a list of functional FOIA POCs for CP&C, EP, EO/GE and SS. Each functional FOIA POC in turn, keeps a similar list of his/her subject matter experts.
- (2) A functional FOIA POC identifies subject matter experts in his/her function familiar with the documents requested, have custody of, or can request them.
- (3) Consider all potential locations in which responsive documents may be stored (for instance, on EDS, RCCMS, or in an archive or other source for which there may be no particular custodian).
- (4) Search efforts should be thorough and consider all possible sources.
- (5) Although searching for, gathering and reviewing FOIA documents can take time, remember the 20-day statutory period for processing FOIA requests. Also, keep the assigned Disclosure specialist up to date on your search progress.

7.1.7.5.5 (11-18-2025)

Step 5: Search for Responsive Documents

- (1) The functional FOIA POC emails the FOIA request to appropriate groups or employees in his/her function. If the search cannot be completed in 20 days, the functional FOIA POC must notify the TE/GE FOIA Program Coordinator who will request an extension of time. Meanwhile, the functions must continue their search efforts.
- (2) A record of the search effort must be maintained for each FOIA request. The Functional FOIA POC for the function assigned the request is responsible for completing and returning Attachment 1 - Response to FOIA Search Request section in the official search memo to the TE/GE FOIA Program Coordinator for submission to Disclosure. This form provides Disclosure with information detailing who conducted the search and review, what files and systems were searched, where records were located, how much time was spent on the search and review, and whether there is any related litigation.
- (3) For better control of the responsive documents sent to Disclosure, generally, the subject matter expert sends the documents to the functional FOIA POC, who forwards them to the TE/GE FOIA Program Coordinator, who submits them to Disclosure. In instances where the number of responsive documents is voluminous, the functional FOIA POC forwards the responsive documents directly to PGLD and notifies the TE/GE FOIA Program Coordinator that the documents were delivered.

7.1.7.5.6 (12-19-2018)

Step 6: Process Documents

- (1) Responsive documents may be produced in paper or electronic format.
- (2) Consider delivering documents in batches (documenting the delivery at each stage) to maximize responsiveness to the requestor. Disclosure will provide interim responses to the requestor as opposed to waiting until all records are received and reviewed.
- (3) If emails are part of the responsive documents, the subject matter expert should convert them to PDF format. Contact Disclosure office for procedures.

- (4) After documents have been identified, the subject matter expert confirms the documents are responsive to the FOIA request. The responsive documents are forwarded to the functional FOIA POC who provides them to the TEGEDC POC for redaction recommendations.
- (5) Functions generally give Disclosure **two** sets of responsive documents - a “clean copy” which is not marked, and a “working copy” on which the function shows recommended redactions. Highlight in yellow the text or materials that should be redacted. If you are unsure, highlight the text and note your concerns. When appropriate, include notations that might help Disclosure to understand reasons for the proposed redactions.
- (6) You can redact documents in electronic format using the redaction toolbar in Adobe Acrobat. For these documents, you only need to submit one copy to Disclosure.
- (7) The proposed redaction statement must include the page number(s) or portion of the page(s) that should be withheld and must provide a justification for the withholding.

7.1.7.5.7
(09-22-2021)
**Step 7: FOIA
Exemptions**

- (1) Subject matter experts are not expected to be experts with respect to FOIA exemptions. They can readily identify IRC 6103 taxpayer information but shouldn't spend excessive time determining which of the nine FOIA exemptions listed below may apply.
- (2) Disclosure is available to answer questions on FOIA exemptions and redactions. Disclosure reviews and applies the appropriate exemptions and considers TE/GE's proposed redactions. Refer to IRM 11.3.13.5, Review and Redaction, for guidance.
- (3) TEGEDC is also available to suggest redactions to responsive documents.

Note: Functional FOIA POCs and subject matter experts should not hesitate to ask for TEGEDC's help.

- (4) The following list of FOIA exemptions is provided as a guide. If you have questions or are unsure whether an item should be disclosed, contact Disclosure, or consult TEGEDC. They are the experts in applying these exemptions:
 1. Classified secret in the interest of national defense or foreign policy
 2. Internal personnel rules and practices of any agency
 3. Specifically exempted by statute
 4. Trade secrets, commercial information, or financial information, if obtained from a person and privileged or confidential
 5. Inter-agency or intra-agency memos or letters which would not be available by law to a party other than an agency in litigation with the agency
 6. Personnel files, medical files and other files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy
 7. Records or information compiled for purposes of law enforcement, but only to the extent that the production of such records or information

- a. could reasonably be expected to interfere with enforcement proceeds,
 - 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 if such disclosure could reasonably be expected to risk circumvention of the law, or
 - f. could reasonably be expected to endanger the life or physical safety of any individual
8. Examination, operating, or condition reports prepared by, on behalf of, or for the use of by an agency that is responsible for the regulation or supervision of financial institutions
 9. Geological and geophysical information and data, including maps, concerning wells

Note: Disclosure is ultimately responsible to ensure confidential information or information that may harm tax administration, commercial or other institutional interests, or personal privacy is not released. (IRM 11.3.13.5 (4) (b), Review and Redacting.)

7.1.7.5.8
(11-18-2025)

**Step 8: Coordination
with Disclosure and
Closing the Case out of
TE/GE**

(1) Generally, the TE/GE Program Coordinator will:

1. Send the responsive documents to Disclosure through email (use secure email when appropriate) or other method specified by Disclosure.
2. Contact Disclosure for its preferred method of receiving paper files, if any.
3. Submit a completed "Response to FOIA Search Request" form to Disclosure.
4. Receive acknowledgement of receipt of responsive documents from Disclosure, usually via email.
5. Update case status to **closed** in the FOIA inventory tracker.