



**DEPARTMENT OF DEFENSE
FREEDOM OF INFORMATION ACT
ANNUAL REPORT
FOR
FISCAL YEAR 2012**

Preparation of this study/report cost the Department of Defense a total of approximately
\$225,870.59 for the 2012 Fiscal Year.

**DIRECTOR OF ADMINISTRATION
AND MANAGEMENT
DEPARTMENT OF DEFENSE
FREEDOM OF INFORMATION ACT
REPORT FOR
FISCAL YEAR 2012**

Report Period: October 1, 2011 through September 30, 2012

EXECUTIVE SUMMARY

The Department of Defense Freedom of Information Act (FOIA) program processed 66,651 requests for records under the FOIA. Requests were granted in full for 25,672 requests; a partial release of documents was made in 15,318 requests; and 3,148 requests were denied in full on the basis of FOIA exemptions. The privacy exemptions, Exemptions 6 and 7(C), were the most common exemptions, combining for approximately 59% of all exemptions used. The number of pending FOIA requests for the Department of Defense at the end of fiscal year 2012 was 9,452 an 7.5% reduction from the 10,224 requests pending in the fiscal year 2011.

The number of backlogged requests (those still open past the statutory response time) for fiscal year 2012 is 6,371, a 12.2% reduction from the 7,260 pending requests at the end of fiscal year 2011. The backlog was reduced by 1,177 requests. Key components to the backlog reduction was the effort by the Department of the Army which reduced its backlog by 38% of requests from 1,000 to 625 requests, the Defense Intelligence Agency which reduced its backlog by 29% of requests from 1,605 requests to 1,132 requests and the Department of the Navy which reduced its backlog by 28% from 1,658 to 1,202 requests.

The total cost of processing FOIA requests for the Department of Defense, including litigation costs, decreased to \$75,209,902 in fiscal year 2012 compared to \$93,721,676 in fiscal year 2011. The average cost of processing a FOIA request in the Department of Defense during this period was approximately \$1,128: a decrease of on average \$111 per case compared to last year's figure of \$1,239.

Table of Contents

<u>Section</u>	<u>Page</u>
I. Basic Information Regarding Report	1
II. Making a FOIA Request	1
III. Acronyms, Definitions, and Exemptions	2
IV. Exemption 3 Statutes	7
V. FOIA Requests	13
VI. Administrative Appeals of Initial Determinations of FOIA Requests	23
VII. FOIA Requests: Response Time for Processed and Pending Requests	35
VIII. Requests for Expedited Processing and Requests for Fee Waivers	53
IX. FOIA Personnel and Costs	56
X. Fees Collected for Processing Requests	58
XI. FOIA Regulations	60
XII. Backlogs, Consultations, and Comparisons	61

I. Basic Information Regarding Report

1. Title, address, and telephone number of person to be contacted with questions about the report:

Write to: Chief, Defense Freedom of Information Policy Office
1155 Defense Pentagon
Washington, DC 20301-1155

Telephone: (571) 372-0462
Toll-free number: (866) 574-4970
Fax number: (571) 372-0500

Point of Contact: Mr. Paul Levitan
Senior Freedom of Information Act Policy Analyst

2. The electronic address (Universal Resource Locator) for this report is:

http://www.dod.mil/pubs/foi/dfoipo/Annual_FOIA_reports.html

3. You may obtain a paper copy of this DoD Annual FOIA Report for fiscal year 2012 by telephoning, faxing, or writing to the Defense Freedom of Information Policy Office. A FOIA request is not necessary. Please include a return mailing address.

II. Making a FOIA Request

1. The DoD Freedom of Information Act Handbook is web based and interactive. It provides general information about the FOIA Program within DoD and provides basic information about how to submit a FOIA request. It also contains DoD component addresses, a brief description of expected response times, and the reason why some requests are not granted. The DoD Freedom of Information Act Handbook can be found at:

<http://www.dod.gov/pubs/foi/dfoipo/foiaHandbook.html>

To make a FOIA request to the DoD via the internet use the following:

http://www.dod.gov/pubs/foi/submit_foiaform.html

Using this web page, you can navigate to the FOIA Requester Service Centers for the [Military Services](#), [Combatant Commands](#), or [Defense Department Agencies](#).

2. Reasons why some requests are not granted and general categories of agency records.
 - a. This is a summary of the most frequent reasons for a FOIA request not to be granted:
 - i. The request is transferred to another DoD component, or to another Federal Agency.
 - ii. The request is withdrawn by the requester.
 - iii. The requester is unwilling to pay fees associated with a request; the requester is past due in the payment of fees from a previous FOIA request; or the requester disagrees with the fee estimate.
 - iv. A record has not been described with sufficient detail to enable the DoD component to locate it with a reasonable amount of effort.
 - v. The information requested is not a record within the meaning of the FOIA.
 - vi. The request is a duplicate request (e.g., a requester asks for the same information more than once). This includes identical requests received via different means (e.g., electronic mail, facsimile, mail, courier) at the same or different times from the same requester.
 - vii. The record is denied in whole or in part in accordance with one or more exemptions as set forth in the FOIA.
 - b. The FOIA exemptions used by the DoD components apply to a number of different categories of records. Some of these categories are:
 - i. Acquisition and Contracting,
 - ii. Personnel,
 - iii. Intelligence,
 - iv. Policy development,
 - v. Military/Operational,
 - vi. Law Enforcement,
 - vii. Inspector General.

III. Acronyms, Definitions, and Exemptions

1. Acronyms and terms:

AF	Department of the Air Force
AFRICOM	U.S. Africa Command
ASBCA	Armed Services Board of Contract Appeals
ARMY	Department of the Army
CENTCOM	U.S. Central Command
DCAA	Defense Contract Audit Agency
DCMA	Defense Contract Management Agency
DeCA	Defense Commissary Agency
DFAS	Defense Finance and Accounting Service
DIA	Defense Intelligence Agency
DISA	Defense Information Systems Agency

DLA	Defense Logistics Agency
DoD	Department of Defense
DoDEA	Department of Defense Education Activity
DoD IG	Department of Defense Inspector General
DSS	Defense Security Service
DTIC	Defense Technical Information Center
DTRA	Defense Threat Reduction Agency
EUCOM	U.S. European Command
NAVY	Department of the Navy
NGA	National Geospatial-Intelligence Agency
NGB	National Guard Bureau
NORTHCOM	U.S. Northern Command
NRO	National Reconnaissance Office
NSA	National Security Agency
OSD/JS	Office of the Secretary of Defense/Joint Staff
PA	Privacy Act
PACOM	U.S. Pacific Command
SOCOM	U.S. Special Operations Command
SOUTHCOM	U.S. Southern Command
STRATCOM	U.S. Strategic Command
TRANSCOM	U.S. Transportation Command
TRICARE	TRICARE Management Activity

2. Definitions of terms.

- a. **Administrative Appeal:** A request to an agency asking that it review at a higher administrative level a full or partial denial of access to records under the FOIA, or any other adverse FOIA determination.
- 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: the average of 3, 7, and 14 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:** DoD processes requests on a decentralized basis; a “component” is an entity, also sometimes referred to as an Office, Combatant Command, or Defense Agency, within DoD that processes FOIA requests.
- e. **Consultation:** The procedure whereby an agency responding to a FOIA request first forwards a record to another 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. The DoD tracked consultations as FOIA requests until July 1, 2008. Due to DOJ guidance, they are now tracked and reported separately.

- f. **Exemption 3 Statute:** A separate federal statute prohibiting the disclosure of a certain type of information and authorizing it being withheld under FOIA, 5 USC 552(b)(3).
- g. **FOIA Request:** A FOIA request is generally a request to an 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.
- 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 part of a record or records in response to a FOIA request because all the information in the requested record or records is determined by the agency to be exempt under one or more of the FOIA exemptions, or for some procedural reason such as no record is located in response to a FOIA request.
- 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 in each track are processed on a first-in/first out basis. A requester who has a compelling need for records may request expedited processing (see below).
 - 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:** An agency decision to disclose a record only in part in response to a FOIA request, deleting information determined to be exempt under one or more exemptions under the FOIA; or a decision to disclose some records in their entirety, but to withhold others in whole or in part.
- 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. **Perfected 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 minimum and maximum number of days to process requests or administrative appeals.
- q. **Time limits:** The time period in the FOIA for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).

3. Short definitions of the nine FOIA exemptions:

- a. **Exemption 1:** classified national defense and foreign relations information
- b. **Exemption 2:** records related solely to the internal personnel rules and practices of the DoD or any of the DoD Components
- 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 the 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

IV. Exemption 3 Statutes

Table 1

Exemption 3 Statutes Relied upon to Withhold Information					
Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Number of Times Relied upon by Agency
5 USC app. §107(a) (Ethics in Government Act of 1978))	Financial disclosure information pertaining to certain government employees	Yes ¹	AF	2	2
5 USC §574(j)	Dispute resolution communications between a neutral and a party to the dispute	No	ARMY	3	7
			DIA	4	
10 USC §128	Unclassified special nuclear weapons information	No	ARMY	1	4
			NAVY	2	
			OSD/JS	1	
10 USC §130	Certain technical data with military or space application in the possession of, or under the control of, the Department of Defense	Yes ²	AF	1	122
			ARMY	42	
			CENTCOM	1	
			DoDEA	1	
			NAVY	64	
			NSA	4	
			OSD/JS	7	
			SOCOM	2	
10 USC §130b	Personally identifying information of DoD and Coast Guard personnel in overseas, sensitive or routinely deployable units	Yes ³	AF	192	765
			AFRICOM	12	
			ARMY	46	
			CENTCOM	139	
			DCMA	2	
			DLA	2	
			EUCOM	10	
			NAVY	251	

¹ Meyerhoff v. EPA, 958 F.2d 1498, 1500-02 (9th Cir. 1992); Concepcion v. FBI, 606 F. Supp. 2d 14, 33 (D.D.C. 2009), renewed motion for summary judgment granted in part on other grounds, 699 F. Supp. 2d 106 (D.D.C. 2010).

² Newport Aeronautical Sales v. Dep't of the Air Force, 660 F. Supp. 2d 60, 65 (D.D.C. 2009); Chenkin v. Department of the Army, No. 93-494, 1994 U.S. Dist. LEXIS 20907, at *8 (E.D. Pa. Jan. 14, 1994), aff'd, 61 F.3d 894 (3d Cir. 1995) (unpublished table decision).

³ Hiken v. DOD, 521 F. Supp. 2d 1047, 1062(N.D. Cal. 2007); O'Keefe v. DOD, 463 F. Supp. 2d 317, 325 (E.D.N.Y. 2006); Windel v. United States, No. A02-306, 2005 WL 846206, at *2 (D. Alaska Apr. 11, 2005).

Exemption 3 Statutes Relied upon to Withhold Information					
Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Number of Times Relied upon by Agency
			OSD/JS	7	
			SOCOM	14	
			SOUTHCOM	90	
10 USC §130c	Certain sensitive information of foreign governments and international organizations	Yes ⁴	AF	6	33
			ARMY	3	
			CENTCOM	1	
			DIA	2	
			DTRA	1	
			EUCOM	3	
			NORTHCOM	3	
			OSD/JS	13	
			PACOM	1	
10 USC §424	Organization or any function of, and certain information pertaining to, employees of DIA, NRO, and NGA	Yes ⁵	AF	6	766
			CENTCOM	19	
			DIA	598	
			DoD IG	5	
			NAVY	3	
			NGA	6	
			NRO	107	
			NSA	7	
			OSD/JS	11	
			PACOM	2	
			TRANSCOM	2	
10 USC §455	Maps, charts, and geodetic data	No	ARMY	10	26
			CENTCOM	2	
			DIA	3	
			NAVY	9	
			NGA	2	
10 USC §613a(a)	Proceedings from Selection and Special Selection Boards for Active Duty Officers and Warrant Officers	No	AF	1	1

⁴ Nat'l Inst. Of Military Justice v. DoD 404 F. Supp 2d 325, 335-37 (D.D.C. 2005), aff'd on other grounds, 512 F.3d 677 (D.C. Cir 2008); ACLU v. DOD, 389 F. Supp. 2d 547, 554 (S.D.N.Y. 2005); Gerstein v. DOD, No. 03-5193, slip op. at 8 (N.D. Ca. Dec. 21, 2004).

⁵ Physicians for Human Rights v. DOD, No. RDB-08-273, 2011 WS 1495942, at *7 (D.D.C. Apr. 19, 2011); Miller v. DoJ, 562 D. Supp. 2d 82, 112 (D.D.C. 2008). Wickerwire Gavin, P.C. v. Def Intelligence Agency, 330 F. Supp. 2d 592, 602 (E.D. Va. 2004).

Exemption 3 Statutes Relied upon to Withhold Information

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Number of Times Relied upon by Agency
10 USC §1102	Medical quality assurance records	Yes ⁶	AF	1	8
			ARMY	4	
			CENTCOM	1	
			NAVY	2	
10 USC §1506 (d) & (f)	Records pertaining to the debriefing of a missing person returned to U.S control	No	DIA	1	2
			OSD/JS	1	
10 USC § 2305(g)	DoD contractor proposals	Yes ⁷	AF	39	198
			ARMY	78	
			DIA	2	
			DISA	9	
			DLA	18	
			DoDEA	1	
			DTRA	2	
			NAVY	22	
			NGB	2	
			NSA	2	
			OSD/JS	5	
			SOCOM	1	
			TRANSCOM	11	
TRICARE	6				
10 USC §2371(i)	Proposals, business plans, or technical information submitted to the DoD as part of a process resulting in awards other than contracts and grants	No	OSD/JS	1	1
10 USC §2485(h)	Limitations on Release of Commissary Commercially Valuable Information	No	DeCA	1	1

⁶ Goodrich v. Dept of Air Force, 404 F. Supp. 2d 48, 50-51 (D.D.C. 2005); Dayton Newspapers, Inc. v Dep't of the Air Force, 107 F Supp. 2d 912, 917 (S.D. Ohio 1999).

⁷ Margolin v. NASA, No. 09-CV-00421-LRH-VPC, 2011 WL 1303551, at *6 (D. Nev. Mar. 31, 2011); Chesterfield Assocs. Inc. v U.S. Coast Guard, No. 08-CV-4674, 2009 WL 1406994 at *1-2 (E.D.N.Y May 19, 2009).

Exemption 3 Statutes Relied upon to Withhold Information					
Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Number of Times Relied upon by Agency
10 USC §2640(h)	Safety-Related Information Voluntarily Provided by an Air Carrier	No	DIA	9	9
15 USC §3710a(c)(7)	Confidential Commercial or Financial Information obtained in Cooperative Research and Development Agreements	Yes ⁸	AF	1	1
16 USC §470w-3	National historic preservation information	Yes ⁹	ARMY	38	39
			NAVY	1	
18 USC §798(a)	Certain classified information pertaining to the communication intelligence and cytological devices of the United States or any foreign government	Yes ¹⁰	CENTCOM	3	1044
			DIA	8	
			NSA	1032	
			OSD/JS	1	
18 USC §3509(d)	Certain records containing identifying information pertaining to children involved in criminal proceedings	Yes ¹¹	AF	12	12
22 USC §2778(e) Sec 38(e) of the Arms Export Control Act	Certain information pertaining to export license applications	Yes ¹²	AF	1	3
			NAVY	1	
			OSD/JS	1	

⁸ Pub. Citizen Health Research Group v. NIH, 209 F. Supp. 2d 37, 43, 51 (D.D.C. 2002); DeLorme Pub. Co., Inc. v. NOAA, 917 F. Supp. 867, 871-72 (D. Me. 1996), appeal dismissed per stipulation, No. 96-1601 (1st Cir. July 8, 1996).

⁹ Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.D.Cir Aug. 25, 2004).

¹⁰ Larson v. Dept of State, 565 F 3d 857, 868-869 (D.C. Cir. 2009); N.Y. Times Co. v. DoD 499 F. Supp. 2d 501, 512 (S.D.N.Y. 2007); Adejumbi v. NSA, No. 07-1237, 2007 WL 4247878, at *3 (M.D. Fla Dec 3, 2007), aff'd per curiam, 287 F. App'x 770 (11th Cir. 2008).

¹¹ Tampico v. EOUSA, No. 04-2285, slip op. at 8 (D.D.C. Apr. 29, 2005).

¹² Council for a Livable World v. U.S. Dept. of State, No 96-1807, slip op. at 11 (D.D.C. Jan. 21, 1998), amended (D.D.C Nov. 23, 1998).

Exemption 3 Statutes Relied upon to Withhold Information					
Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Number of Times Relied upon by Agency
26 USC §6103	Confidentiality and Disclosure of Returns and Return Information.	Yes ¹³	NSA	3	3
35 USC §122	Confidentiality Status of Patent Applications.	Yes ¹⁴	OSD/JS	1	1
41 USC §423(a)(1)	Contractor bid or proposal information; source selection information	Yes ¹⁵	AF	2	28
			ARMY	7	
			DISA	3	
			NAVY	12	
			OSD/JS	2	
			TRANSCOM	2	
42 USC §2162(a)(Restricted Data) §2168(a)(1)(C) (Formerly Restricted Data)	Information regarding atomic energy: Restricted and Formerly Restricted Data	Yes ¹⁶	AF	32	38
			ARMY	1	
			NAVY	1	
			OSD/JS	3	
			STRATCOM	1	
50 USC §402 Note Sec 6 P.L.	Information pertaining to the functions or information of NSA; certain information pertaining to NSA	Yes ¹⁷	AF	1	1390
			ARMY	23	
			CENTCOM	3	
			NSA	1362	

¹³ Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).

¹⁴ Irons & Sears v. Dann, 606 F.2d 1215, 1219-21 (D.C. Cir. 1979).

¹⁵ Legal & Safety Employer Research, Inc v. U.S. Dept of Army. No. Civ. S001748, 2001 WL 34098652 at *3-4 (E.D. Cal. May 4, 2001) (dictum).

¹⁶ Meeropol v. Smith, No. 75-1121, slip op. at 53-55 (D.D.C. Feb. 29 1984), aff'd in relevant part & remanded in part on other grounds sub nom, Meeropol v. Meese, 790 F.2d 942 (D.C. Cir. 1986).

¹⁷ Houghton v. NSA, No. 09-4440, 2010 WL 1784058, at *3 (3d Cir. May 5, 2010)(per curiam); Larson v. Dept of State, 565 F. 3d 857, 868-869 (D.C. Cir. 2009); Founding Church of Scientology v. NSA, 610 F.2d 824, 827-28 (D.C. Cir. 1979); Roman v. NSA, No. 07-CV-4502, 2009 WL 303686, at *5-6 (E.D.N.Y Feb. 9, 2009), summary affirmance granted, 354 F. App'x. 591 (2d Cir. 2009).

Exemption 3 Statutes Relied upon to Withhold Information					
Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Number of Times Relied upon by Agency
	employees		OSD/JS	1	
50 USC §403(g) Section 6 of the CIA Act of 1949	Certain information pertaining to CIA employees, specifically: the organization, functions, names, official titles, salaries, or numbers of personnel employed by the CIA	Yes ¹⁸	AF	1	23
			DIA	9	
			OSD/JS	11	
			SOCOM	1	
			TRANSCOM	1	
50 USC §403-1(i)	Intelligence sources and methods	Yes ¹⁹	AF	6	2034
			DIA	793	
			OSD/JS	2	
			NAVY	3	
			NRO	192	
			NSA	1035	
			CENTCOM	3	
50 USC §421	Identities of US undercover intelligence officers, agents, informants and sources	No	OSD/JS	1	2
			SOCOM	1	
50 USC §432b	NSA operational files	No	NSA	2	2
50 USC §435 Note Sec 1082, P.L.	Information concerning US personnel classified as POW/MIA during the Vietnam and Korean Conflicts (“McCain Bill”)	No	NSA	1	4
			OSD/JS	3	
IG Act of 1978, Sec 7(b). P.L. 95-452	Confidentiality of employee complaints to the IG	No	DoD IG	20	24
			NSA	3	
			OSD/JS	1	

¹⁸ Larson v. Dept of State, 565 F. 3d 857, 868-869 (D.C. Cir. 2009); Berman v. CIA, 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); Makky v Chertoff, 489 F.Supp. 2d 421, 442 (D.N.J. 2007), aff’d on other grounds, 541 F. 3d 205 (3d Cir 2008).

¹⁹ CIA v. Sims, 471 U.S. 159, 167 (1985); Berman v. CIA, 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); Wolf v. CIA, 473 F.3d 370, 378, 380 (D.D. Cir. 2007).

V. FOIA Requests

Table 2

A. Received, Processed and Pending FOIA Requests				
Component	Number of Requests Pending as of the Start of the Fiscal Year ²⁰	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of the End of Fiscal Year
AF	960	6284	6302	942
AFRICOM	19	38	31	26
ASBCA	0	4	4	0
ARMY	2156	32,871	32,778	2249
CENTCOM	192	429	388	233
DCAA	2	72	69	5
DCMA	76	187	204	59
DeCA	18	190	201	7
DFAS	9	239	240	8
DIA	1630	1144	1592	1182
DISA	29	310	312	27
DLA	62	6325	6266	121
DoDEA	5	50	50	5
DoDIG	220	495	428	287
DSS	1	51	44	8
DTIC	5	79	81	3
DTRA	19	137	103	53
EUCOM	61	72	70	63
NAVY	2191	12,708	13,125	1774
NGA	151	89	154	86
NGB	21	108	105	24
NORTHCOM	8	58	45	21

²⁰ Column one should be the same number as the number of pending FOIA requests reported by each component at the end of FY11. The differences in numbers for AF, ARMY, DCMA, DLA, DTRA, EUCOM, NORTHCOM, NSA, OSD/JS, and STRATCOM are due to better accounting methods which caused some minor discrepancy in starting numbers.

A. Received, Processed and Pending FOIA Requests

Component	Number of Requests Pending as of the Start of the Fiscal Year ²⁰	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of the End of Fiscal Year
NRO	47	225	227	45
NSA	553	1809	1698	664
OSD/JS	1255	1387	1494	1148
PACOM	38	45	48	35
SOCOM	171	179	195	155
SOUTHCOM	98	195	123	170
STRATCOM	0	33	32	1
TRANSCOM	18	111	95	34
TRICARE	10	154	147	17
Agency Total	10,025	66,078	66,651	9452

Table 3

B(1). DISPOSITION OF FOIA REQUESTS -- All Processed Requests.													
			Number of Full Denials Based on Reasons Other Than Exemptions										Total
Component	Number of Grant in Full	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	No Records	All records referred to another Component or Agency	Request Withdrawn	Fee Related Reasons	Records not reasonably described	Improper FOIA request for Other Reason	Not Agency Record	Duplicate Request	Other Explain Below	
AF	1577	2083	193	777	122	402	156	64	67	59	305	497	6302
AFRICOM	2	14	1	7	0	2	1	1	1	0	0	2	31
ASBCA	4	0	0	0	0	0	0	0	0	0	0	0	4
ARMY	15,047	6803	1187	2660	3505	642	327	240	770	241	509	847	32,778
CENTCOM	11	146	17	65	74	10	0	4	1	9	17	34	388
DCAA	15	13	5	17	9	6	0	1	0	3	0	0	69
DCMA	30	47	0	15	4	9	8	13	21	16	2	39	204
DeCA	136	29	1	25	0	4	1	1	1	3	0	0	201
DFAS	98	46	7	16	13	17	4	8	8	10	1	12	240
DIA	65	449	96	786	75	37	0	0	4	6	11	63	1592
DISA	133	28	9	23	34	8	44	11	4	4	9	5	312
DLA	5219	637	11	52	36	88	41	17	37	15	17	96	6266

B(1). DISPOSITION OF FOIA REQUESTS -- All Processed Requests.

Number of Full Denials Based on Reasons Other Than Exemptions													Total
Component	Number of Grant in Full	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	No Records	All records referred to another Component or Agency	Request Withdrawn	Fee Related Reasons	Records not reasonably described	Improper FOIA request for Other Reason	Not Agency Record	Duplicate Request	Other Explain Below	
DoDEA	10	22	1	10	0	2	1	1	0	3	0	0	50
DoDIG	16	203	58	39	9	13	1	19	15	51	2	2	428
DSS	11	13	0	13	0	1	0	5	0	1	0	0	44
DTIC	23	1	0	18	36	3	0	0	0	0	0	0	81
DTRA	18	26	4	14	4	10	9	1	0	2	7	8	103
EUCOM	9	15	3	17	7	5	0	0	0	11	0	3	70
NAVY	2758	3784	387	1234	1746	427	175	154	175	346	223	1716	13,125
NGA	6	12	33	34	2	14	0	2	0	3	3	45	154
NGB	12	23	3	11	17	6	8	7	5	5	3	5	105
NORTHCOM	11	11	0	12	8	0	0	0	0	0	1	2	45
NRO	16	126	7	29	3	8	2	12	11	8	4	1	227
NSA	75	360	1039	99	0	27	23	9	12	5	31	18	1698
OSD/JS	263	290	55	174	80	133	39	70	14	12	15	349	1494
PACOM	9	19	3	8	4	0	0	0	1	0	0	4	48

B(1). DISPOSITION OF FOIA REQUESTS -- All Processed Requests.													
				Number of Full Denials Based on Reasons Other Than Exemptions									Total
Component	Number of Grant in Full	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	No Records	All records referred to another Component or Agency	Request Withdrawn	Fee Related Reasons	Records not reasonably described	Improper FOIA request for Other Reason	Not Agency Record	Duplicate Request	Other Explain Below	
SOCOM	12	21	12	60	29	31	4	0	2	6	2	16	195
SOUTHCOM	13	45	1	37	4	2	1	0	5	11	0	4	123
STRATCOM	2	5	6	7	1	0	0	1	0	0	1	9	32
TRANSCOM	29	31	6	10	3	6	0	0	0	8	0	2	95
TRICARE	42	16	3	22	4	10	13	2	3	31	1	0	147
Agency Total	25,672	15,318	3148	6291	5829	1923	858	643	1157	869	1164	3779	66,651

Table 4

B (2). Disposition of FOIA Requests – “Other Reasons”			
Component	Description of “Other” Reasons for Denial from Table 3	Number of Times Relied on	Total
AF	Administratively Closed	298	497
	Litigation	2	
	Misdirected Request	103	
	Unable to Contact Requester	94	
AFRICOM	Misdirected Request	2	2
ASBCA	N/A		
ARMY	Administratively Closed	626	847
	Misdirected Request	189	
	Unable to Contact Requester	32	
CENTCOM	Administratively Closed	20	34
	Misdirected Request	9	
	Unable to Contact Requester	5	
DCAA	N/A		
DCMA	Misdirected Request	39	39
DeCA	N/A		
DFAS	Administratively Closed	12	12
DIA	Administratively Closed	13	63
	Litigation	2	
	Misdirected Request	14	
	Unable to Contact Requester	34	

DISA	Administratively Closed	2	5
	Litigation	2	
	Misdirected Request	1	
DLA	Administratively Closed	7	96
	Misdirected Request	89	
DoDEA	N/A		
DoD IG	Litigation	2	2
DSS	N/A		
DTIC	N/A		
DTRA	Administratively Closed	8	8
EUCOM	Administratively Closed	3	3
NAVY	Administratively Closed	1131	1716
	Litigation	13	
	Misdirected Request	572	
NGA	Administratively Closed	45	45
NGB	Administratively Closed	3	5
	Litigation	1	
	Misdirected Request	1	
NORTHCOM	Administratively Closed	2	2
NRO	Misdirected Request	1	1
NSA	Administratively Closed	17	18
	Misdirected Request	1	
OSD/JS	Administratively Closed	57	349
	Litigation	7	
	Misdirected Request	285	
PACOM	Administratively Closed	4	4

SOCOM	Administratively Closed	13	16
	Litigation	1	
	Misdirected Request	2	
SOUTHCOM	Administratively Closed	1	4
	Litigation	2	
	Misdirected Request	1	
STRATCOM	Administratively Closed	2	9
	Litigation	1	
	Misdirected Request	6	
TRANSCOM	Administratively Closed	2	2
TRICARE	N/A		
Agency Overall	Administratively Closed	2266	3779
	Litigation	33	
	Misdirected Request	1315	
	Unable to Contact Requester	165	

Table 5

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

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	Total
AF	176	65	303	300	348	1821	95	52	1036	93	75	53	0	4	4421
AFRICOM	2	3	12	0	4	12	0	0	1	0	0	0	0	0	34
ASBCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARMY	150	225	247	434	859	7011	772	1	4729	208	76	2366	0	10	17088
CENTCOM	107	62	133	33	69	120	1	1	16	2	5	1	0	0	550
DCAA	0	0	0	1	6	13	0	0	0	0	0	0	0	0	20
DCMA	0	1	3	24	9	40	0	0	1	0	0	0	0	0	78
DeCA	0	0	1	11	2	16	0	0	0	0	0	0	0	0	30
DFAS	0	0	0	9	1	42	0	0	1	0	0	0	0	0	53
DIA	344	46	495	73	22	149	1	0	6	7	8	0	0	0	1151
DISA	0	0	11	13	6	11	0	0	0	0	0	0	0	0	41
DLA	0	0	20	103	470	89	6	0	50	0	2	5	0	0	745
DoDEA	0	2	1	5	8	18	2	0	9	0	0	0	0	0	45
DoDIG	3	0	25	10	59	248	55	0	228	1	63	2	0	0	694
DSS	1	0	0	1	0	12	0	0	12	0	0	1	0	0	27
DTIC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DTRA	2	2	3	20	2	22	0	0	0	0	0	0	0	0	51
EUCOM	10	0	13	1	2	12	0	0	2	0	0	0	0	0	40

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

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	Total
NAVY	136	158	366	253	289	3330	124	25	1401	12	19	33	0	0	6146
NGA	31	0	8	3	0	5	0	0	0	0	0	0	1	0	48
NGB	0	0	2	12	4	25	0	0	0	0	0	0	0	0	43
NORTHCOM	1	0	1	0	4	9	0	0	0	0	0	0	0	0	15
NRO	103	0	121	7	4	44	3	3	13	7	2	1	0	0	308
NSA	1104	108	1365	15	17	176	1	0	16	11	88	3	0	0	2904
OSD/JS	124	7	65	38	98	226	3	0	12	2	12	3	0	0	590
PACOM	16	0	4	0	4	11	7	0	0	2	0	0	0	0	44
SOCOM	10	1	22	10	7	23	0	0	0	1	0	0	0	0	74
SOUTHCOM	65	0	35	0	27	80	2	0	6	15	6	8	0	0	244
STRATCOM	4	0	1	0	5	4	0	0	0	0	1	0	0	0	15
TRANSCOM	1	0	13	6	1	29	0	0	0	0	3	0	0	0	53
TRICARE	0	1	6	13	4	6	0	0	0	0	0	0	0	0	30
Agency Total	2390	681	3276	1395	2331	13604	1072	82	7539	361	360	2476	1	14	35582
% of Total Times Used	6.7%	1.9%	9.2%	3.9%	6.6%	38.2%	3.0%	0.2%	21.2%	1.0%	1.0%	7.0%	0.0%	0.0%	100.0%

VI. Administrative Appeals of Initial Determinations of FOIA Requests²¹

Table 6

A. Received, Processed and Pending Administrative Appeals				
Component	Number of Appeals Pending as of the Start of the Fiscal Year²²	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of the End of Fiscal Year
AF	45	303	219	129
ASBCA	0	0	0	0
ARMY	29	122	125	26
DCAA	0	3	3	0
DCMA	1	8	6	3
DeCA	0	0	0	0
DFAS	0	6	6	0
DIA	203	117	163	157
DISA	3	1	1	3
DLA	1	23	18	6
DoDIG	27	23	20	30
DSS	0	1	0	1
DTRA	1	1	1	1
NAVY	12	293	288	17
NGA	1	4	0	5
NRO	2	6	7	1

²¹ Concerning all tables in Section VI, not all components process administrative appeals. OSD/JS FOIA Appeals Branch processes the following components' appeals: AFRICOM, CENTCOM, DoDEA, DTIC, EUCOM, NGB, NORTHCOM, OSD/JS, PACOM, SOCOM, SOUTHCOM, STRATCOM, TRANSCOM, and TRICARE.

²² Column one should be the same number as the number of pending appeals reported by each component at the end of FY11. The differences in numbers for AF, DCMA, NGA and NSA are due to better accounting methods which caused some minor discrepancy in starting numbers

A. Received, Processed and Pending Administrative Appeals

Component	Number of Appeals Pending as of the Start of the Fiscal Year ²²	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of the End of Fiscal Year
NSA	67	57	44	80
OSD/JS	363	180	179	364
Agency Total	755	1148	1080	823

Table 7

B. Disposition of Administrative Appeals -- All Processed Appeals.					
Component	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
AF	67	32	11	109	219
ASBCA²³	0	0	0	0	0
ARMY	72	8	7	38	125
DCAA	2	1	0	0	3
DCMA	3	1	0	2	6
DeCA	0	0	0	0	0
DFAS	1	1	0	4	6
DIA	68	33	6	56	163
DISA	0	0	0	1	1
DLA	2	2	2	12	18
DoDIG	10	1	0	9	20
DSS	0	0	0	0	0
DTRA	0	0	1	0	1
NAVY	125	31	17	115	288
NGA	0	0	0	0	0
NRO	2	1	1	3	7
NSA	35	1	0	8	44
OSD/JS	32	36	23	88	179
Agency Total	419	148	68	445	1080

²³ ABSCA, DeCA, DSS and NGA did not process any appeals in FY12.

Table 8

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

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	Total
AF	2	5	11	12	37	63	1	1	28	1	1	0	0	0	162
ASBCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARMY	6	3	2	6	13	45	1	0	28	2	4	1	0	0	111
DCAA	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
DCMA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DeCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DFAS	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0
DIA	90	0	75	4	0	16	0	0	1	0	0	0	0	0	186
DISA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DLA	0	0	0	1	1	3	0	0	1	0	0	0	0	0	6
DoDIG	0	0	0	0	0	3	0	0	2	0	0	0	0	0	5
DSS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DTRA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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

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	Total
NAVY	6	2	6	5	31	46	9	0	22	1	1	1	0	0	130
NGA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NRO	2	0	1	1	1	1	0	0	0	0	0	0	0	0	6
NSA	26	1	26	0	0	0	0	0	0	0	0	0	0	0	53
OSD/JS	48	0	21	2	14	24	0	0	0	0	2	1	0	0	112
Agency Total	180	11	142	31	98	202	11	1	82	4	8	3	0	0	772
% of Total Times Used	23.3	1.4	18.4	4.0	12.7	26.2	1.4	0.1	10.6	0.5	1.0	0.4	0.0	0.0	100%

Table 9

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

Component	No Records	Referred at Initial Request	Request Withdrawn	Fee Related Reasons	Records not Reasonably Described	Improper Request Other Reasons	Not Agency Record	Duplicate Request on Appeal	Request in Litigation	Expedited Request Appeal	Other, see chart below	Total
AF	55	0	13	3	0	4	1	7	0	0	26	109
ASBCA	0	0	0	0	0	0	0	0	0	0	0	0
ARMY	24	2	0	2	1	1	0	4	0	0	4	38
DCAA	0	0	0	0	0	0	0	0	0	0	0	0
DCMA	1	0	1	0	0	0	0	0	0	0	0	2
DeCA	0	0	0	0	0	0	0	0	0	0	0	0
DFAS	1	0	3	0	0	0	0	0	0	0	0	4
DIA	38	0	3	0	0	0	0	6	1	0	8	56
DISA	0	0	1	0	0	0	0	0	0	0	0	1
DLA	4	0	5	0	0	0	0	2	0	0	1	12
DoDIG	2	0	6	0	0	0	0	0	1	0	0	9
DSS	0	0	0	0	0	0	0	0	0	0	0	0
DTRA	0	0	0	0	0	0	0	0	0	0	0	0

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

Component	No Records	Referred at Initial Request	Request Withdrawn	Fee Related Reasons	Records not Reasonably Described	Improper Request Other Reasons	Not Agency Record	Duplicate Request on Appeal	Request in Litigation	Expedited Request Appeal	Other, see chart below	Total
NAVY	3	0	4	6	1	4	4	0	0	1	92	115
NGA	0	0	0	0	0	0	0	0	0	0	0	0
NRO	2	0	2	0	0	1	0	0	0	0	0	5
NSA	0	0	0	1	0	0	0	0	0	1	6	8
OSD/JS	15	7	23	10	1	5	1	4	0	10	12	88
Agency Total	145	9	61	22	3	15	6	23	2	12	149	447

Table 10

C (3). Reasons for Denial on Appeal – “Other” Reasons			
Component	Description of “Other” Reasons for Denial on Appeal from Chart C(2)	Number of Times Relied on	Total
AF	Administratively Closed	21	26
	Misdirected Request	5	
ASBCA	N/A		
ARMY	Administratively Closed	4	4
DCAA	N/A		
DCMA	N/A		
DeCA	N/A		
DFAS	N/A		
DIA	Administratively Closed	4	8
	Inadequate Appeal	3	
	Misdirected Request	1	
DISA	N/A		
DLA	Administratively Closed	1	1
DoD IG	N/A		
DSS	N/A		
DTRA	N/A		
NAVY	Administratively Closed	68	92
	Misdirected Request	24	
NGA	N/A		
NRO	N/A		
NSA	Administratively Closed	6	6
OSD/JS	Administratively Closed	2	12
	Litigation	6	
	Misdirected	4	
Agency Overall	Administratively Closed	106	149
	Inadequate Appeal	3	
	Litigation	6	
	Misdirected	34	

Table 11

C(4). Response Times for Administrative Appeals²⁴				
Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
AF	154	188	45	579
ASBCA* ²⁵				
ARMY	45	90	1	433
DCAA	13	15	7	20
DCMA	40	27	1	79
DeCA*				
DFAS	3	15	1	31
DIA	251	793	1	3836
DISA	500	500	100	727
DLA	33	34	1	121
DoDIG	226	332	38	975
DSS*				
DTRA	39	39	39	39
NAVY	8	13	0	213
NGA*				
NRO	22	328	1	2201
NSA	327	311	18	613
OSD/JS	4	7	<1	3572
Agency Overall	N/A	256	1	3836

²⁴ Due to the decentralized processing and tracking of FOIA requests within the DoD and because the DoD does not have the means to centrally capture all the required data, it is not possible to calculate DoD (Agency) medians. Furthermore, Army has multiple reporting components and is not able to compute medians for its overall totals.

²⁵ As denoted by a *: ABSCA, DeCA, DSS and NGA did not process any appeals in FY12.

Table 12

C(5). Ten Oldest Pending Administrative Appeals.

Component	10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
AF	08/24/11	08/18/11	08/08/11	06/21/11	04/29/11	02/17/11	10/29/10	06/02/10	06/12/09	02/22/06
Work days open	277	281	289	322	358	408	482	586	829	1658
ASBCA										
Work days open	0	0	0	0	0	0	0	0	0	0
ARMY	02/24/12	02/10/12	01/27/12	01/18/12	08/30/11	08/02/11	05/13/11	05/04/11	03/17/11	02/02/11
Work days open	152	161	171	178	273	293	348	355	389	419
DCAA										
Work days open	0	0	0	0	0	0	0	0	0	0
DCMA								7/23/12	06/12/12	06/01/12
Work days open	0	0	0	0	0	0	0	48	76	83
DeCA										
Work days open	0	0	0	0	0	0	0	0	0	0
DFAS										
Work days open	0	0	0	0	0	0	0	0	0	0

C(5). Ten Oldest Pending Administrative Appeals.

Component	10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
DIA	11/19/03	11/12/03	11/05/03	11/05/03	10/06/03	10/06/03	10/01/03	09/21/03	08/28/03	07/23/03
Work days open	2221	2226	2230	2230	2251	2251	2254	2261	2277	2303
DISA								05/08/12	06/23/09	06/23/09
Work days open	0	0	0	0	0	0	0	100	822	822
DLA					9/27/12	8/20/12	6/7/2012	4/11/12	3/8/2012	7/26/07
Work days open	0	0	0	0	1	28	79	119	143	1300
DoDIG	11/19/10	09/02/10	09/02/10	07/01/10	04/02/10	01/15/10	10/19/09	11/05/07	11/05/07	08/21/06
Work days open	468	521	521	565	628	681	741	1230	1230	1532
DSS										5/14/2012
Work days open	0	0	0	0	0	0	0	0	0	96
DTRA	4/13/2012	2/15/12	2/15/12	2/15/12	9/28/11	6/3/11	6/3/11	2/28/11	2/28/11	2/28/11
Work days open	117	158	158	158	253	334	334	402	402	402
NAVY	9/27/12	9/27/12	9/25/12	9/25/12	9/19/12	9/11/12	9/10/12	9/10/2012	9/7/2012	7/24/2012
Work days open	1	1	3	3	7	13	14	14	15	47
NGA							09/24/12	09/14/12	09/12/12	05/13/11
Work days open	0	0	0	0	0	0	4	10	12	348

C(5). Ten Oldest Pending Administrative Appeals.

Component	10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
NRO										09/24/09
Work days open	0	0	0	0	0	0	0	0	0	757
NSA	08/23/10	09/02/10	08/25/10	08/25/10	08/11/10	05/17/10	02/22/10	01/07/10	10/30/09	03/13/09
Work days open	492	503	527	527	537	584	657	664	709	893
OSD/JS	10/03/01	06/25/01	02/12/01	03/01/99	10/28/98	10/27/98	10/21/98	09/02/98	10/15/97	03/07/97
Work days open	2753	2823	2916	3407	3489	3490	3494	3527	3748	3902
Agency Overall	10/03/01	06/25/01	02/12/01	03/01/99	10/28/98	10/27/98	10/21/98	09/02/98	10/15/97	03/07/97
Work days open	2753	2823	2916	3407	3489	3490	3494	3527	3748	3902

VII. FOIA Requests: Response Time for Processed and Pending FOIA Requests²⁶

Table 13

A. Processed Requests -- Response Time for All Processed Perfected Requests.												
	Simple				Complex				Expedited			
Component	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
AF	10	15	1	3022	39	85	1	1398	13	14	1	57
AFRICOM	16	21	1	44	76	103	36	427	44	44	44	44
ASBCA	18	21	2	46								
ARMY	5	8	0	572	0	48	0	1641	13	13	0	148
CENTCOM	33	97	1	1103	74	152	1	1457				
DCAA	4	6	1	31	12	19	3	57				
DCMA	258	66	0	516	223	137	0	446				
DeCA	14	9	<1	80								

²⁶ Due to the decentralized processing and tracking of FOIA requests within the DoD and because the DoD does not have the means to centrally capture all the required data, it is not possible to calculate DoD (Agency) medians. Furthermore, Army has multiple reporting components and was not able to compute medians for its overall totals. This applies to all tables with medians in Section VII.

A. Processed Requests -- Response Time for All Processed Perfected Requests.												
	Simple				Complex				Expedited			
Component	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
NRO	7	9	1	36	103	218	23	1316				
NSA	7	58	1	2939	892	1185	143	3953	11	106	9	391
OSD/JS	5	10	<1	430	101	447	<1	4097				
PACOM	1	1	1	2	73	116	8	2151				
SOCOM	3	5	1	20	122	317	2	4099				
SOUTHCOM	9	3	1	15	104	167	45	643	0	0	0	0
STRATCOM	8	10	0	37	56	31	7	144				
TRANSCOM	14	6	1	19	57	105	21	543	8	8	8	8
TRICARE	11	19	0	161	41	59	0	253				
Agency Total	N/A	11	<1	2939	N/A	115	<1	4099	N/A	14	<1	391

Table 14

B. Processed Requests -- Response Time for Perfected Requests for which Information Was Granted												
	Simple				Complex				Expedited			
Component	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
AF	13	17	1	18	48	102	1	1398	15	17	1	57
AFRICOM	47	56	44	67	118	126	71	246				
ASBCA	18	21	2	46								
ARMY	5	8	0	572	0	49	0	1355	13	14	0	148
CENTCOM	56	185	4	1103	101	195	1	1457				
DCAA	7	6	1	16	18	23	3	57				
DCMA	258	73	0	516	223	139	0	446				
DeCA	14	9	<1	80								
DFAS	6	9	1	44	21	33	4	101				
DIA	8	9	2	20	641	941	21	3713				
DISA	133	107	5	211	14	15	0	29				
DLA	1	10	1	104	12	35	1	273	33	33	33	33

B. Processed Requests -- Response Time for Perfected Requests for which Information Was Granted

	Simple				Complex				Expedited			
Component	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
DoDEA	26	28	1	81	55	55	55	55				
DoDIG	6	9	1	103	57	123	16	967	22	22	22	22
DSS	7	12	2	20								
DTIC	8	9	2	19								
DTRA	6	22	1	145	57	77	1	326				
EUCOM	17	26	1	72	208	339	16	889				
NAVY	8	8	0	20	47	57	0	1908	3	2	0	90
NGA	0	0	0	0	214	232	55	578				
NGB					142	109	1	337				
NORTHCOM	19	43	1	167								
NRO	10	11	1	35	107	229	31	1316				
NSA	36	165	1	1770	879	1124	143	3052	11	11	9	11
OSD/JS	6	15	<1	430	98	533	<1	4097				
PACOM	1	1	1	2	68	110	8	2151				

B. Processed Requests -- Response Time for Perfected Requests for which Information Was Granted

Component	Simple				Complex				Expedited			
	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
SOCOM	16	11	2	16	148	297	36	1164				
SOUTHCOM	60	8	7	19	75	93	91	403	0	0	0	0
STRATCOM	13	13	1	25	32	32	9	56				
TRANSCOM	4	6	1	18	130	121	21	543	8	8	8	8
TRICARE	9	21	0	161	45	73	27	253				
Agency Total	N/A	11	<1	1770	N/A	115	<1	4097	N/A	14	<1	90

Table 15

C(1). Processed Simple Requests -- Response Times in Day Increments															
Component	< 1 day	1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401 or more days	Totals
AF	249	3081	411	56	12	15	6	5	3	1	3	4	0	9	3855
AFRICOM	2	3	4	1	0	0	0	0	0	0	0	0	0	0	10
ASBCA	2	1	1	0	0	0	0	0	0	0	0	0	0	0	4
ARMY	3844	15,136	1083	151	13	5	3	2	1	1	0	4	1	1	20,245
CENTCOM	2	31	14	13	4	2	2	0	2	2	0	4	2	6	84
DCAA	13	46	2	0	0	0	0	0	0	0	0	0	0	0	61
DCMA	2	25	10	3	8	4	0	0	1	2	0	2	1	2	60
DeCA	38	138	23	0	2	0	0	0	0	0	0	0	0	0	201
DFAS	0	190	26	2	1	0	0	0	0	0	0	0	0	0	219
DIA	0	693	0	0	0	0	0	0	0	0	0	0	0	0	693
DISA	8	118	18	7	5	1	1	3	0	1	2	3	1	3	171
DLA	4819	843	98	13	9	1	1	0	0	0	0	0	0	1	5785
DoDEA	2	21	19	4	2	1	0	0	0	0	0	0	0	0	49
DoDIG	0	220	4	1	0	0	1	0	0	0	0	0	0	0	226
DSS	0	40	0	0	0	0	0	0	0	0	0	0	0	0	40
DTIC	2	70	0	0	0	0	0	0	0	0	0	0	0	0	72
DTRA	6	16	4	0	0	0	0	0	1	0	0	0	0	0	27
EUCOM	7	35	7	4	2	0	0	0	0	0	0	0	0	0	55
NAVY	1342	5864	0	0	0	0	0	0	0	0	0	0	0	0	7206

C(1). Processed Simple Requests -- Response Times in Day Increments

Component	< 1 day	1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401 or more days	Totals
NGA	0	0	0	0	0	0	0	0	0	0	0	2	1	0	3
NGB	0	20	2	0	0	0	0	0	0	0	0	0	0	0	22
NORTHCOM	0	27	10	4	1	0	0	0	0	3	0	0	0	0	45
NRO	15	116	18	0	0	0	0	0	0	0	0	0	0	0	149
NSA	13	1262	74	33	35	24	21	25	18	15	5	37	36	50	1648
OSD/JS	38	488	34	12	0	0	2	0	2	1	0	0	0	1	578
PACOM	4	1	0	0	0	0	0	0	0	0	0	0	0	0	5
SOCOM	12	34	0	0	0	0	0	0	0	0	0	0	0	0	46
SOUTHCOM	0	50	0	0	0	0	0	0	0	0	0	0	0	0	50
STRATCOM	1	17	3	1	0	0	0	0	0	0	0	0	0	0	22
TRANSCOM	0	45	0	0	0	0	0	0	0	0	0	0	0	0	45
TRICARE	9	77	13	9	3	0	2	0	0	2	0	0	0	0	115
Agency Total	10,430	28,708	1878	314	97	53	39	35	28	28	10	56	42	73	41,791

Table 16 – Processed Perfected Complex Requests

C(2). Processed Complex Requests -- Response Times in Day Increments															
Component	< 1 day	1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401 or more days	Totals
AF	37	500	700	356	160	96	84	60	66	65	47	107	51	81	2410
AFRICOM	0	0	2	5	3	4	2	0	0	1	1	1	0	1	20
ASBCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARMY	435	5034	1971	804	448	297	202	125	81	68	38	167	99	201	9970
CENTCOM	3	64	38	27	30	28	20	15	11	4	1	23	12	28	304
DCAA	0	7	0	1	0	0	0	0	0	0	0	0	0	0	8
DCMA	0	1	4	4	4	4	5	1	4	0	1	6	2	2	38
DeCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DFAS	0	8	10	1	0	2	0	0	0	0	0	0	0	0	21
DIA	0	0	72	40	36	21	22	23	15	12	11	90	74	483	899
DISA	7	111	23	0	0	0	0	0	0	0	0	0	0	0	141
DLA	74	249	79	37	21	6	4	4	4	0	0	2	0	0	480
DoDEA	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
DoDIG	0	17	59	23	20	10	9	6	6	1	7	15	9	19	201
DSS	0	0	4	0	0	0	0	0	0	0	0	0	0	0	4
DTIC	0	0	7	0	0	1	1	0	0	0	0	0	0	0	9
DTRA	3	21	20	9	4	2	8	1	1	3	0	3	1	0	76
EUCOM	0	1	0	4	0	0	0	1	0	0	1	3	1	4	15
NAVY	11	367	1737	605	330	223	168	109	92	79	39	166	84	178	4188
NGA	0	6	11	3	4	6	7	11	3	4	4	26	14	47	146
NGB	0	19	10	9	8	3	5	3	7	1	3	2	1	0	71

C(2). Processed Complex Requests -- Response Times in Day Increments

Component	< 1 day	1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401 or more days	Totals
NORTHCOM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NRO	0	0	5	11	16	5	7	7	2	2	0	4	6	13	78
NSA	0	0	0	0	0	0	0	0	2	0	1	3	3	27	36
OSD/JS	4	145	127	69	63	49	32	17	18	16	21	74	44	237	916
PACOM	0	3	3	13	3	3	8	0	1	1	0	2	4	2	43
SOCOM	0	7	15	11	5	7	25	17	1	7	0	6	8	34	143
SOUTHCOM	0	0	2	6	3	4	8	5	2	8	6	11	9	9	73
STRATCOM	0	2	2	2	3	0	0	0	0	1	0	0	0	0	10
TRANSCOM	0	0	13	7	7	3	5	6	1	1	0	1	3	2	49
TRICARE	1	5	10	7	2	2	1	1	0	1	0	2	0	0	32
Agency Total	575	6567	4924	2055	1170	776	623	412	317	275	181	714	425	1368	20,382

Table 17 – Processed Expedited Requests

C(3). Processed Expedited Requests -- Response Times in Day Increments															
Component	< 1 day	1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401 or more days	Totals
AF	2	27	7	1	0	0	0	0	0	0	0	0	0	0	37
AFRICOM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
ASBCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARMY	17	1041	130	2	1	0	0	1	1	0	0	0	0	0	1193
CENTCOM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DCAA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DCMA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DeCA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DFAS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DIA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DISA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DLA	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
DoDEA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DoDIG	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
DSS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DTIC	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DTRA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EUCOM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NAVY	8	31	1	0	1	1	0	0	0	0	0	0	0	0	42
NGA	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
NGB	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

C(3). Processed Expedited Requests -- Response Times in Day Increments

Component	< 1 day	1-20	21-40	41-60	61-80	81-100	101-120	121-140	141-160	161-180	181-200	201-300	301-400	401 or more days	Totals
NORTHCOM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NRO	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NSA	0	3	0	0	0	0	0	0	0	0	0	0	1	0	4
OSD/JS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PACOM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SOCOM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SOUTHCOM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STRATCOM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TRANSCOM	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
TRICARE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Agency Total	27	1103	140	4	2	1	0	2	1	0	0	0	1	0	1281

Table 18

D. Pending Requests -- All Pending Perfected Requests.									
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
AF	186	8	23	748	69	109	5	28	31
AFRICOM	2	36	36	17	147	172	0		
ASBCA	0			0			0		
ARMY	544	8	13	981	33	98	63	7	8
CENTCOM	38	137	251	195	152	232	0		
DCAA	4	16	12	1	28	28	0		
DCMA	30	51	151	21	452	451	0		
DeCA	7	14	12	0			0		
DFAS	6	12	17	2	79	82	0		
DIA	44	10	10	1130	829	1007	2	225	225
DISA	26	105	165	1	12	12	0		
DLA	62	8	9	47	12	30	0		
DoDEA	2	6	6	3	71	56	0		
DoDIG	1	17	17	282	245	286	3	26	54
DSS	0			8	42	62	0		
DTIC	3	18	16	0			0		
DTRA	1	16	16	52	60	88	0		
EUCOM	0			38	452	532	0		
NAVY	299	21	23	1093	75	76	5	19	16
NGA	0			72	250	277	0		

D. Pending Requests -- All Pending Perfected Requests.

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
NGB	0			22	32	50	0		
NORTHCOM	11	43	78	10	838	607	0		
NRO	5	5	7	40	122	208	0		
NSA	563	183	294	90	596	1054	3	555	612
OSD/JS	28	36	68	1119	552	795	0		
PACOM	0			35	730	1035	0		
SOCOM	0			155	200	380	0		0
SOUTHCOM	10	10	12	160	101	563	0	0	0
STRATCOM	0			1	67	67	0		
TRANSCOM	0			34	99	168	0		
TRICARE	4	25	50	9	49	59	0		
Agency Total	1,876	N/A	107	6,366	N/A	423	81	N/A	37

Table 19 – Ten Oldest Perfected Requests

E. Ten Oldest Pending Perfected Requests.										
Component	10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
AF	7/12/10	5/4/10	4/8/10	3/25/10	3/17/10	3/17/10	3/5/10	2/17/10	11/23/09	10/19/09
Work days open	559	606	624	634	640	640	648	660	717	741
AFRICOM	12/19/11	10/19/11	9/22/11	9/19/11	1/13/11	6/16/11	5/24/11	4/15/11	1/13/11	12/22/10
Work days open	198	239	257	260	432	325	341	368	432	446
ASBCA										
Work days open	0	0	0	0	0	0	0	0	0	0
ARMY	5/7/09	3/24/09	3/5/09	2/13/09	1/17/09	9/25/08	3/21/08	10/11/07	8/14/07	5/31/07
Work days open	854	886	899	912	930	1007	1138	1247	1287	1339
CENTCOM	9/24/10	9/23/10	9/21/10	9/15/10	9/2/10	7/13/10	7/13/10	2/5/10	12/17/09	2/12/07
Work days open	506	507	509	513	521	558	558	667	700	1415
DCAA						9/28/12	9/6/12	9/6/12	9/6/12	8/21/12
Work days open	0	0	0	0	0	<1	16	16	16	27
DCMA	2/1/11	1/21/11	1/7/11	1/3/11	12/9/10	11/15/10	10/26/10	9/23/10	11/9/09	3/23/09
Work days open	420	427	436	440	455	472	485	507	726	887
DeCA					9/20/12	9/14/12	9/10/12	9/10/12	9/10/12	9/10/12
Work days open	0	0	0	0	6	10	14	14	14	14
DFAS			9/27/12	9/20/12	9/17/12	9/13/12	9/4/12	9/4/12	7/30/12	2/24/12
Work days open	0	0	1	6	9	11	18	18	43	152

E. Ten Oldest Pending Perfected Requests.

Component	10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
DIA	11/28/00	11/9/00	11/7/00	10/4/00	9/7/00	9/7/00	8/16/00	8/1/00	3/23/00	3/14/00
Work days open	2967	2978	2980	3003	3022	3022	3037	3048	3139	3146
DISA	4/4/12	3/6/12	2/21/12	1/5/12	10/13/11	9/12/11	6/14/11	3/31/11	3/30/11	4/22/08
Work days open	124	145	155	186	243	265	327	379	380	1116
DLA	5/7/12	4/25/12	4/24/12	4/24/12	4/6/12	3/7/12	1/25/12	1/9/12	12/7/11	3/2/11
Work days open	101	109	110	110	122	144	173	184	206	400
DoDEA						9/28/12	9/21/12	9/19/12	6/19/12	5/10/12
Work days open	0	0	0	0	0	<1	5	7	71	98
DoDIG	4/2/09	2/3/09	1/30/09	1/29/09	7/14/08	10/16/07	4/24/07	3/8/06	8/11/05	1/10/05
Work days open	879	920	922	923	1059	1244	1365	1648	1789	1938
DSS			8/23/12	8/20/12	8/10/12	6/18/12	5/14/12	5/14/12	5/14/12	5/14/12
Work days open	0	0	25	28	34	72	96	96	96	96
DTIC								9/26/12	9/21/12	9/12/12
Work days open	0	0	0	0	0	0	0	2	5	12
DTRA	4/13/12	2/15/12	2/15/12	2/15/12	9/28/11	6/3/2011	6/3/2011	2/28/11	2/28/11	2/28/11
Work days open	117	158	158	158	253	334	334	402	402	402
EUCOM	6/16/09	6/12/09	4/15/09	12/16/08	12/16/08	7/21/08	5/28/08	1/12/07	8/5/06	6/13/06
Work days open	827	829	870	951	951	1054	1091	1435	1542	1580
NAVY	3/12/07	12/19/06	11/9/06	10/22/06	2/23/06	2/13/06	11/18/04	8/10/04	5/26/04	7/24/01
Work days open	1396	1450	1476	1489	1657	1664	1972	2041	2092	2803

E. Ten Oldest Pending Perfected Requests.

Component	10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
NGA	10/28/10	8/2/10	6/14/10	4/30/10	4/27/10	4/23/10	3/12/10	3/2/10	11/18/09	9/18/09
Work days open	483	544	578	608	611	613	643	651	720	761
NGB	7/23/12	7/18/12	7/16/12	6/25/12	6/5/12	5/31/12	5/24/12	3/29/12	3/13/12	2/14/12
Work days open	48	51	53	67	81	84	88	128	140	159
NORTHCOM	11/1/11	10/13/11	8/30/10	7/6/10	3/5/10	2/22/10	9/21/09	8/21/09	6/15/09	5/4/09
Work days open	230	243	524	563	648	657	760	780	828	857
NRO	10/3/11	9/22/11	7/6/11	6/20/11	3/9/11	1/3/11	12/16/09	6/24/09	6/2/09	12/1/08
Work days open	250	257	312	323	395	440	701	821	837	962
NSA	3/2/01	3/2/01	10/23/00	4/1/99	7/20/98	5/14/98	2/9/98	5/16/96	5/2/96	7/13/95
Work days open	2844	2845	2991	3384	3559	3604	3671	4060	4103	4288
OSD/JS	9/25/01	8/28/01	8/9/01	5/22/01	2/5/01	1/19/01	1/10/01	12/20/00	12/6/00	9/18/00
Work days open	2759	2778	2791	2846	2921	2932	2938	2951	2961	3015
PACOM*	1/20/09	4/26/07	4/26/07	4/26/07	10/24/06	10/24/06	10/24/06	10/24/06	10/24/06	8/2/06
Work days open	929	1363	1363	1363	1488	1488	1488	1488	1488	1545
SOCOM*	12/12/07	3/21/07	3/9/07	10/19/06	8/25/06	7/24/06	8/30/05	10/22/04	6/17/03	3/31/03
Work days open	1205	1389	1397	1491	1528	1552	1776	1990	2328	2383
SOUTHCOM	8/20/10	8/2/10	6/2/10	6/2/10	2/25/10	12/4/09	10/27/09	10/27/09	10/27/09	10/10/09
Work days open	530	544	586	586	654	709	735	735	735	745
STRATCOM										6/25/12
Work days open	0	0	0	0	0	0	0	0	0	67

E. Ten Oldest Pending Perfected Requests.

Component	10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
TRANSCOM	4/27/12	4/19/12	4/12/12	4/12/12	2/10/12	9/21/11	11/3/10	9/21/10	11/13/08	10/31/08
Work days open	107	113	118	118	161	258	479	509	974	982
TRICARE	8/8/12	6/26/12	6/12/12	6/11/12	6/8/12	6/8/12	5/18/12	3/15/12	3/8/12	1/11/12
Work days open	36	66	76	77	78	78	92	138	143	182
Agency Overall	8/1/00	3/23/00	3/14/00	4/1/99	7/20/98	5/14/98	2/9/98	5/16/96	5/2/96	7/13/95
Work days open	3048	3139	3146	3384	3559	3604	3671	4060	4103	4288

VIII. Requests for Expedited Processing and Requests for Fee Waivers

Table 20

A. Requests for Expedited Processing.²⁷					
Component	Number Granted	Number Denied	Median Days to Adjudicate	Average Days to Adjudicate	Number Adjudicated within 10 Calendar Days
AF	45	520	0	2	538
AFRICOM	1	2	10	10	3
ASBCA	0	0			
ARMY	278	2	N/A	0	275
CENTCOM	0	10	7	6	10
DCAA	0	0			
DCMA	0	2	0	0	2
DeCA	0	0			
DFAS	0	1	6	6	1
DIA	0	2	1	1	2
DISA	0	0			
DLA	1	1	9	9	2
DoDEA	0	0			
DoDIG	4	51	9	14	32
DSS	0	0			
DTIC	0	0			
DTRA	0	2	1	1	2
EUCOM	0	0			
NAVY	42	70	4	5	62
NGA	1	0	1	1	1
NGB	0	1	1	1	1
NORTHCOM	0	0			
NRO	0	3	1	1	3
NSA	4	8	10	18	10
OSD/JS	0	64	5	6	55
PACOM	0	0			

²⁷ If the component has neither granted nor denied fee waivers, the third, fourth and fifth columns are blank.

A. Requests for Expedited Processing.²⁷

Component	Number Granted	Number Denied	Median Days to Adjudicate	Average Days to Adjudicate	Number Adjudicated within 10 Calendar Days
SOCOM	0	3	1	2	3
SOUTHCOM	0	0			
STRATCOM	0	1	8	8	1
TRANSCOM	1	2	1	1	3
TRICARE	0	4	1	3	3
Agency Total	377	749	N/A²⁸	2	1009

²⁸ Due to the decentralized processing and tracking of FOIA requests within the DoD and because the DoD does not have the means to centrally capture all the required data, it is not possible to calculate DoD (Agency) medians. Furthermore, Army has multiple reporting components and was not able to compute medians for its overall totals. This applies to all tables with medians in Section VIII.

Table 21

B. Requests for Fee Waivers.²⁹				
Component	Number Granted	Number Denied	Median Days to Adjudicate	Average Days to Adjudicate
AF	155	247	<1	3
AFRICOM	2	0	8	8
ASBCA	0	0		
ARMY	390	160	N/A	11
CENTCOM	33	45	20	30
DCAA	0	0		
DCMA	3	5	3	9
DeCA	0	0		
DFAS	0	0		
DIA	0	0		
DISA	0	0		
DLA	8	6	2	6
DoDEA	1	4	14	26
DoDIG	0	16	24	31
DSS	0	0		
DTIC	0	0		
DTRA	2	0	10	10
EUCOM	5	0		
NAVY	509	181	2	5
NGA	0	0		
NGB	0	6	<1	<1
NORTHCOM	0	0		
NRO	16	0	1	3
NSA	5	12	18	28
OSD/JS	6	6	<1	73
PACOM	0	0		
SOCOM	2	2	2	3
SOUTHCOM	0	0		
STRATCOM	0	0		
TRANSCOM	0	4	1	1
TRICARE	0	2	4	4
Agency Total	1137	696	N/A	8

²⁹ If the component has neither granted nor denied fee waivers, the third, fourth and fifth columns are blank.

IX. FOIA Personnel and Costs

Table 22

Component	Personnel			Costs		
	Number of Full-Time FOIA Employees	Number of Equivalent Full-Time FOIA Employees	Total Number of Full Time FOIA Staff (add column 1 and 2)	Processing Costs (At initial request and appeal level)	Litigation Related Costs	Total Costs
AF	67	103.70	170.70	\$13,753,595	\$288,427	\$14,042,022
AFRICOM	1		1.00	\$91,973	\$0	\$91,973
ASBCA	0	0.01	0.01	\$664	\$0	\$664
ARMY	103	100.78	203.78	\$15,025,367	\$211,531	\$15,236,898
CENTCOM	21	9.91	30.91	\$4,370,236	\$181,000	\$4,551,236
DCAA	1	0.44	1.44	\$160,553	\$0	\$160,553
DCMA	1	5.50	6.50	\$885,725	\$21,910	\$907,635
DeCA	1		1.00	\$67,392	\$35,000	\$102,392
DFAS	0	2.30	2.30	\$170,468	\$0	\$170,468
DIA	23	3.00	26.00	\$4,165,956	\$405,867	\$4,571,823
DISA	1	0.80	1.80	\$208,967	\$0	\$208,967
DLA	6	8.30	14.30	\$1,530,755	\$1,050	\$1,531,805
DoDEA	1		1.00	\$77,973	\$0	\$77,973
DoDIG	8		8.00	\$1,059,665	\$55,000	\$1,114,665
DSS	1		1.00	\$132,508	\$0	\$132,508
DTIC	1		1.00	\$84,030	\$0	\$84,030
DTRA	4		4.00	\$597,000	\$0	\$597,000
EUCOM	1	0.50	1.50	\$106,305	\$2,000	\$108,305
NAVY	52	75.20	127.20	\$11,701,853	\$77,500	\$11,779,353
NGA	3	1.00	4.00	\$364,463	\$0	\$364,463
NGB	0	1.00	1.00	\$143,999	\$9,785	\$153,784
NORTHCOM	1		1.00	\$23,973	\$0	\$23,973
NRO	0	2.00	2.00	\$675,000	\$15,000	\$690,000
NSA	13	15.49	28.49	\$4,791,427	\$149,842	\$4,941,269
OSD/JS	59	1.75	60.75	\$7,966,287	\$2,027,250	\$9,993,537
PACOM	1		1.00	\$108,000	\$0	\$108,000

Component	Personnel			Costs		
	Number of Full-Time FOIA Employees	Number of Equivalent Full-Time FOIA Employees	Total Number of Full Time FOIA Staff (add column 1 and 2)	Processing Costs (At initial request and appeal level)	Litigation Related Costs	Total Costs
SOCOM	10	6.44	16.44	\$1,951,008	\$0	\$1,951,008
SOUTHCOM	2	1.45	3.45	\$189,553	\$45,000	\$234,553
STRATCOM	1	0.25	1.25	\$127,352	\$0	\$127,352
TRANSCOM	1		1.00	\$583,788	\$0	\$583,788
TRICARE	2	1.91	3.91	\$567,905	\$0	\$567,905
Agency Total	386	341.73	727.73	\$71,683,740	\$3,526,162	\$75,209,902

X. Fees Collected For Processing Requests

Table 23

Fees Collected for Processing Requests		
Component	Total Amount of Fees Collected in Dollars	Percent of Processing Costs
AF	\$59,078	0.43%
AFRICOM	\$0	0.00%
ASBCA	\$0	0.00%
ARMY	\$254,487	1.69%
CENTCOM	\$0	0.00%
DCAA	\$0	0.00%
DCMA	\$5,004	0.56%
DeCA	\$572	0.85%
DFAS	\$2,488	1.46%
DIA	\$1,585	0.04%
DISA	\$8,531	4.08%
DLA	\$30,353	1.98%
DoDEA	\$225	0.29%
DoDIG	\$0	0.00%
DSS	\$0	0.00%
DTIC	\$0	0.00%
DTRA	\$264	0.04%
EUCOM	\$0	0.00%
NAVY	\$86,035	0.74%
NGA	\$0	0.00%
NGB	\$2,127	1.48%
NORTHCOM	\$0	0.00%
NRO	\$1,036	0.15%
NSA	\$1,435	0.03%
OSD/JS	\$4,084	0.04%
PACOM	\$0	0.00%
SOCOM	\$1,160	0.06%
SOUTHCOM	\$26,163	13.80%

Fees Collected for Processing Requests

Component	Total Amount of Fees Collected in Dollars	Percent of Processing Costs
STRATCOM	\$0	0.00%
TRANSCOM	\$3,037	0.52%
TRICARE	\$2,751	0.48%
Agency Total	\$490,415	0.67%

XI. FOIA Regulations

- A. The Department of Defense (DoD) Freedom of Information Act Program Regulation, DoD 5400.7-R, September 4, 1998, which provides guidance regarding administration of FOIA Program within the DoD, can be found at:

<http://www.dtic.mil/whs/directives/corres/pdf/540007r.pdf>

- B. The Fee Schedule is found in Chapter 6 of the above regulation.

- C. Additional Department of Defense FOIA documents and hyperlinks can be found by accessing the following Universal Resource Locator:

<http://www.dod.mil/pubs/foi/dfoipo/>

XII. Backlogs, Consultations, and Comparisons

Table 24³⁰

A. Backlog of FOIA Requests and Administrative Appeals.		
Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
AF	509	119
AFRICOM*	29	N/A
ASBCA	0	0
ARMY	625	26
CENTCOM*	205	N/A
DCAA	0	0
DCMA	49	3
DeCA	0	0
DFAS	8	0
DIA	1132	147
DISA	20	3
DLA	23	4
DoDEA*	1	N/A
DoDIG	252	29
DSS	8	1
DTIC*	3	N/A
DTRA	39	1
EUCOM*	37	N/A
NAVY	1202	1
NGA	73	1
NGB*	17	N/A
NORTHCOM*	16	N/A
NRO	33	1
NSA	597	79
OSD/JS	1097	354

³⁰ * Not all components process administrative appeals. OSD/JS FOIA Appeals Branch processes the following components' appeals: AFRICOM, CENTCOM, DoDEA, DTIC, EUCOM, NGB, NORTHCOM, PACOM, SOCOM, SOUTHCOM, TRANSCOM, and TRICARE.

A. Backlog of FOIA Requests and Administrative Appeals.

Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
PACOM*	33	N/A
SOCOM*	148	N/A
SOUTHCOM*	170	N/A
STRATCOM*	1	N/A
TRANSCOM*	34	N/A
TRICARE*	10	N/A
Agency Total	6371	769

Table 25 - Consultations on FOIA Requests

B. Consultations on FOIA Requests.				
Component	Number of Consultations Received from Other Agencies that Were Pending as of Start of the Fiscal Year	Number of Consultations Received from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Processed During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Pending as of the End of the Fiscal Year
AF	61	139	156	44
AFRICOM	19	24	15	28
ASBCA	0	0	0	0
ARMY	111	355	274	192
CENTCOM	20	80	78	22
DCAA	0	2	2	0
DCMA	0	6	6	0
DeCA	0	0	0	0
DFAS	0	1	1	0
DIA	226	305	336	195
DISA	2	5	3	4
DLA	0	12	9	3
DoDEA	0	0	0	0
DoDIG	1	8	8	1
DSS	0	0	0	0
DTIC	0	0	0	0
DTRA	0	0	0	0
EUCOM	1	0	0	1
NAVY	44	453	414	83
NGA	15	45	35	25
NGB	0	0	0	0
NORTHCOM	0	11	9	2
NRO	4	22	25	1
NSA	122	350	343	129
OSD/JS	375	203	356	222
PACOM	3	8	6	5
SOCOM	36	72	77	31
SOUTHCOM	15	9	6	18

B. Consultations on FOIA Requests.

Component	Number of Consultations Received from Other Agencies that Were Pending as of Start of the Fiscal Year	Number of Consultations Received from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Processed During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Pending as of the End of the Fiscal Year
STRATCOM	5	19	15	9
TRANSCOM	1	0	1	0
TRICARE	1	15	16	0
Agency Total	1062	2144	2191	1015

Table 26

C. Ten Oldest Consultations Pending										
	10th Oldest Consulta tion and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consulat ion and Number of Days Pending
AF	2/15/11	12/15/10	7/6/10	6/17/10	4/22/10	7/14/09	3/25/09	12/18/08	12/18/08	8/1/08
Work days open	410	451	563	575	614	808	885	949	949	1045
AFRICOM	11/29/11	1/19/11	1/19/11	1/19/11	1/19/11	1/19/11	1/19/11	1/19/11	1/19/11	1/19/11
Work days open	212	429	429	429	429	429	429	429	429	429
ASBCA										
Work days open	0	0	0	0	0	0	0	0	0	0
ARMY	9/7/12	9/6/12	9/5/12	8/27/12	8/20/12	7/19/12	7/11/12	7/10/12	7/6/12	7/6/12
Work days open	15	16	17	23	28	50	56	57	59	59
CENTCOM	6/6/12	5/30/12	5/23/12	5/22/12	5/16/12	4/12/12	3/21/12	2/13/12	12/12/11	9/14/11
Work days open	80	85	89	90	94	118	134	160	203	263
DCAA										
Work days open	0	0	0	0	0	0	0	0	0	0
DCMA										
Work days open	0	0	0	0	0	0	0	0	0	0

C. Ten Oldest Consultations Pending

	10th Oldest Consulta tion and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultat ion and Number of Days Pending
DeCA										
Work days open	0	0	0	0	0	0	0	0	0	0
DFAS										
Work days open	0	0	0	0	0	0	0	0	0	0
DIA	12/30/05	11/18/05	11/17/05	9/19/05	6/16/05	6/16/05	4/13/05	3/30/05	12/30/04	5/13/02
Work days open	1693	1721	1722	1763	1828	1828	1873	1883	1944	2603
DISA							9/18/12	7/12/12	5/3/12	3/6/12
Work days open	0	0	0	0	0	0	8	55	103	145
DLA								9/13/12	9/13/12	6/20/12
Work days open	0	0	0	0	0	0	0	11	11	70
DoDEA										
Work days open	0	0	0	0	0	0	0	0	0	0
DoDIG										4/3/12
Work days open	0	0	0	0	0	0	0	0	0	125
DSS										
Work days open	0	0	0	0	0	0	0	0	0	0
DTIC										
Work days open	0	0	0	0	0	0	0	0	0	0
DTRA										
Work days open	0	0	0	0	0	0	0	0	0	0

C. Ten Oldest Consultations Pending

	10th Oldest Consulta tion and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultat ion and Number of Days Pending
EUCOM										4/11/02
Work days open	0	0	0	0	0	0	0	0	0	2625
NAVY	9/1/11	8/19/11	6/24/11	5/5/11	2/9/11	1/1/11	12/15/10	10/4/10	11/9/09	11/13/08
Work days open	271	280	319	354	414	440	451	500	726	974
NGA	4/25/12	3/30/12	12/29/11	12/29/11	12/28/11	12/9/11	9/20/11	7/14/11	10/5/10	9/14/09
Work days open	109	127	190	190	191	204	259	306	499	765
NGB										
Work days open	0	0	0	0	0	0	0	0	0	0
NORTHCOM									6/27/2012	3/20/2012
Work days open	0	0	0	0	0	0	0	0	65	135
NRO										6/14/12
Work days open	0	0	0	0	0	0	0	0	0	74
NSA	9/9/10	9/7/10	8/5/10	5/11/10	5/5/10	4/28/10	4/28/10	11/20/09	7/28/09	9/12/08
Work days open	517	519	541	601	605	610	610	718	798	1016
OSD/JS	2/25/04	1/22/04	10/21/03	2/14/03	10/9/02	10/3/02	8/30/02	7/16/02	4/16/02	1/8/01
Work days open	2157	2180	2241	2413	2499	2503	2526	2559	2622	2940
PACOM						9/7/12	1/3/12	8/27/09	8/3/09	1/20/09
Work days open	0	0	0	0	0	15	188	776	794	929

C. Ten Oldest Consultations Pending

	10th Oldest Consulta tion and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultat ion and Number of Days Pending
SOCOM	5/3/11	4/5/11	1/4/11	11/23/10	10/6/10	9/13/10	6/15/09	6/3/09	12/6/07	6/20/07
Work days open	356	376	439	466	498	515	828	836	1209	1325
SOUTHCOM	11/10/11	11/2/11	10/19/11	7/14/11	6/30/11	4/28/11	1/4/11	6/30/10	3/3/10	1/4/10
Work days open	223	229	239	306	315	359	439	566	650	690
STRATCOM		9/13/12	8/22/12	7/30/12	7/18/12	7/18/12	7/11/12	5/25/12	3/6/12	2/17/09
Work days open	0	11	26	43	51	51	56	87	145	910
TRANSCOM										
Work days open	0	0	0	0	0	0	0	0	0	0
TRICARE										
Work days open	0	0	0	0	0	0	0	0	0	0
Agency Overall	1/22/04	10/21/03	2/14/03	10/9/02	10/3/02	8/30/02	7/16/02	4/16/02	4/11/02	1/8/01
Work days open	2180	2241	2413	2499	2503	2526	2559	2622	2625	2940

Table 27

D. Comparisons of Number of Requests from Previous and Current Annual Report.				
	NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
Component	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
AF	7170	6284	7205	6302
AFRICOM	22	38	8	31
ASBCA	3	4	3	4
ARMY	38,712	32,871	39,967	32,778
CENTCOM	297	429	350	388
DCAA	105	72	105	69
DCMA	244	187	221	204
DeCA	179	190	167	201
DFAS	145	239	145	240
DIA	730	1144	1405	1592
DISA	244	310	268	312
DLA	7302	6325	7412	6266
DoDEA	73	50	75	50
DoDIG	434	495	315	428
DSS	54	51	53	44
DTIC	95	79	100	81
DTRA	129	137	145	103
EUCOM	81	72	78	70
NAVY	14,203	12,708	13,599	13,125
NGA	128	89	194	154
NGB	113	108	94	105
NORTHCOM	39	58	39	45
NRO	210	225	214	227
NSA	1121	1809	1110	1698
OSD/JS	1543	1387	1632	1494

D. Comparisons of Number of Requests from Previous and Current Annual Report.

Component	NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
	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
PACOM	74	45	60	48
SOCOM	198	179	186	195
SOUTHCOM	168	195	137	123
STRATCOM	42	33	51	32
TRANSCOM	107	111	106	95
TRICARE	111	154	152	147
Agency Total	74,076	66,078	75,596	66,651

Table 28

D. Comparisons of Number of Backlogged Requests from Previous and Current Annual Report		
NUMBER OF BACKLOGGED REQUESTS PENDING		
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
AF	525	509
AFRICOM	14	29
ASBCA	0	0
ARMY	1000	625
CENTCOM	173	205
DCAA	0	0
DCMA	63	49
DeCA	5	0
DFAS	5	8
DIA	1605	1132
DISA	19	20
DLA	19	23
DoDEA	1	1
DoDIG	189	252
DSS	1	8
DTIC	5	3
DTRA	6	39
EUCOM	59	37
NAVY	1658	1202
NGA	135	73
NGB	16	17
NORTHCOM	9	16
NRO	44	33
NSA	484	597

D. Comparisons of Number of Backlogged Requests from Previous and Current Annual Report

NUMBER OF BACKLOGGED REQUESTS PENDING

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
OSD/JS	908 ³¹	1097
PACOM	37	33
SOCOM	162	148
SOUTHCOM	98	170
STRATCOM	0	1
TRANSCOM	14	34
TRICARE	6	10
Agency Total	7260	6371

³¹ Due to an error in the vendor-supplied tracking system, the OSD/JS number of backlogged requests at the end of the fiscal year in last year's annual report was reported in error. The correct number of backlogged requests at the end of fiscal year 2011 was 1196.

Table 29³²

E. Comparisons of Number of Administrative Appeals from Previous and Current Annual Report				
	Number of Appeals Received		Number of Appeals Processed	
Component	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.
AF	258	303	169	219
ASBCA	0	0	0	0
ARMY	141	122	139	125
DCAA	2	3	2	3
DCMA	3	8	6	6
DeCA	0	0	0	0
DFAS	1	6	1	6
DIA	76	117	82	163
DISA	0	1	1	1
DLA	8	23	9	18
DoDIG	22	23	15	20
DSS	0	1	0	0
DTRA	1	1	0	1
NAVY	306	293	314	288
NGA	9	4	10	0
NRO	4	6	8	7
NSA	52	57	28	44
OSD/JS	183	180	123	179
Agency Total	1066	1148	907	1080

³² * Not all components process administrative appeals. OSD/JS FOIA Appeals Branch processes the following components' appeals: AFRICOM, CENTCOM, DoDEA, DTIC, EUCOM, NGB, NORTHCOM, PACOM, SOCOM, SOUTHCOM, TRANSCOM, and TRICARE.

Table 30³³

E. Comparisons of Number of Backlogged Administrative Appeals from Previous and Current Annual Report.		
	Number of Appeals Backlogged	
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.
AF	142	119
ASBCA	0	0
ARMY	29	26
DCAA	0	0
DCMA	0	3
DeCA	0	0
DFAS	0	0
DIA	197	147
DISA	3	3
DLA	1	4
DoDIG	26	29
DSS	0	1
DTRA	0	1
NAVY	1	1
NGA	0	1
NRO	2	1
NSA	67	79
OSD/JS	269 ³⁴	354
Agency Total	737	769

³³ * Not all components process administrative appeals. OSD/JS FOIA Appeals Branch processes the following components' appeals: AFRICOM, CENTCOM, DoDEA, DTIC, EUCOM, NGB, NORTHCOM, PACOM, SOCOM, SOUTHCOM, TRANSCOM, and TRICARE.

³⁴ Due to an error in the vendor-supplied tracking system, the OSD/JS number of backlogged appeals at the end of the fiscal year in last year's annual report was reported in error. The correct number of backlogged appeals at the end of fiscal year 2011 was 359.