

## How FOIA Requesters Fared by Department/Agency, 2004

Department/Agency	Requests				Decision Made				
	Received	Processed	Yearend Backlog	Percent	Granted in Full	Partial Grant	Percent Granted	Denied	Other
Agriculture	61,803	61,209	2,372	4%	55,465	1,953	94%	1,774	9,471
Commerce	2,051	2,035	308	15%	950	277	60%	214	594
Defense	77,131	77,256	12,826	17%	37,914	11,779	64%	2,340	25,223
Education	2,232	2,082	348	17%	1,007	659	80%	61	355
Energy	2,289	2,440	862	35%	1,590	258	76%	59	533
Homeland Sec.	168,882	152,027	45,810	30%	49,835	60,612	73%	955	40,625
HUD	4,654	3,978	2,421	61%	1,824	587	61%	237	1,330
Interior	4,587	4,219	1,790	42%	1,809	854	63%	183	1373
Justice	57,346	56,865	8,055	14%	19,186	8,495	49%	2,136	27,048
Labor	21,833	21,860	559	3%	7,378	7,551	68%	1,931	5,000
State	3,951	4,963	1,996	40%	837	1,370	44%	345	2,411
Transportation	10,375	10,905	1,971	18%	4,435	2,170	61%	292	4,008
Treasury	64,336	64,570	5,538	9%	30,114	3,413	52%	551	30,492
AID	260	212	344	162%	51	62	53%	17	82
CIA	3,055	3,336	1,150	34%	427	1,242	50%	517	1,530
CPSC	6,355	6,397	58	1%	5755	385	96%	53	204
EEOC	17,535	17,485	1,686	10%	1,109	12,384	77%	1,427	2,564
EPA	12,897	13,352	2,146	16%	7,540	635	61%	120	5,057
GSA	1,270	1,182	238	20%	823	131	81%	40	188
NARA	5,627	5,219	5,501	105%	476	110	11%	22	4,611
NASA	1,622	1567	257	16%	579	390	62%	27	511
NLRB	5,193	5295	154	3%	3980	523	85%	136	656
NRC	372	389	54	14%	155	101	66%	22	11
NSF	311	309	10	3%	36	226	85%	9	38
SEC	9,325	3,830	8,635	225%	1090	209	34%	499	2,042
SBA	1,901	1,927	30	2%	73	168	13%	1,416	270
<b>Subtotal</b>	<b>547,193</b>	<b>524,909</b>	<b>105,119</b>	<b>20%</b>	<b>234,438</b>	<b>116,544</b>	<b>67%</b>	<b>15,383</b>	<b>166,227</b>
HHS	225,006	222,408	23,545	11%	206,951	753	93%	2,134	12,570
OPM	12,199	9,310	3,479	37%	7,236	1517	94%	29	528
SSA	1,453,619	1,450,493	5,857	0%	1,446,438	819	99%	937	2,299
VA	1,825,168	1,815,756	45,076	2%	1,812,795	8,961	100%	5,014	34,217
<b>Subtotal</b>	<b>3,515,992</b>	<b>3,497,967</b>	<b>77,957</b>	<b>2%</b>	<b>3,473,420</b>	<b>12,050</b>	<b>99%</b>	<b>8,114</b>	<b>49,614</b>

**KEY:**      **Above Average**      **NR=Not Reported**

HHS, OPM, SSA and the VA are shown separately because the bulk of their requests come under both FOIA and the Privacy Act from individuals seeking personal records. Most do not require discretionary decisions of the agency on whether to release the documents and are automatically and quickly granted. **Other No Grant** refers to the number of requests rejected for reasons unrelated to any exemption, such as failure to front processing fees, no records found, or a non-specific request.

## Days Requesters Waited for Agency Response, 2004

Department/ Agency	Type of Request, Processing Time						
	Simple Request	Median Days	Complex Request	Median Days	Expedited Request	Number Granted	Median Days
Agriculture	34,067	14 \ 77	26,616	54 \ 800	1840	526	13 \ 53
Commerce	1,654	13	465	41	6	6	5
Defense	63,433	17	12,922	59	1057	841	1
Education	1,566	3 \ 30	442	2 \ 134	74	74	3 \ 21
Energy	1,907	10 \ 152	493	18 \ 916	40	40	5 \ 7
Homeland Sec.	116,944	8 \ 84	34,391	5 \ 111	NR	692	3 \ 44
HUD	3,540	21 \ 95	258	30 \ 161	180	60	9 \ 42
Interior	3,976	15 \ 834	30	56 \ 90	133	63	2 \ 64
Justice	49,618	1 \ 137	7,049	15 \ 636	257	134	1 \ 195
Labor	17,771	2 \ 30	3,959	18 \ 60	NR	130	2 \ 25
State	1,236	6	3,710	209	95	8	184
Transportation	6,232	1 \ 68	4,614	23 \ 135	180	59	5 \ 57
Treasury	723	2 \ 10	63,844	4 \ 172	12	3	10
AID	209	54	0	0	3	3	13
CIA	501	7	2,834	63	18	1	10
CPSC	5,640	6	757	25	0	0	0
EEOC	17,164	18	0	0	324	321	4
EPA	13,324	15 \ 27	17	19 \ 353	39	21	6 \ 27
GSA	0	0	1561	14	0	0	0
NARA	4,920	35	299	354	0	0	0
NASA	1,069	18	454	33	NR	44	26
NLRB	5,295	9	0	0	0	0	0
NRC	357	11	27	47	29	5	60
NSF	309	20	0	0	2	0	20
SEC	3,401	30	419	202	10	10	8
SBA	1,927	5	0	0	0	0	0
HHS	44,761	9 \ 25	177,633	77 \ 325	14		66
OPM	9,310	9	0	0	0	0	0
SSA	177,778	10 \ 19	882	37	0	0	0
SSA Outsourced	1,270,512	NR	0	0	0	0	0
SSA Fastrack	1,321	14	0	0	0	0	0
VA	0	0	1,833,581	4 \ 42	18,175		1

**KEY:** Missed Response Deadline      NR=Not Reported

Agencies are required by the FOIA to respond to all requests within 20 working days. Those agencies that reported a median response time beyond the 20 days are highlighted. Some agencies report only by component unit, providing no agency total. In those instances, the "Median Day" figures shown here reflect the lowest and highest processing times reported by the components. We have used the latter in determining agency compliance. **The Social Security Administration** said it outsourced more than 1.2 million of its simple FOIA requests and could not report processing time on those requests. The agency reported median times of times of 10 to 19 days for the 179,000 requests it did handle.

## The Results of FOIA Appeals by Agency, 2004

Department/ Agency	Appeals Received	Appeals Processed	Backlog	Percent Backlog	Full Grant	Partial Grant	Percent Granted	Denial Upheld	Other*
Agriculture	246	160	86	54%	36	47	52%	41	36
Commerce	79	68	11	16%	7	10	25%	31	20
Defense	624	933	0	0%	30	162	21%	433	308
Education	25	59	0	0%	1	9	17%	36	13
Energy	32	28	3	14%	0	4	14%	4	20
Homeland Sec.	2,187	722	1,465	203%	6	30	5%	136	550
HUD	61	45	16	36%	3	4	16%	30	8
Interior	254	67	187	279%	32	6	57%	7	22
Justice	3,004	2,933	71	2%	33	157	6%	1,121	1,622
Labor	335	313	22	7%	16	92	35%	79	126
State	368	294	74	25%	9	165	59%	100	20
Transportation	118	101	17	17%	9	12	21%	40	40
Treasury	388	504	0	0%	9	30	8%	278	187
AID	11	8	3	38%	1	1	25%	6	0
CIA	220	273	0	0%	0	45	16%	155	73
CPSC	15	13	2	15%	0	0	0%	13	2
EEOC	415	372	43	12%	39	91	35%	176	75
EPA	117	105	12	11%	9	9	17%	18	65
GSA	4	4	0	0%	0	1	25%	3	0
NARA	6	6	0	0%	0	1	12%	2	3
NASA	22	22	0	0%	0	8	36%	13	1
NLRB	49	47	2	4%	2	11	28%	25	9
NRC	10	12	0	0%	0	4	33%	4	4
NSF	6	6	0	0%	2	1	50%	3	0
SEC	229	202	27	13%	39	34	36%	126	3
SBA	28	28	0	0%	0	13	46%	5	6
<b>Subtotal</b>	<b>8,853</b>	<b>7,325</b>	<b>2,041</b>	<b>28%</b>	<b>283</b>	<b>947</b>	<b>17%</b>	<b>2,885</b>	<b>3,213</b>
HHS	168	132	36	27%	17	21	29%	50	44
OPM	33	29	4	14%	1	1	7%	21	6
SSA	76	96	0	0%	19	8	28%	46	23
VA	117	148	0	0%	10	9	13%	34	95
<b>Subtotal</b>	<b>394</b>	<b>405</b>	<b>40</b>	<b>0%</b>	<b>47</b>	<b>39</b>	<b>21%</b>	<b>151</b>	<b>168</b>
<b>Total</b>	<b>9,247</b>	<b>7,730</b>	<b>2,081</b>	<b>20%</b>	<b>330</b>	<b>986</b>	<b>17%</b>	<b>3,036</b>	<b>3,381</b>

**KEY:** Above Average

\*Other: Agencies list various other "non-disclosure" reasons including "request withdrawn", "referral", "fee-related", "not reasonably described", "not a proper FOIA request", "not an agency record", "duplicate request", and "available from another source".

## The Use of Exemptions in Denying FOIA Requests, 2004

Department/ Agency	Total Cited		Exemption Cited													
	2003	2004	1	2	3	4	5	6	7a	7b	7c	7d	7e	7f	8	9
Agriculture	3,759	4,066	9	198	73	364	363	1,790	173	750	298	24	23	1	0	0
Commerce	632	575	6	21	120	111	131	154	11	0	17	0	4	0	0	0
Defense	19,296	22,139	1,132	1,944	1,627	1,268	1,411	8,990	458	14	4,738	245	107	22	3	180
Education	529	1,059	—	133	2	351	55	252	66	11	181	3	5	0	0	0
Energy	481	348	10	30	22	75	57	112	20	8	9	2	2	1	0	0
Homeland Sec.	96,249	138,134	19	23,162	453	285	29,233	38,439	4,82	42	31,17	982	9,415	98	0	0
HUD	639	601	0	25	22	164	93	238	22	1	29	3	4	0	0	0
Interior	1,545	1,385	0	46	38	122	318	478	82	5	256	13	14	11	0	2
Justice	22,322	23,399	580	3,577	1,073	227	1,718	2,791	587	24	7,432	2,519	1,021	1,850	0	2
Labor	23,484	25,634	—	403	30	4,503	5,049	2,062	1,833	9	7,123	3,857	764	1	0	0
State	2,419	2,759	762	138	485	126	377	624	39	2	121	27	50	8	0	0
Transportation	2,864	3,064	3	85	74	230	504	1,407	170	11	481	90	8	1	0	0
Treasury	8,190	3,813	17	57	263	354	203	354	16	3	1,140	99	1,225	13	69	0
AID	101	116	3	1	19	40	13	31	5	0	4	0	0	0	0	0
CIA	2,024	2,554	845	101	1,185	22	65	170	1	0	57	46	58	4	0	0
CPSC	823	780	0	—	362	123	175	30	65	0	0	7	18	0	0	0
EEOC	18,927	18,324	0	17	2,182	26	12,054	1,406	716	0	1,777	119	27	0	0	0
EPA	1,334	1,306	3	44	26	323	394	210	161	3	82	28	25	2	1	4
GSA	227	244	5	15	25	104	46	40	1	0	3	0	1	4	0	0
NARA	183	165	24	6	28	2	14	56	3	0	16	12	2	0	2	—
NASA*	542	429	0	29	21	267	29	42	41*	—	—	—	—	—	0	0
NLRB	1,459	1,701	0	72	—	24	292	294	350	0	345	268	56	0	0	0
NRC	256	201	1	37	4	16	47	36	18	0	39	3	0	0	0	0
NSF	220	324	0	4	10	65	9	216	2	0	18	0	0	0	0	0
SEC	569	778	0	29	9	67	56	53	496	0	29	0	6	0	33	0
SBA	499	274	0	3	1	113	73	74	1	0	5	4	0	0	0	0
<b>Subtotal</b>	<b>209,573</b>	<b>254,172</b>	<b>3,419</b>	<b>30,177</b>	<b>8,154</b>	<b>9,372</b>	<b>52,779</b>	<b>60,349</b>	<b>10,124</b>	<b>883</b>	<b>55,378</b>	<b>8,351</b>	<b>12,835</b>	<b>2,016</b>	<b>108</b>	<b>188</b>
HHS	2,467	3,193	0	30	27	411	159	2,472	67	1	18	6	2	0	0	0
OPM	4,662	2,627	0	41	1	14	18	1,273	2	0	1,247	1	30	0	0	0
SSA	2,508	1,282	0	82	87	31	108	943	0	0	31	0	0	0	0	0
VA	7,743	11,161	0		5,435	155	370	4,635	105	9	280	10	2	17	0	12
<b>Subtotal</b>	<b>17,380</b>	<b>18,263</b>	<b>0</b>	<b>284</b>	<b>5,550</b>	<b>611</b>	<b>655</b>	<b>9,323</b>	<b>174</b>	<b>10</b>	<b>1,576</b>	<b>17</b>	<b>34</b>	<b>17</b>	<b>0</b>	<b>12</b>

**KEY:** Increase from 2003

\*Although NASA reported Exemption 7 use by subcategory in 2003, NASA reported all Exemption 7 citations in a single category in 2004, shown here as 7(a).

## Other Reasons for Nondisclosure, 2004

Department/ Agency	Total 2003	Total 2004	No Records	Referrals	Request Withdrawn	Fee Related Reason	Not Reasonably Described	Not a Proper Request	Not an Agency Record	Duplicate Request	All Other
Agriculture	2,825	2,007	708	390	264	77	50	116	53	65	284
Commerce	563	594	213	56	58	91	77	4	5	17	73
Defense	23,563	25,223	6,709	9,084	2,806	792	1,071	763	616	1,073	2,309
Education	329	355	208	48	47	5	7	0	12	12	16
Energy	585	533	193	31	122	45	29	30	20	34	29
Homeland Sec.	43,766	40,625	14,663	8,963	1,286	1,890	330	8,483	1,753	2,398	859
HUD	609	1,330	173	213	193	65	12	584	33	57	—
Interior	1,376	1,313	422	175	118	135	113	256	44	46	4
Justice	26,803	27,048	12,803	2,915	1,084	1,234	2,315	2,420	1,423	1,492	1,362
Labor	4,807	5,000	3,034	1,178	213	77	143	74	103	169	9
State	2,886	2,411	758	438	50	0	0	81	0	34	1,050
Transportation	3,841	4,098	2,568	432	684	116	28	93	79	41	57
Treasury	28,556	30,492	16,076	2,155	515	49	21	8,400	72	10	3,194
AID	75	82	37	0	19	19	7	0	0	0	0
CIA	1,115	1,150	477	126	1	0	0	0	0	0	546
CPSC	226	204	99	4	71	5	0	0	0	25	0
EEOC	1,869	2,564	580	276	148	166	19	256	27	163	929
EPA	5,849	5,057	3,939	17	890	50	21	5	120	15	0
GSA	230	188	28	52	63	21	7	7	4	3	3
NARA	3,660	4,611	4,245	104	8	2	113	38	9	25	67
NASA	565	571	137	146	65	10	74	36	68	13	22
NLRB	586	656	189	154	120	71	10	73	3	2	34
NRC	107	111	50	0	23	30	1	1	0	2	4
NSF	32	38	18	0	6	0	9	3	0	0	2
SEC	1,925	2,042	1,562	117	154	128	36	33	9	1	2
SBA	301	270	112	33	32	9	13	4	50	8	9
Subtotal	157,049	158,573	70,001	27,107	9,040	5,087	4,506	21,760	4,503	5,705	10,864
HHS	8,520	12,570	4,126	401	4,142	803	1,140	1,017	51	280	610
OPM	760	528	263	49	16	5	0	0	10	66	119
SSA	3,280	1,899	277	0	83	115	51	0	0	779	594
VA	24,986	37,909	8,689	6,557	9,557	957	1,098	5,500	618	4,418	515
Subtotal	37,546	52,906	13,355	7,007	13,798	1,8	2,289	6,517	679	5,543	1,838

**KEY:** Increase from 2003

## FOIA Processing Costs, Workforce, Efficiency, Litigation Costs, 2004

Department/Agency	Processing Costs	Requests Processed	Cost per Request	FTEs	Requests per FTE	Litigation Costs
Agriculture	\$11,324,192	61,209	\$185	585	105	\$266,025
Commerce	\$1,373,355	2,035	\$675	18	115	\$396,280
Defense	\$46,783,592	77,256	\$606	721	107	\$428,202
Education	\$809,158	2,082	\$389	11	195	0
Energy	\$3,297,469	2,440	\$1,351	71	34	\$189,035
Homeland Sec.	\$20,585,515	152,027	\$135	469	324	\$562,803
HUD	\$1,998,632	3,978	\$502	41	97	\$18,968
Interior	\$7,252,721	4,219	\$1,719	114	37	\$358,718
Justice	\$54,531,828	56,865	\$959	563	101	\$12,394,368
Labor	\$14,645,397	21,860	\$670	191	115	\$160,000
State	\$12,656,689	4,963	\$2,550	182	27	\$123,156
Transportation	\$7,629,310	10,905	\$700	57	193	\$90,381
Treasury	\$13,577,037	64,570	\$210	146	443	\$408,575
AID	\$437,000	212	\$2,061	6	35	0
CIA	\$8,150,000	3,336	\$2,443	76	44	\$730,000
CPSC	\$1,627,309	6,397	\$254	15	421	\$2,000
EEOC	\$2,162,500	17,485	\$124	52	337	\$26,759
EPA	\$11,215,170	13,352	\$840	1765	76	\$290,309
GSA	\$875,000	1,182	\$740	18	66	\$41,000
NARA	\$1,425,774	5,219	\$273	26	201	0
NASA	\$1,541,496	1567	\$983	20	80	\$118,344
NLRB	\$706,148	5295	\$133	9	596	\$46,860
NRC	\$1,127,003	389	\$2,897	9	43	0
NSF	\$179,567	309	\$581	1.4	221	0
SEC	\$2,564,726	3,830	\$670	64	60	\$663
SBA	\$753,750	1,927	\$391	13	154	\$1,800
Subtotal	\$ 229,230,338	524,909	\$440	3,650	144	\$16,654,246
HHS	\$17,797,355	222,408	\$80	251	885	\$1,427,345
OPM	\$705,391	9,310	\$76	13	746	—
SSA	\$14,531,090	1,450,493	\$10	209	6,940	\$20,489
VA	\$44,696,330	1,851,756	\$24	796	2,325	\$210,461
Subtotal	\$77,730,166	3,533,967	\$22	1269	2,784	\$1,658,295
Total	\$306,960,504	4,058,876	\$76	4,919	825	\$18,312,541

**KEY:** Above Average

The Social Security Administration outsources the handling of FOIA requests to its 1,400 field offices. The FTE total relates only to government employees handling FOIA.

## FOIA Fees Collected, 2004

Department/Agency	Fees	Percent of Total Costs
Agriculture	\$134,229	1.50%
Commerce	\$36,271	2.04%
Defense	\$537,741	1.10%
Education	\$13,732	2.00%
Energy	\$57,027	2.00%
Homeland Sec.	\$320,154	1.50%
HUD	\$54,614	2.70%
Interior	\$177,734	2.00%
Justice	\$108,013	0.16%
Labor	\$198,246	1.34%
State	\$30,767	0.24%
Transportation	\$214,496	0.03%
Treasury	\$472,323	3.38%
AID	\$2,340	0.54%
CIA	\$1,870	1.00%
CPSC	\$2,494	0.16%
EEOC	\$69,609	3.22%
EPA	\$350,871	3.05%
GSA	\$20,147	2.00%
NARA	\$3,588	3.00%
NASA	\$27,658	1.70%
NLRB	\$95,903	12.70%
NRC	\$38,225	3.40%
NSF	\$194	0.001%
SEC	\$83,059	3.23%
SBA	\$4,503	1.90%
<b>Subtotal</b>	<b>\$3,065,809</b>	<b>1.33%</b>
HHS	\$759,367	4.00%
OPM	\$2,595	0.37%
SSA	\$5,149,980	35.40%
VA	\$912,864	2.03%
<b>Subtotal</b>	<b>\$6,824,806</b>	<b>8.70%</b>