

Department of Homeland Security

2017 Freedom of Information Act Report to the Attorney General of the United States and the Director of the Office of Government Information Services February 2018



Message from the Chief Freedom of Information Act Officer



I am pleased to present the Department of Homeland Security's (DHS) 2017 Freedom of Information Act (FOIA) Report.

This report, while written for the Attorney General and the Director of the Office of Government Information Services, is also integral to DHS's effort to promote transparency. The report highlights the large number of FOIA requests and appeals the Department received this fiscal year. In addition, this report provides data to substantiate an important accomplishment, the decrease in the Department's request backlog, despite an appreciable increase in the number of requests received by the Department.

DHS consistently receives the largest number of FOIA requests of any federal department or agency, receiving almost 40 percent of all requests within the Federal Government. In fiscal year 2017, DHS received 366,036 requests, a 12 percent increase from the previous fiscal year. Notably, this fiscal year's numbers represent the largest amount of requests received by an agency in one fiscal year. The increase in the number of FOIA requests sent to DHS tracks with the increased public interest in the Department's operations pertaining to the recent Presidential Executive Orders and subsequent guidance from the Secretary. Even in the context of this increased workload, DHS processed 367,546 requests, an 18 percent increase from the previous fiscal year.

In fiscal year 2017 DHS:

- Released over 32 million pages of records in response to FOIA requests;
- Released an additional 126,000 pages through the appeals process; and
- Released 133,000 pages in response to FOIA litigation.

Significantly, the Department decreased its backlog by six percent from 46,788 in fiscal year 2016 to 44,117 in fiscal year 2017, representing a concerted effort on the part of the DHS Privacy Office and its partners among the DHS Components to address the Department's backlog. The National Protection and Programs Directorate contributed significantly to this reduction and decreased its backlog by 93 percent, despite receiving 40 percent more requests in fiscal year 2017. Additionally, the Federal Emergency Management Agency decreased its backlog by 79 percent, by responding to 115 percent more requests in fiscal year 2017. U.S. Customs and Border Protection was able to maintain a backlog of only about 1,000 requests, despite receiving 88,840 requests (a 33 percent increase) in fiscal year 2017.

In addition to decreasing the Department's overall backlog number, DHS has also been able to decrease the age of requests pending by continuing to focus on closing out older backlogged cases. In fiscal year 2017, DHS decreased the number of cases backlogged for over 100 days by 17 percent and the number of cases backlogged over 200 days by 12 percent compared to fiscal year 2016.

In conjunction with the Department's increased productivity, DHS was able to decrease the processing cost per case and increase production by FOIA employees. The total cost of processing FOIA requests for DHS, including litigation costs, was more than \$56 million in fiscal year 2017. The average cost of processing a FOIA request in the Department during fiscal year 2017 was approximately \$154 per request, a number far below the average cost in fiscal year 2016, which amounted to an average of \$184 per request. With regard to the workforce and workforce efficacy, the total full-time and equivalent FOIA personnel within DHS was 552 in fiscal year 2017. DHS also increased the production level of one full-time equivalent FOIA employee by 13 percent. In fiscal year 2017, one equivalent FOIA employee processed 665 FOIA requests compared to 552 FOIA requests in fiscal year 2016.

Despite this progress, there are key FOIA program challenges that remain. Among these challenges are technological limitations (e.g., interoperability, search capability, unstructured data retention), staffing and budget constraints, and a spike in the number of litigation complaints and appeals, which contribute to higher program costs and other risks.

Reducing the backlog remains a priority, and my office is currently working with DHS Component leadership to proactively address the Department's challenges. Strategically, we will look to address staffing challenges, deploying cross-component teams to assist with FOIA program management and processing, and continued emphasis on the use of FOIA technology to streamline processes and increase efficiencies.

Sincerely,

Philip S. Kaplan

Chief Freedom of Information Act Officer U.S. Department of Homeland Security

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I. Basic Information Regarding Report

1. Questions regarding this report may be directed to:

James V.M.L. Holzer
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Privacy Office
U.S. Department of Homeland Security
245 Murray Lane SW, Mail Stop 0655
Washington, DC 20528-0655
Phone: 202-343-1743; Fax: 202-343-4011

- 2. This report can be downloaded from the DHS FOIA website at http://www.dhs.gov/foia-annual-reports.
- 3. Requests for this report in paper form may also be directed to the Deputy Chief FOIA Officer, as listed above.

II. Making a FOIA Request¹

- 1. Names, addresses, and contact numbers for DHS FOIA Officers can be found on our website at http://www.dhs.gov/foia-contact-information.
- 2. Brief description of why requests may not be granted:

The records maintained by the Department often contain private information on individuals or involve law enforcement matters. Because law enforcement records are of specific interest to subjects of investigation, victims of crime, and the public at large, these records are often requested under the Freedom of Information Act. For example, the Department commonly invokes exemptions 6 and 7(C) to prevent unwarranted injury to the privacy interests of individuals, and exemption 7(E) to protect against the disclosure of law enforcement techniques, procedures, and guidelines.

III. Acronyms, Definitions, and Exemptions

1. Agency-specific acronyms or other terms.

a. CBP U.S. Customs and Border Protection

b. CFO Chief Financial Officer

c. CHCO Office of the Chief Human Capital Officer

d. CISOMB Office of the Citizenship and Immigration Services Ombudsman

e. CRCL Office for Civil Rights & Civil Liberties

f. DHS Department of Homeland Security

g. DNDO² Domestic Nuclear Detection Office

¹ The Privacy Office (PRIV) processes and reports on FOIA requests for PRIV, the Office of the Secretary (including the Military Advisor's Office), and the following components: CISOMB, CRCL, DNDO, ESEC, MGMT, OPE, OHA, OGC, OLA, OPA, OPS, and PLCY.

² In December 2017, the DHS Countering Weapons of Mass Destruction (CWMD) Office was established. The entirety of DNDO now falls under this newly created DHS Component.

Office of the Executive Secretary h. ESEC i. FEMA Federal Emergency Management Agency j. FLETC Federal Law Enforcement Training Centers k. I&A Office of Intelligence and Analysis U.S. Immigration and Customs Enforcement 1. ICE m. MGMT Management Directorate n MIL Military Advisors Office o. NCSC National Cyber Security Center p. NPPD National Protection and Programs Directorate q. OBIM Office of Biometric Identity Management r. OCP Office of Community Partnerships s. OGC Office of the General Counsel t. OHA Office of Health Affairs Office of Inspector General u. OIG Office of Legislative Affairs v. OLA w. OPA Office of Public Affairs x. OPE Office of Partnership & Engagement Office of Operations Coordination y. OPS Office of Strategy, Policy, and Plans z. PLCY aa. PRIV Privacy Office bb. S&T Science and Technology Directorate cc. TSA Transportation Security Administration dd. USCG United States Coast Guard U.S. Citizenship and Immigration Services ee. USCIS

United States Secret Service

2. Definition of terms, as used in this report.

ff. USSS

- a. **Administrative Appeal** A request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** The number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8, determined by dividing 24 by 3.
- c. **Backlog** The number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. Component For agencies that process requests on a decentralized basis, a
 "component" is an entity, also sometimes referred to as an Office, Division,
 Bureau, Center, or Directorate, within the agency that processes FOIA requests.
 The FOIA now requires that agencies include in the Annual FOIA Report data for both the agency overall and for each principal Component of the agency.

- e. **Consultation** The procedure whereby the agency responding to a FOIA request first forwards a record to another agency 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 provides its views on the record to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** A federal statute other than FOIA that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.³
- g. **FOIA Request** A FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), an organization, or a particular topic of interest. Moreover, because requesters covered by the Privacy Act who seek records concerning themselves (i.e., "firstparty" requesters) are afforded the benefit of the access provisions of both FOIA and the Privacy Act, the term "FOIA request" also includes any such "first-party" requests when an agency determines that it must search beyond its Privacy Act "systems of records" or when the agency applies a Privacy Act exemption and therefore looks to FOIA to afford the greatest possible access. DHS applies this same interpretation of the term "FOIA request" even to "first-party" requests from persons not covered by the Privacy Act, e.g., non-U.S. citizens, because DHS by policy provides such persons the ability to access their own records in DHS's Privacy Act "mixed systems of records" as if they are subject to the Privacy Act's access provisions, and DHS processes the requests under FOIA as well. Thus, all requests that require DHS to utilize FOIA in responding to the requester are included in this Report.

Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- h. **Full Grant** An agency decision to disclose all records in full in response to FOIA request.
- i. **Full Denial** An agency decision not to release any records in response to a FOIA request because the records are exempt in their entireties under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** The middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

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³ Pursuant to 5 U.S.C. § 552(b)(3) as amended by sec. 564 of Public Law 111-83, a statute enacted after October 28, 2009, can qualify as an Exemption 3 law only if it cites specifically to 5 U.S.C. § 552(b)(3).

- k. **Multi-Track Processing** A system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
 - i. **Expedited Processing** An agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
 - ii. **Simple Request** A FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the volume and/or simplicity of 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.
- 1. **Partial Grant/Partial Denial** An agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- m. **Pending Request or Pending Administrative Appeal** A request or administrative appeal for which an agency has not taken final action in all respects.
- n. **Perfected Request** A request for records that reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
- o. **Processed Request or Processed Administrative Appeal** A request or administrative appeal for which an agency has taken final action in all respects.
- p. **Range in Number of Days** The lowest and highest number of days to process requests or administrative appeals.
- q. **Time Limits** The time period in the statute for an agency to respond to a FOIA request (ordinarily 20 working days from receipt of a perfected FOIA request).
- 3. Concise descriptions of FOIA exemptions:
 - a. **Exemption 1**: classified national defense and foreign relations information.
 - b. **Exemption 2**: internal agency rules and practices (personnel).
 - c. **Exemption 3**: information that is prohibited from disclosure by another federal law.
 - d. **Exemption 4**: trade secrets and other confidential business information.

- e. **Exemption 5**: inter-agency or intra-agency communications that are protected by legal privileges.
- f. **Exemption 6**: information involving matters of personal privacy.
- g. **Exemption 7**: records or information compiled for law enforcement purposes, to the extent that the production of those records A) could reasonably be expected to interfere with enforcement proceedings, B) would deprive a person of a right to a fair trial or an impartial adjudication, C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, D) could reasonably be expected to disclose the identity of a confidential source, E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or procedures, 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

Statute	Type of Information Withheld	Case Citation	Number of Tin upon per Con		Total Number of Times Relied upon by Agency
5 U.S.C. §§ 7114(b)(4), 7132 (Civil Service Reform Act)	Defining agencies' and representative's duty to negotiate in good faith to include disclosure of certain labor relations training and guidance materials and limiting the issuance of certain subpoenas	Dubin v. Dep't of Treasury, 555 F. Supp. 408, 412 (N.D. Ga. 1981) (5 U.S.C. § 7114(b)(4)), aff'd, 697 F.2d 1093 (11th Cir. 1983) (unpublished table decision); NTEU v. OPM, No. 76-695, slip op. at 3-4 (D.D.C. July 9, 1979) (5 U.S.C. § 7114(b)(4) and 5 U.S.C. § 7132).	USCG	1	1
	Intelligence sources and		I&A	198	
6 U.S.C. § 121	methods		PRIV	1	199
8 U.S.C. § 1202(f) (Immigration and Nationality Act)	Certain records pertaining to the issuance or refusal of visas to enter the United States	Medina-Hincapie v. Dep't of State, 700 F.2d 737, 741-42 (D.C. Cir. 1983); DeLaurentiis v. Haig, 686 F.2d 192, 194 (3d Cir. 1982); Assadi v. Dep't of State, No. 12-1111, 2014 WL 4704840, at *6 (S.D.N.Y. Sept. 19, 2014); Beltranena v. U.S. Dep't of State, 821 F. Supp. 2d 167, 177-78 (D.D.C. 2011); Badalamenti v. U.S. Dep't of State, 899 F. Supp. 542, 547 (D. Kan. 1995); Jan-Xin Zang v. FBI, 756 F. Supp. 705, 711-12 (W.D.N.Y. 1991); Smith v. DOJ, No. 81-CV-813, 1983 U.S. Dist. LEXIS 10878, at *13-14 (N.D.N.Y. Dec. 13, 1983).	PRIV NPPD USCIS	1 2,171 26,423	28,595
10 U.S.C. § 2305(g)	Certain contractor proposals	Roman v. NSA, Nos. 09- 2947, 09-4281, 09-3344, 09- 2504, 09-5633, 2012 WL 569747, at *7 (E.D.N.Y. Feb. 22, 2012); Margolin v. NASA, No. 09-CV-00421- LRH-VPC, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011).	PRIV USCG	1	2

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 $[\]S$ DHS Component(s) are referred to as "Component" for the remainder of this report.

Statute	Type of Information Withheld	Case Citation	Number of Tin upon per Con		Total Number of Times Relied upon by Agency
18 U.S.C. §§ 2510-20 (Title III of the Omnibus Crime Control and Safe Streets Act)	Wiretap requests and the contents of any wire, oral, or electronic communication obtained through wiretaps	Mendoza v. DEA, No. 07-5006, 2007 U.S. App. LEXIS 22175 (D.C. Cir. Sept. 14, 2007) (per curiam); Lam Lek Chong v. DEA, 929 F.2d 729, 733 (D.C. Cir. 1991); Payne v. DOJ, No. 96-30840, slip op. at 5-6 (5th Cir. July 11, 1997).	USSS	1	1
18 U.S.C. § 3509(d) (Federal Victims' Protection and Rights Act)	Certain records containing identifying information pertaining to children involved in criminal proceedings	Davis v. U.S. Postal Inspection Serv., No. 13- 01972, 2014 WL 7014877, at *3 (D.D.C. Dec. 15, 2014); Rodriguez v. U.S. Dep't of Army, 31 F. Supp. 3d 218, 236-37 (D.D.C. 2014).	I&A ICE	1 9	10
26 U.S.C. §§ 6103, 6105 (Internal Revenue Code)	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Leonard v. U.S. Dep't of Treasury, 590 F. App'x. 141, 143-44 (3d Cir. 2014) (per curiam); 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).	CBP FEMA USCIS	13 1 2,832	2,846
31 U.S.C. § 5319 (Bank Secrecy Act)	Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports	Ortiz v. DOJ, No. 12-1674, 2014 WL 4449686, at *4 (D.D.C. Sept. 9, 2014); Rosenberg v. ICE, 13 F. Supp. 3d 92, 114-15 (D.D.C. 2014); Hulstein v. DEA, No. 10-4112, 2011 U.S. Dist. LEXIS 25788, at *7-8 (N.D. Iowa Mar. 11, 2011); Council on AmIslamic Relations, Cal. v. FBI, 749 F. Supp. 2d 1104, 1117 (S.D. Cal. 2010); Berger v. IRS, 487 F. Supp. 2d 482, 496-97 (D.N.J. 2007), aff'd on other grounds, 288 F. App'x 829 (3d Cir. 2008).	ICE USSS	9	10

Statute	Type of Information Withheld	Case Citation	Number of Tin upon per Con		Total Number of Times Relied upon by Agency
41 U.S.C. § 253b(m)(1) (currently at 41 U.S.C. § 4702)	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); 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.C. Cir. Aug. 25, 2004).	CBP FEMA S&T USCIS	19 11 1 5	36
41 U.S.C. § 2102 (amending 41 U.S.C. § 423(a)(1))* (Procurement Integrity Act)	Contractor bid or proposal information; source selection information	Legal & Safety Employer Research, Inc. v. U.S. Dep't of the Army, No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal. May 4, 2001) (dictum).	FEMA S&T	2 2	4
42 U.S.C. §§ 2000e- 5(b), 2000e-8(e) (Civil Rights Act of 1964)	Information pertaining to charges of unlawful employment practices; information obtained by the EEOC in investigating charges of unlawful employment practices	Frito-Lay v. EEOC, 964 F. Supp. 236, 240-43 (W.D. Ky. 1997); Am. Centennial Ins. Co. v. EEOC, 722 F. Supp. 180, 184 (D.N.J. 1989).	USCIS	1	1
49 U.S.C. § 114	Information obtained or developed in carrying out security under the authority of the Aviation and Transportation Security Act or under chapter 449 of this title	Skurow v. DHS, No. 11-1296, 2012 WL 4380895, at *9-10 (D.D.C. Sept. 26, 2012); Tooley v. Bush, No. 06-306, 2006 WL 3783142, at *19 (D.D.C. Dec. 21, 2006), aff'd on other grounds, 586 F.3d 1006 (D.C. Cir. 2009); Gordon v. FBI, 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	CBP FEMA ICE OIG PRIV TSA USCG USSS	6 10 4,583 2 8 111 3 69	4,792
50 U.S.C. § 403g (currently at 50 U.S.C. § 3507) (Central Intelligence Agency Act of 1949)	Intelligence sources and methods; certain information pertaining to Agency employees, specifically: "the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency"	ACLU v. DOJ, 681 F.3d 61, 72-75 (2d Cir. 2012); Larson v. Dep't of State, 565 F.3d 857, 865 n.2 (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).	I&A PRIV USSS	7 1 7	15

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component [§]		Total Number of Times Relied upon by Agency
50 U.S.C. § 403-1(i)(1) (currently at 50 U.S.C. § 3024(i)(1)) (National Security Act of 1947)	Intelligence sources and methods	CIA v. Sims, 471 U.S. 159, 167 (1985); ACLU v. DOJ, 681 F.3d 61, 72-75 (2d Cir. May 21, 2012); ACLU v. DOD, 628 F.3d 612, 619, 626 (D.C. Cir. 2011); Berman v. CIA, 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007).	I&A PRIV	193	194
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Fund for Constitutional Gov't v. Nat'l Archives & Records Serv., 656 F.2d 856, 867-68 (D.C. Cir. 1981); Durham v. U.S. Atty. Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	USCIS USSS	1 3	4

V. FOIA Requests

A. Received, Processed, and Pending FOIA Requests

Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
CBP	6,255**	88,840	87,623	7,472
FEMA	2,012 ^{††}	2,357	3,942	427
FLETC	24	319	310	33
I&A	16	384	380	20
ICE	621	47,893	47,979	535
NPPD	5,559 ^{‡‡}	27,285	30,325	2,519
OIG	119	205	203	121
PRIV	235 ^{§§}	1,348	1,034	549
S&T	12***	109	111	10
TSA	786 ^{†††}	660	757	689
USCG	1,847‡‡‡	3,212	2,946	2,113
USCIS	45,913§§§	190,941	189,735	47,119
USSS	929****	2,483	2,201	1,211
AGENCY OVERALL	64,328††††	366,036	367,546	62,818

^{**} Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{††} Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{**} Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{§§} CRCL and PRIV data aggregated throughout the FY 2017 Report; Number of Requests Pending as of Start of Fiscal Year corrected due to component reporting error and CRCL/PRIV FOIA processing in FY 2017.

^{***} Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{†††} Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{§§§} Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{****} Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{††††} Number of Requests Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

B. (1) Disposition of FOIA Requests – All Processed Requests

			No. of Full		Nu	mber of Fu	ll Denial	s Based on I	Reasons O	ther that	1 Exemption	ons	
Component	No. of Full Grants	Partial Grants/ Partial Denials	Denials Based on Exemptio ns	No Records	All Records Referred	Request Withdrawn	Fee- Related Reason	Not Reasonably Described	Improper FOIA Request	Not Agency Record	Duplicate Request	Other	Total
CBP	11,702	25,532	196	31,000	131	516	22	1,155	10,693	4,093	2,583	0	87,623
FEMA	250	3,136	18	183	21	113	0	92	101	2	21	5	3,942
FLETC	18	38	14	29	1	6	0	191	1	11	1	0	310
I&A	12	55	174	44	29	3	2	17	6	37	1	0	380
ICE	755	41,045	688	3,090	114	70	3	331	1,292	100	91	400	47,979
NPPD	1,766	18,952	12	8,817	8	37	1	125	556	10	35	6	30,325
OIG	16	113	19	31	2	4	0	0	7	0	3	8	203
PRIV	62	213	31	130	270	23	3	219	12	29	29	13	1,034
S&T	8	16	0	15	15	6	1	25	15	7	3	0	111
TSA	117	262	26	111	11	183	5	5	1	2	15	19	757
USCG	1,368	185	32	891	17	329	1	1	5	21	53	43	2,946
USCIS	12,867	119,065	3,884	24,304	267	102	0	1	8,072	514	20,659	0	189,735
USSS	25	445	13	1,224	27	94	0	7	280	67	9	10	2,201
AGENCY OVERALL	28,966	209,057	5,107	69,869	913	1,486	38	2,169	21,041	4,893	23,503	504	367,546

B. (2) Disposition of FOIA Requests – "Other" Reasons for "Full Denials Based on Reasons Other than Exemptions" from Section V, B(1) Chart

Component	Description	No. of Times Used	Total
СВР	N/A	0	0
FEMA	Litigation Unable to Locate Requestor	3 2	5
FLETC	N/A	0	0
I&A	N/A	0	0

Component	Description	No. of Times Used	Total
ICE	Fugitive Disentitlement Litigation	370 30	400
NPPD	Unable to Locate Requester	6	6
OIG	Unable to Locate Requester Litigation	7	8
PRIV	Litigation Aggregate Cases Unable to Locate Requester	8 2 3	13
S&T	N/A	0	0
TSA	Unable to Locate Requester Referred Documents are Not Responsive	18 1	19
USCG	Unable to Locate Requester	43	43
USCIS	N/A	0	0
USSS	Litigation Referred Documents are Not Responsive Unable to Locate Requester	1 7 2	10
AGENCY OVERALL		•	504

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
CBP	0	555	38	76	330	19,588	57	0	19,453	12	19,846	7	0	0
FEMA	0	3	24	66	26	3,139	3	0	8	1	23	1	0	0
FLETC	0	4	0	8	20	38	3	0	7	0	3	4	0	0
I&A	8	0	208	0	22	41	1	0	3	1	107	0	0	0
ICE	6	68	4,601	57	3,834	40,871	140	69	40,875	64	37,764	159	8	0
NPPD	0	1	2,171	1	9	16,893	0	15,133	0	18,421	5	0	0	0
OIG	4	0	2	0	9	106	25	0	95	12	23	0	0	0
PRIV	2	3	12	8	73	194	1	0	47	1	58	5	0	0
S&T	0	1	3	5	6	13	0	0	0	0	6	1	0	0
TSA	1	45	111	22	84	235	7	0	53	0	3	1	0	0
USCG	3	3	5	14	40	173	23	0	80	3	16	0	0	0
USCIS	0	90	29,262	114	31,395	69,928	12	0	95,177	0	99,357	0	0	0
USSS	3	0	80	95	80	367	6	1	370	8	356	4	0	0
AGENCY OVERALL	27	773	36,517	466	35,928	151,586	278	15,203	156,168	18,523	157,567	182	8	0

VI. Administrative Appeals of Initial Determinations of FOIA Requests A. Received, Processed, and Pending Administrative Appeals

Component	No. of Appeals Pending as of Start of Fiscal Year	No. of Appeals Received in Fiscal Year	No. of Appeals Pending as of End of Fiscal Year	
СВР	143****	2,623	2,609	157
FEMA	43§§§	24	56	11
FLETC	0	1	1	0
ICE	118****	578	607	89
OGC	36	295	218	113
OIG	1	7	7	1
TSA	14*****	34	41	7
USCG	25	24	28	21
USCIS	45	1,770	1,742	73
USSS	13	30	37	6
AGENCY OVERALL	438‡‡‡‡	5,386	5,346	478

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
СВР	660	444	1,069	436	2,609

^{*****} Number of Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

Number of Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{******} Number of Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{†††††} Number of Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{********} Number of Appeals Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

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
FEMA	10	15	13	18	56
FLETC	0	0	0	1	1
ICE	426	134	25	22	607
OGC	43	1	41	133	218
OIG	1	1	2	3	7
TSA	17	7	3	14	41
USCG	14	0	10	4	28
USCIS	485	756	331	170	1,742
USSS	29	1	4	3	37
AGENCY OVERALL	1,685	1,359	1,498	804	5,346

C. (1) Reasons for Denial 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
СВР	0	18	7	2	13	913	4	175	905	1	766	2	0	0
FEMA	0	0	0	2	0	12	0	0	1	0	0	0	0	0
FLETC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ICE	0	6	13	6	27	291	7	1	293	1	246	2	0	0
OGC	0	0	7	0	0	17	0	0	29	0	27	0	0	0
OIG	0	0	0	0	0	0	1	0	0	0	0	0	0	0
TSA	0	4	9	0	4	15	0	0	2	0	0	0	0	0
USCG	0	0	1	0	7	8	3	0	3	0	0	0	0	0
USCIS	0	0	251	0	325	576	0	0	827	0	858	0	0	0
USSS	0	0	0	0	1	3	0	0	3	0	3	0	0	0
AGENCY OVERALL	0	28	288	10	377	1,835	15	176	2,063	2	1,900	4	0	0

C. (2) Reasons for Denial on Appeal – Reasons Other than Exemptions

Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee- Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Agency	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial for Expedited Processing	
CBP	238	76	13	1	14	317	26	46	1	2	0
FEMA	6	0	5	0	5	3	0	0	1	0	0
FLETC	0	0	0	0	0	0	0	0	0	0	1
ICE	8	0	0	1	0	4	1	4	4	0	0
OGC	46	0	4	5	1	2	0	1	1	0	73
OIG	0	0	3	0	0	0	0	0	0	1	0
TSA	2	0	4	0	1	2	0	0	0	0	5
USCG	2	0	0	0	0	0	1	0	1	0	0
USCIS	0	0	1	0	0	165	0	4	0	0	0

Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee- Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record				Other *Explain in chart below
USSS	27	0	0	0	0	2	0	1	0	0	0
AGENCY OVERALL	329	76	30	7	21	495	28	56	8	3	79

C. (3) Reasons for Denial on Appeal – "Other" Reasons from Section VI, C (2) Chart

Component	Description	No. of Times Used	Total
СВР	N/A	0	0
FEMA	N/A	0	0
FLETC	Referred to DHS OGC for Appeal Adjudication	1	1
ICE	N/A	0	0
OGC	Agency Performed Adequate Search	73	73
OIG	N/A	0	0
	Agency Performed Adequate Search	1	
TSA	Untimely	3	5
	Moot	1	
USCG	N/A	0	0
USCIS	N/A	0	0
USSS	N/A	0	0
AGENCY OVERALL		•	79

C. (4) Response Times for Administrative Appeals

Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
СВР	5.00	13.13	<1	907.00
FEMA	277.00	545.43	1.00	2,013.00
FLETC	74.00	74.00	74.00	74.00
ICE	18.00	44.60	1.00	657.00

Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
OGC	93.00	99.00	17.00	235.00
OIG	31.00	97.86	13.00	417.00
TSA	27.00	44.10	1.00	254.00
USCG	207.00	259.04	1.00	748.00
USCIS	8.00	9.00	1.00	49.00
USSS	20.00	23.49	3.00	82.00
AGENCY OVERALL	9.00	26.08	<1	2,013.00

C. (5) Ten Oldest Pending Administrative Appeals

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
СВР	Date of Receipt	2017-05-03	2017-03-24	2017-02-27	2017-02-07	2017-01-04	2017-01-04	2017-01-04	2016-07-29	2016-03-11	2014-06-05
СВІ	Number of Days Pending	105	133	152	165	188	188	188	295	393	835
FEMA	Date of Receipt	2017-09-07	2017-09-06	2017-08-10	2017-08-09	2017-06-07	2016-06-24	2016-03-10	2015-11-16	2015-01-23	2013-10-28
	Number of Days Pending	17	18	36	37	81	319	394	472	677	986
FLETC	Date of Receipt	N/A									
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
ICE	Date of Receipt	2016-12-06	2016-11-17	2016-10-27	2016-10-13	2016-09-29	2016-06-01	2016-05-06	2016-03-17	2016-02-24	2016-02-10
ICE	Number of Days Pending	207	219	233	243	252	336	353	389	405	414
OGC	Date of Receipt	2016-11-30	2016-11-25	2016-10-24	2016-09-23	2016-08-29	2016-06-07	2016-02-03	2015-12-17	2015-12-03	2015-12-03
ode	Number of Days Pending	211	214	236	256	274	332	419	450	460	460
OIG	Date of Receipt	N/A	2017-09-21								
Old	Number of Days Pending	0	0	0	0	0	0	0	0	0	7
TSA	Date of Receipt	N/A	N/A	N/A	2017-09-08	2017-09-06	2017-08-15	2017-06-30	2017-06-22	2017-05-31	2016-09-25
1571	Number of Days Pending	0	0	0	16	18	33	64	70	86	255
USCG	Date of Receipt	2016-11-29	2016-10-18	2016-10-12	2016-09-12	2016-08-24	2016-01-05	2015-12-15	2015-09-03	2014-06-06	2013-09-09
USCO	Number of Days Pending	212	240	244	265	277	439	452	521	834	1,020
USCIS	Date of Receipt	2017-09-06	2017-09-06	2017-09-06	2017-09-06	2017-09-06	2017-09-06	2017-09-06	2017-09-06	2017-09-06	2017-09-06
OSCIS	Number of Days Pending	18	18	18	18	18	18	18	18	18	18
USSS	Date of Receipt	N/A	N/A	N/A	N/A	2017-09-26	2017-09-21	2017-09-20	2017-09-20	2017-09-20	2017-06-16
0000	Number of Days Pending	0	0	0	0	4	7	8	8	8	74

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
AGENCY	Date of Receipt	2015-12-15	2015-12-03	2015-12-03	2015-11-16	2015-09-03	2015-01-23	2014-06-06	2014-06-05	2013-10-28	2013-09-09
OVERALL	Number of Days Pending	452	460	460	472	521	677	834	835	986	1,020

VII. FOIA Requests: Response Time for Processed and Pending Requests A. Processed Requests – Response Time for All Processed Perfected Requests

		Sim	ple			Com	plex			Expe	dited	
Component	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest
_	No. of	No. of										
	Days	Days										
CBP	32	37.11	<1	503	75	111.11	<1	770	29	36.13	<1	161
FEMA	8	9.30	1	20	116	164.56	21	1,090	173.5	164.33	4	324
FLETC	34	66.25	2	285	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I&A	1	3.32	<1	79	24	53.02	<1	471	6	21.75	<1	150
ICE	1	6.53	1	582	63	79.94	1	467	22	53.81	1	537
NPPD	83	91.17	<1	488	278.5	274.03	<1	628	45	38.33	21	49
OIG	72	143.96	1	952	231	381.34	25	1,097	33	33	33	33
PRIV	2	3.72	<1	35	43	96.33	<1	652	82	67	3	133
S&T	9	20.82	<1	118	16.5	42.3	<1	239	N/A	N/A	N/A	N/A
TSA	7.5	255.46	<1	1,302	124	309.87	<1	1,425	N/A	N/A	N/A	N/A
USCG	10	10.52	1	20	35	168.07	21	1,367	N/A	N/A	N/A	N/A
USCIS	44	43	1	556	125	108	1	525	26	36	1	139
USSS	12	11.61	1	33	110	183.87	14	1,586	N/A	N/A	N/A	N/A
AGENCY OVERALL	28.77	39.11	<1	1,302	111.66	93.51	<1	1,586	25.67	48.30	<1	537

B. Processed Requests – Response Time for Perfected Requests in Which Information Was Granted

		Simp	ole			Con	ıplex			Exp	edited	
Component	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days
CBP	36	42.26	<1	512	86.5	101.67	<1	726	27	36.7	<1	161
FEMA	9	9.80	1	20	106	154.50	21	1,090	305	196.2	4	324
FLETC	67	97.63	4	285	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I&A	5	8.00	<1	17	46	102.04	<1	471	32.5	32.5	17	48
ICE	1	5.39	1	582	75	93.07	1	446	21	40.05	1	396
NPPD	84	96.63	<1	452	195.5	224.63	127	396	35	35	21	49
OIG	106	157.69	6	952	235	397.72	37	1,097	33	33	33	33
PRIV	1.5	1.5	1	2	69	113.2	<1	652	33	33	17	49
S&T	26	37.48	3	118	53	113.33	48	239	N/A	N/A	N/A	N/A
TSA	188.5	359.41	1	1,211	112	247.62	8	1,425	N/A	N/A	N/A	N/A
USCG	11	10.92	1	20	31	65.59	21	1,331	N/A	N/A	N/A	N/A
USCIS	51	51	1	556	124	122	1	525	29	37	9	139

		Simple				Complex				Expedited			
Component	Median No.	Average	Lowest	Highest	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest No.	
Component	of Days	No. of	No. of	No. of	No. of	of Days							
	of Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Of Days	
USSS	18	18.89	18	33	163	291.39	22	1,586	N/A	N/A	N/A	N/A	
AGENCY OVERALL	30.83	40.62	<1	1,211	121.25	118.98	<1	1,586	24.66	41.34	<1	396	

C. Processed Requests – Response Time in Day Increments

(1) Simple Requests

Component	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	Total
CBP	18,919	26,308	12,397	9,281	1,123	474	297	107	100	47	138	94	30	69,315
FEMA	728	0	0	0	0	0	0	0	0	0	0	0	0	728
FLETC	42	24	14	6	5	3	3	5	2	4	10	0	0	118
I&A	178	3	0	1	0	0	0	0	0	0	0	0	0	182
ICE	42,598	1,529	437	219	127	115	69	64	38	43	120	19	10	45,388
NPPD	941	3,083	4,675	5,479	5,246	4,069	1,498	1,068	1,147	1,125	1,224	34	9	29,598
OIG	27	18	15	11	8	6	10	8	4	2	10	5	15	139
PRIV	298	9	0	0	0	0	0	0	0	0	0	0	0	307
S&T	41	12	3	1	1	3	0	0	0	0	0	0	0	61
TSA	54	5	1	1	1	1	0	0	1	0	2	2	24	92
USCG	1,594	0	0	0	0	0	0	0	0	0	0	0	0	1,594
USCIS	11,173	5,815	10,523	5,288	1,615	791	258	100	51	43	94	30	2	35,783
USSS	565	3	0	0	0	0	0	0	0	0	0	0	0	568
AGENCY OVERALL	77,158	36,809	28,065	20,287	8,126	5,462	2,135	1,352	1,343	1,264	1,598	184	90	183,873

(2) Complex Requests

Component	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	Total
CBP	105	91	61	76	64	69	25	33	23	12	27	59	226	871
FEMA	0	651	370	192	188	143	154	101	88	93	585	263	189	3,017
FLETC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
I&A	75	31	24	12	1	2	3	1	0	1	3	6	3	162
ICE	119	112	125	114	88	54	18	25	23	11	45	7	4	745
NPPD	0	0	1	0	1	0	1	1	6	2	8	7	5	32
OIG	0	5	1	2	2	4	5	2	1	1	9	4	20	56
PRIV	126	103	41	32	23	25	15	12	16	12	26	21	20	472
S&T	6	1	2	0	0	0	0	0	0	0	1	0	0	10
TSA	86	84	62	40	29	24	21	13	16	15	43	31	195	659
USCG	0	772	149	52	34	26	16	10	12	10	44	19	201	1,345
USCIS	38,631	3,708	1,536	516	350	44,514	52,300	3,121	428	192	269	56	9	145,630
USSS	14	339	145	89	48	77	118	56	86	28	79	98	170	1,347
AGENCY OVERALL	39,162	5,897	2,517	1,125	828	44,938	52,676	3,375	699	377	1,139	571	1,042	154,346

(3) Requests Granted Expedited Processing

Component	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	Total
CBP	31	49	9	16	3	0	1	1	1	0	0	0	1	112
FEMA	2	0	1	0	0	0	0	0	0	0	0	3	0	6
FLETC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
I&A	8	1	2	0	1	0	0	0	0	0	0	0	0	12
ICE	103	51	15	11	9	3	1	9	4	8	4	2	3	223
NPPD	0	1	2	0	0	0	0	0	0	0	0	0	0	3
OIG	0	1	0	0	0	0	0	0	0	0	0	0	0	1
PRIV	3	3	2	1	7	0	3	0	0	0	0	0	0	19
S&T	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
USCG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
USCIS	14	23	6	4	2	1	2	0	0	0	0	0	0	52
USSS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	161	129	37	32	22	4	7	10	5	8	4	5	4	428

D. Pending Requests – All Pending Perfected Requests

		Simple			Complex			Expedited	
Component	Number Pending	Median No. of Days	Average No. of Days	Number Pending	Median No. of Days	Average No. of Days	Number Pending	Median No. of Days	Average No. of Days
CBP	2,516	15	83.8	294	161	278.94	15	115	102.36
FEMA	66	7	8.08	326	191.5	258.97	9	17	95.78
FLETC	33	11	21.58	0	N/A	N/A	0	N/A	N/A
I&A	0	N/A	N/A	17	23	51.24	3	30	70
ICE	327	45	60.25	182	97	98.43	26	12.5	47.35
NPPD	2,395	8	18.15	111	247	257.54	5	161	128.2
OIG	97	101	175.59	25	474	426	0	N/A	N/A
PRIV	21	3	4.1	397	107	124.5	112	142	122.71
S&T	0	N/A	N/A	4	12	9.5	0	N/A	N/A
TSA	48	23.5	47.73	636	300	355.88	0	N/A	N/A
USCG	150	7	8.25	1,963	442	464.71	0	N/A	N/A
USCIS	2,656	26	36	43,440	54	56	15	127	114
USSS	127	7	9.31	1,084	196.5	312.86	0	N/A	N/A
AGENCY OVERALL	8,436	15.76	46.58	48,479	58.91	85.98	185	127.71	107.8

E. Pending Requests – Ten Oldest Pending Perfected Requests

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
	Date of Receipt	2014-10-16	2014-10-15	2014-09-23	2014-09-12	2014-09-10	2014-09-04	2014-09-04	2014-08-27	2014-08-14	2014-04-02
СВР	Number of Days Pending	743	744	759	766	768	772	772	777	786	880
FEMA	Date of Receipt	2014-03-24	2014-02-21	2013-12-10	2013-11-04	2013-11-01	2013-10-31	2013-10-28	2013-10-17	2013-08-02	2013-07-02

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
	Number of Days Pending	887	908	957	981	982	983	986	993	1,045	1,067
		2017-09-03	2017-08-31	2017-08-28	2017-08-15	2017-08-09	2017-06-28	2017-06-23	2017-06-21	2017-06-20	2017-05-08
FLETC	Number of Days Pending	19	21	24	33	37	66	69	71	72	102
		2017-09-05	2017-08-28	2017-08-22	2017-08-15	2017-07-21	2017-07-21	2017-07-14	2017-06-26	2017-03-30	2016-04-27
I&A	Number of Days Pending	19	24	28	33	50	50	55	68	129	360
		2016-11-23	2016-11-21	2016-11-15	2016-11-10	2016-11-07	2016-10-27	2016-10-13	2016-10-12	2016-09-12	2016-09-07
ICE	Number of Days Pending	215	217	221	223	226	233	243	244	265	268
MDDD	Date of Receipt	2015-09-18	2015-08-31	2015-08-28	2015-08-06	2015-08-04	2015-07-14	2015-07-10	2015-07-08	2015-04-20	2015-03-16
NPPD	Number of Days Pending	511	524	525	541	543	558	560	562	617	642
	•	2015-03-04	2015-02-12	2015-01-30	2015-01-15	2014-12-17	2014-12-03	2014-10-01	2014-08-01	2014-06-24	2014-05-23
OIG	Number of Days Pending	650	663	672	682	701	711	753	795	822	843
	Date of Receipt	2016-03-31	2016-01-27	2016-01-21	2016-01-07	2015-12-14	2015-12-09	2015-11-23	2015-10-08	2015-09-29	2014-11-04
PRIV	Number of Days Pending	379	424	428	437	453	456	467	497	504	730
	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	2017-09-26	2017-09-13	2017-09-13	2017-05-23
S&T	Number of Days Pending	0	0	0	0	0	0	4	13	13	91
		2012-12-04	2012-11-26	2012-11-05	2012-10-02	2012-07-23	2012-06-21	2012-06-05	2012-05-22	2012-05-07	2012-01-10
TSA	Number of Days Pending	1,211	1,217	1,230	1,253	1,303	1,324	1,336	1,345	1,356	1,438
		2011-08-04	2011-06-15	2011-06-15	2011-06-06	2011-05-05	2011-04-12	2011-04-08	2011-03-25	2011-02-07	2011-01-06
USCG	Number of Days Pending	1,545	1,580	1,580	1,587	1,608	1,625	1,627	1,637	1,670	1,691
Hadia	Date of Receipt	2016-09-28	2016-09-27	2016-09-26	2016-09-26	2016-09-14	2016-09-08	2016-08-25	2016-08-17	2016-06-20	2016-04-20
USCIS	Number of Days Pending	253	254	255	255	263	267	276	282	323	365
Hada		2012-06-27	2012-06-25	2012-06-11	2012-05-15	2012-05-15	2012-05-14	2012-04-26	2012-04-17	2012-04-17	2011-12-02
USSS	Number of Days Pending	1,320	1,322	1,332	1,350	1,350	1,351	1,363	1,370	1,370	1,463
ACENCY	Date of Receipt	2011-08-04	2011-06-15	2011-06-15	2011-06-06	2011-05-05	2011-04-12	2011-04-08	2011-03-25	2011-02-07	2011-01-06
AGENCY OVERALL	Number of Days Pending	1,545	1,580	1,580	1,587	1,608	1,625	1,627	1,637	1,670	1,691

VIII. Requests for Expedited Processing and Requests for Fee Waivers A. Requests for Expedited Processing

Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated within 10 Calendar Days
CBP	128	1,475	9	23.81	833
FEMA	12	38	1	15.4	43
FLETC	3	1	1.5	1.5	4
I&A	15	11	1	1.5	26
ICE	255	160	1	4.8	372
NPPD	1	12	1	1.38	13

Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated within 10 Calendar Days
OIG	1	26	9	10.37	19
PRIV	98	49	3	5.44	131
S&T	0	3	1	1.67	3
TSA	0	38	1	1	38
USCG	0	0	N/A	N/A	0
USCIS	69	1,216	1	7	1,144
USSS	0	327	1	1	327
AGENCY OVERALL	582	3,356	1	13.05	2,953

B. Requests for Fee Waiver

Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
СВР	296	173	37	70.81
FEMA	15	0	1	11.07
FLETC	0	0	N/A	N/A
I&A	13	15	1	1
ICE	467	120	1	1.42
NPPD	6	0	1	1.17
OIG	2	0	3	3
PRIV	236	22	2	3.12
S&T	1	7	2	8.33
TSA	0	31	1	1
USCG	0	0	N/A	N/A
USCIS	222	210	1	5
USSS	0	0	0	0
AGENCY OVERALL	1,258	578	1	20.28

IX. FOIA Personnel and Costs

		Personnel			Costs	
Component	Number of "Full Time FOIA Employees"	Number of "Equivalent Full- Time FOIA Employees"	Total Number of "Full-Time FOIA Staff" (Col. 1 + Col. 2)	Processing Costs	Litigation - Related Costs	Total Costs
CBP	49	0.48	49.48	\$3,563,284.56	\$51,959.00	\$3,615,243.56
FEMA	12.15	28.61	40.76	\$3,617,317.11	\$151,187.00	\$3,768,504.11
FLETC	1	0.4	1.4	\$231,360.87	\$0.00	\$231,360.87
I&A	2	1.2	3.2	\$253,008.00	\$199,852.00	\$452,860.00
ICE	40	5	45	\$6,447,349.00	\$1,131,883.00	\$7,579,232.00
NPPD	8.5	7.25	15.75	\$2,180,303.10	\$280,313.10	\$2,460,616.20
OIG	4	2.3	6.3	\$832,248.00	\$131,664.00	\$963,912.00
PRIV	14	5.25	19.25	\$3,638,148.38	\$371,779.20	\$4,009,927.58
S&T	1.5	0	1.5	\$88,058.00	\$0.00	\$88,058.00
TSA	12	2	14	\$1,823,958.00	\$100,093.00	\$1,924,051.00
USCG	18	19.1	37.1	\$3,050,223.19	\$18,500.00	\$3,068,723.19

		Personnel		Costs					
Component	Number of "Full Time FOIA Employees"	Number of "Equivalent Full- Time FOIA Employees"	Total Number of "Full-Time FOIA Staff" (Col. 1 + Col. 2)	Processing Costs	Litigation - Related Costs	Total Costs			
USCIS	212	92	304	\$26,114,764.10	\$738,566.83	\$26,853,330.93			
USSS	12	2.45	14.45	\$1,458,020.77	\$195,210.41	\$1,653,231.18			
AGENCY OVERALL	386.15	166.04	552.19	\$53,298,043.08	\$3,371.007.54	\$56,669,050.62			

X. Fees Collected for Processing Requests

Component	Total Amount of Fees Collected	Percentage of Total Costs
CBP	\$8,428.25	0.24%
FEMA	\$0.00	0.00%
FLETC	\$0.00	0.00%
I&A	\$0.00	0.00%
ICE	\$0.00	0.00%
NPPD	\$0.00	0.00%
OIG	\$0.00	0.00%
PRIV	\$0.00	0.00%
S&T	\$0.00	0.00%
TSA	\$548.00	0.03%
USCG	\$4,525.82	0.15%
USCIS	\$0.00	0.00%
USSS	\$0.00	0.00%
AGENCY OVERALL	\$13,502.07	0.03%

XI. FOIA Regulations – The Department of Homeland Security FOIA Implementing Regulations are codified at 6 C.F.R. Part 5, dated December 22, 2016. This is the final rule which established procedures for the public to obtain information from the DHS under the Freedom of Information Act and the Privacy Act. http://www.dhs.gov/xlibrary/assets/FOIA FedReg Notice.pdf.

XII. Backlogs, Consultations, and Comparisons A. Backlogs of FOIA Requests and Administrative Appeals

Component	Number of Backlogged Requests as of the End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
CBP	1,008	18
FEMA	310	8
FLETC	9	0
I&A	9	N/A
ICE	391	45
NPPD	267	0
OGC	N/A	79
OIG	107	0

Component	Number of Backlogged Requests as of the End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
PRIV	436	N/A
S&T	0	N/A
TSA	623	5
USCG	1,963	16
USCIS	37,887	0
USSS	1,107	1
AGENCY OVERALL	44,117	172

B. Consultations on FOIA Requests – Received, Processed, and Pending Consultations

Component	Number of Consultations Received from Other Agencies that Were Pending at Your Agency 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 by Your Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were Pending at Your Agency as of the End of the Fiscal Year
CBP	59\$\$\$\$\$	61	70	50
FEMA	11*****	11	20	2
FLETC	0	2	2	0
I&A	3	5	8	0
ICE	8†††††	176	99	85
NPPD	13******	28	11	30
OIG	Osssss	5	5	0
PRIV	12	19	22	9
S&T	0	0	0	0
TSA	13******	10	15	8
USCG	30††††††	24	19	35
USCIS	1	106	90	17
USSS	23	55	43	35
AGENCY OVERALL	173******	502	404	271

^{§§§§§} Number of Consultations Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{*******} Number of Consultations Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{*********} Number of Consultations Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{\$\$\$\$\$\$\$} Number of Consultations Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

^{********} Number of Consultations Pending as of Start of Fiscal Year corrected due to Component reporting error in FY 2016.

C. Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
	Date of Receipt	2014-10-06	2014-10-06	2014-08-19	2014-08-14	2014-06-24	2014-06-17	2014-05-19	2014-04-18	2014-04-18	2014-02-27
СВР	Number of Days Pending	750	750	783	786	822	827	847	868	868	904
	Date of Receipt	N/A	2017-05-08	2016-09-12							
FEMA	Number of Days Pending	0	0	0	0	0	0	0	0	102	265
	Date of Receipt	N/A									
FLETC	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
	Date of Receipt	N/A									
I&A	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
	Date of Receipt	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-15	2017-05-12	2017-04-16	2016-04-07
ICE	Number of Days Pending	97	97	97	97	97	97	97	98	117	374
	Date of Receipt	2016-11-22	2016-11-03	2016-10-26	2016-10-11	2016-09-12	2016-08-05	2016-08-04	2016-07-27	2016-07-19	2016-05-06
NPPD	Number of Days Pending	216	228	234	245	265	290	291	297	303	353
	Date of Receipt	N/A									
OIG	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
	Date of Receipt	N/A	2017-09-07	2017-09-01	2017-08-22	2017-08-17	2017-05-30	2016-09-22	2016-07-19	2016-07-14	2016-05-24
PRIV	Number of Days Pending	0	17	20	28	31	87	257	303	306	341
G 0 T	Date of Receipt	N/A									
S&T	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
	Date of Receipt	N/A	N/A	2017-08-22	2016-08-05	2016-06-13	2016-06-01	2015-12-18	2015-12-18	2015-03-18	2014-06-24
TSA	Number of Days Pending	0	0	28	290	328	336	449	449	640	822
	Date of Receipt	2015-07-23	2015-06-22	2015-06-17	2015-05-28	2015-04-03	2015-04-01	2015-01-13	2015-01-13	2015-01-13	2013-06-20
USCG	Number of Days Pending	551	573	576	590	628	630	684	684	684	1,075
	Date of Receipt	2017-08-15	2017-08-14	2017-07-17	2017-07-17	2017-07-10	2017-07-07	2017-04-26	2017-04-25	2017-04-07	2017-02-14
USCIS	Number of Days Pending	33	34	54	54	59	60	110	111	123	160
	Date of Receipt	2016-07-19	2016-07-19	2016-07-07	2016-06-27	2016-06-27	2016-03-02	2016-01-19	2014-04-25	2013-09-03	2013-02-13
USSS	Number of Days Pending	303	303	311	318	318	400	430	863	1,024	1,164
	Date of Receipt	2014-06-24	2014-06-17	2014-05-19	2014-04-25	2014-04-18	2014-04-18	2014-02-27	2013-09-03	2013-06-20	2013-02-13
AGENCY OVERALL	Number of Days Pending	822	827	847	863	868	868	904	1,024	1,075	1,164

D. (1) Comparison of Numbers of Requests from Previous and Current Annual Report – Requests Received, Processed, and Backlogged

	Number of Rec	quests Received	Number of Rec	uests Processed
Component	Received During Fiscal Year from Last Year's Annual Report	Received During Fiscal Year from Current Annual Report	Processed During Fiscal Year from Last Year's Annual Report	Processed During Fiscal Year from Current Annual Report
СВР	66,690	88,840	73,235	87,623
FEMA	2,659	2,357	1,837	3,942
FLETC	81	319	86	310
I&A	238	384	264	380
ICE	63,385	47,893	63,605	47,979
NPPD	19,557	27,285	20,062	30,325
OIG	193	205	174	203
PRIV	681	1,348	554	1,034
S&T	85	109	80	111
TSA	769	660	941	757
USCG	3,010	3,212	2,517	2,946
USCIS	166,732	190,941	145,470	189,735
USSS	1,700	2,483	1,662	2,201
AGENCY OVERALL	325,780	366,036	310,487	367,546

D. (2) Comparison of Backlogged Requests from Previous and Current Annual Report

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
СВР	1,172	1,008
FEMA	1,447	310
FLETC	20	9
I&A	15	9
ICE	471	391
NPPD	3,825	267
OIG	112	107
PRIV	205	436
S&T	2	0
TSA	692	623
USCG	2,180	1,963
USCIS	35,763	37,887
USSS	884	1,107
AGENCY OVERALL	46,788	44,117

E. (1) Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report – Appeals Received, Processed, and Backlogged

	Number of App	eals Received	Number of Ap	peals Processed
Component	Received During Fiscal Year from Last Year's Annual Report	Received During Fiscal Year from Current Annual Report	Processed During Fiscal Year from Last Year's Annual Report	Processed During Fiscal Year from Current Annual Report
СВР	2,656	2,623	2,662	2,609
FEMA	22	24	19	56
FLETC	1	1	1	1
ICE	701	578	803	607
OGC	86	295	77	218
OIG	18	7	19	7
TSA	56	34	45	41
USCG	27	24	24	28
USCIS	1,942	1,770	1,952	1,742
USSS	99	30	89	37
AGENCY OVERALL	5,608	5,386	5,691	5,346

(2) Comparison of Backlogged Administrative Appeals from Previous and Current Annual Report

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
CBP	12	18
FEMA	36	8
FLETC	0	0
ICE	8	45
OGC	29	79
OIG	1	0
TSA	9	5
USCG	23	16
USCIS	0	0
USSS	0	1
AGENCY OVERALL	118	172

XIII. New Annual Report Metrics – 2016 FOIA Improvement Act of 2016 A. Number of Times Subsection (c) Used

Component	Number of Times Subsection (C) Used
СВР	0
CRCL	0
FEMA	0
FLETC	0

Component	Number of Times Subsection (C) Used
I&A	0
ICE	0
NPPD	0
OIG	1
PRIV	0
S&T	0
TSA	0
USCG	0
USCIS	0
USSS	0
AGENCY OVERALL	1

B. Number of Subsection (a)(2) Postings

Component	Number of (a)(2) Records Posted by the FOIA Office	Number of (a)(2) Records Posted by Program Offices
СВР	97	0
FEMA	4	0
FLETC	15	0
I&A	1	0
ICE	212	0
NPPD	0	0
OIG	8	0
PRIV	267	0
S&T	1	0
TSA	49	0
USCG	11	0
USCIS	220	0
USSS	2	0
AGENCY OVERALL	887	0

APPENDIX A: Composition of the Department of Homeland Security

The Office of the Secretary oversees Department of Homeland Security (DHS) efforts to counter terrorism and enhance security, secure and manage our borders while facilitating trade and travel, enforce and administer our immigration laws, safeguard and secure cyberspace, build resilience to disasters, and provide essential support for national and economic security—in coordination with federal, state, local, international, tribal, and private sector partners.

Offices:

The Office for Civil Rights and Civil Liberties (CRCL) provides legal and policy advice to Department leadership on civil rights and civil liberties issues, investigates and resolves complaints, and provides leadership to Equal Employment Opportunity Programs.

The Office of the Citizenship and Immigration Services Ombudsman (Ombudsman) is dedicated to improving the quality of citizenship and immigration services delivered to the public by providing individual case assistance, as well as making recommendations to improve the administration of immigration benefits by U.S. Citizenship and Immigration Services (USCIS).

The Office of the Executive Secretary (ESEC) provides all manner of direct support to the Secretary and Deputy Secretary, as well as related support to leadership and management across the Department.

The Office of the General Counsel (OGC) integrates approximately 1,800 attorneys from throughout the Department into an effective, client-oriented, full-service legal team. The Office of the General Counsel comprises a headquarters office with subsidiary divisions and the legal programs for eight Department components.

The Office of Partnership and Engagement (OPE) coordinates the Department of Homeland Security's outreach efforts with key stakeholders nationwide, ensuring a unified approach to external engagement.

The Office of Legislative Affairs (OLA) serves as primary liaison to members of Congress and their staffs, the White House and Executive Branch, and to other federal agencies and governmental entities that have roles in assuring national security.

The primary responsibility of the Military Advisor is to provide counsel and support to the Secretary and Deputy Secretary in affairs relating to policy, procedures, preparedness activities, and operations between DHS and the Department of Defense (DoD).

The Office of Strategy, Policy, and Plans serves as a central resource to the Secretary and other Department leaders for strategic planning and analysis, and facilitation of decision-making on the full breadth of issues that may arise across the dynamic homeland security enterprise.

The Privacy Office (PRIV) works to preserve and enhance privacy protections for all individuals and to promote transparency of Department operations.

The Office of Public Affairs (OPA) coordinates the public affairs activities of all of the Department's components and offices, and serves as the federal government's lead public information office during a national emergency or disaster.

Operational and Support Components:

United States Customs and Border Protection (CBP) is one of the Department of Homeland Security's largest and most complex components, with a priority mission of keeping terrorists and their weapons out of the U.S. It also has a responsibility for securing and facilitating trade and travel while enforcing hundreds of U.S. regulations, including immigration and drug laws.

The mission of the Domestic Nuclear Detection Office (DNDO) is to prevent nuclear terrorism by continuously improving capabilities to deter, detect, respond to, and attribute attacks, in coordination with domestic and international partners.

The Federal Emergency Management Agency (FEMA) supports our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards.

The Federal Law Enforcement Training Center (FLETC) provides career-long training to law enforcement professionals to help them fulfill their responsibilities safely and proficiently.

The Office of Intelligence and Analysis (I&A) equips the Homeland Security Enterprise with the timely intelligence and information it needs to keep the homeland safe, secure, and resilient.

United States Immigration and Customs Enforcement (ICE) promotes homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration.

The Directorate for Management (MGMT) is responsible for budget, appropriations, expenditure of funds, accounting and finance; procurement; human resources and personnel; information technology systems; facilities, property, equipment, and other material resources; and identification and tracking of performance measurements relating to the responsibilities of the Department.

The goal of the National Protection and Programs Directorate (NPPD) is to advance the Department's risk-reduction mission. Reducing risk requires an integrated approach that encompasses both physical and virtual threats and their associated human elements.

The Office of Health Affairs (OHA) provides medical, public health, and scientific expertise in support of the Department of Homeland Security mission to prepare for, respond to, and recover from all threats.

The Office of Operations Coordination (OPS) provides information daily to the Secretary of Homeland Security, senior leaders, and the homeland security enterprise to enable decision-making; oversees the National Operations Center; and leads the Department's Continuity of Operations and Government Programs to enable continuation of primary mission essential functions in the event of a degraded or crisis operating environment.

The Transportation Security Administration (TSA) protects the nation's transportation systems to ensure freedom of movement for people and commerce.

The United States Coast Guard (USCG) is one of the five armed forces of the United States and the only military organization within the Department of Homeland Security. The Coast Guard protects the maritime economy and the environment, defends our maritime borders, and saves those in peril.

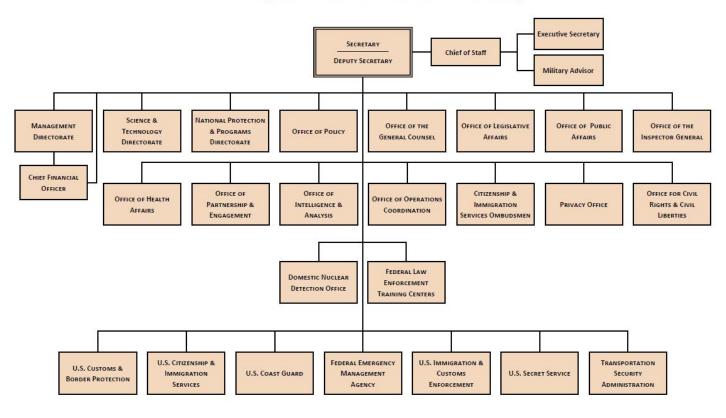
United States Citizenship and Immigration Services (USCIS) secures America's promise as a nation of immigrants by providing accurate and useful information to our customers, granting immigration and citizenship benefits, promoting an awareness and understanding of citizenship, and ensuring the integrity of our immigration system.

The Science and Technology Directorate (S&T) is the primary research and development arm of the Department. It provides federal, state and local officials with the technology and capabilities to protect the homeland.

The United States Secret Service (USSS) safeguards the nation's financial infrastructure and payment systems to preserve the integrity of the economy, and protects national leaders, visiting heads of state and government, designated sites, and National Special Security Events.

APPENDIX B: Organization of the Department of Homeland Security Chart

U.S. Department of Homeland Security



APPENDIX C: Names, Addresses, and Contact Information for DHS FOIA Officers

Department of Homeland Security Chief FOIA Officer

Sam Kaplan Chief FOIA Officer The Privacy Office U.S. Department of Homeland Security 245 Murray Lane, SW, Mail Stop 0655 Washington, DC 20528-0655 James V.M.L. Holzer
Deputy Chief FOIA Officer
The Privacy Office
U.S. Department of Homeland Security
245 Murray Lane, SW, Mail Stop 0655
Washington, DC 20528-0655

Department of Homeland Security Component FOIA Officers

The Privacy Office Nicole Barksdale-Perry Senior Director, FOIA Operations Ph: 202-343-1743; Fax: 202-343-4011 U.S. Department of Homeland Security 245 Murray Lane, SW, Mail Stop 0655 Washington, DC 20528-0655

U.S. Citizenship and Immigration Services Jill Eggleston Ph: 816-350-5521; Fax: 816-350-1793 National Records Center, FOIA/PA Office P. O. Box 648010 Lee's Summit, MO 64064-8010

Office for Civil Rights and Civil Liberties Bradley White Ph: 202-343-1743; Fax: 202-343-4011 DHS-CRCL-FOIA U.S. Department of Homeland Security 245 Murray Lane, SW, Bldg. 410, Mail Stop 0655 Washington, DC 20528-0190

U.S. Coast Guard Gaston Brewer Ph: 202-475-3525 Fax: 202-475-3927 Commandant (CG-611) 2701 Martin Luther King Jr Ave, SE Stop 7710 Washington, DC 20593-0001 U.S. Customs and Border Protection Sabrina Burroughs Ph: 202-325-0150; Fax: 202-325-1476 FOIA Division 1300 Pennsylvania Avenue, NW, Room 3.3D Washington, DC 20229

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Federal Law Enforcement Training Centers Alicia Aldridge Ph: 912-261-4512; Fax: 912-267-3113 Building No.681, Suite 187B 1131 Chapel Crossing Road Glynco, GA 31524 U.S. Immigration and Customs Enforcement Catrina Pavlik-Keenan Ph: 866-633-1182; Fax: 202-732-4265 500 12th Street, SW, Mail Stop 5009 Washington, DC 20536-5009

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