



Department of Homeland Security

Privacy Office

2013 Freedom of Information Act Report
to the Attorney General of the United States

February 2014



Homeland
Security

Message from the Chief Freedom of Information Act Officer

I direct your attention to the report that follows and look forward to providing even better and more responsive customer service in the new year.

As has been the case for several years, DHS continues to receive the largest number of FOIA requests of any federal department or agency in each fiscal year (FY), receiving almost 30 percent of all requests received by the Federal Government. Since President Obama took office, DHS has experienced a 45 percent increase in the number of FOIA requests received. In FY 2009, DHS received 103,093 requests, which was already the largest volume of requests. That volume surged each year: 130,098 in FY 2010; 175,656 in FY 2011; and 190,589 in FY 2012. In FY 2013, DHS received a staggering 231,534 FOIA requests.



The volume of requests the Department receives may be due in large part to the interest of the public in DHS's mission and the function of its components. Of particular interest to the public are immigration-related records under the purview of U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), the Office of Biometric Identity Management (OBIM) within the National Protection and Program Directorate (NPPD), and U.S. Citizenship and Immigration Services (USCIS). These components continue to receive the largest number of requests, receiving 97 percent of all requests in FY 2013.

As a result, DHS also has the largest backlog of pending FOIA requests. In last year's annual report, DHS highlighted a 33 percent decrease in the backlog. In FY 2013 however, the backlog increased from 28,553 to 53,598 due in part to the record-setting number of requests received. Components that process requests seeking immigration-related records (e.g., copies of the Alien File, entry/exit records, detention and deportation records) have the largest backlogs in the Department, with CBP, ICE, NPPD and USCIS comprising 95 percent of the total DHS backlog.

Notably, DHS enjoyed a successful year in closing out the department's ten oldest requests and appeals pending as posted in the FY 2012 report. In this past fiscal year, DHS closed 87 percent of last year's oldest component pending requests as reported in FY 2012. This includes closing all 10 of the oldest DHS agency-wide cases pending as of end of FY 2012. Additionally, DHS closed 86 percent of the 10 combined oldest component appeals pending as of end of FY 2012. This includes closing seven of the oldest DHS agency wide appeals pending as of end of FY 2012. Closing 87 percent of the ten oldest pending requests and 86 percent of the combined oldest component appeals pending represents a significant step not only toward reducing overall backlogs, but also to improving FOIA administration across DHS.

During this reporting period, DHS continues to take steps to enhance its FOIA program by focusing its efforts on eliminating the backlog of overdue requests, offering enhanced training opportunities, and deploying advanced technology. Additionally, the DHS Privacy Office initiated several actions to ensure policy compliance and provide oversight of FOIA processing within the components. DHS issued guidance on the application of Exemption 6, the posting of congressional correspondence logs, and the handling of fee waivers or claims of membership in a preferential fee category. Additionally, DHS monitored monthly and quarterly data processing statistics in its sustained effort toward closing the oldest requests. As a result, many components reported reducing their backlog of overdue requests. For example, USCIS reduced its backlog from 10,727 at the end of FY 2012 to 3,394 at the

end of FY 2013, a 68 percent reduction. DHS will continue to seek opportunities to improve the efficiency and cost-effectiveness of its FOIA operations.

I am proud of the great work our Department has accomplished.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Neuman', with a long horizontal flourish extending to the right.

Karen Neuman
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:

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Deputy Chief FOIA Officer
Privacy Office
U.S. Department of Homeland Security
245 Murray Drive 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>.

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 Request

1. Names, addresses, and contact numbers for DHS FOIA Officers can be found on our website at <http://www.dhs.gov/FOIA>.

2. Brief description why requests are not granted:

The records maintained by the Department often contain private information on individuals or involve law enforcement matters. Because law enforcement records are of such interest to subjects of investigation, victims of crime, and the public at large, these records are often requested under the Freedom of Information Act. 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. CISOMB Citizenship and Immigration Services Ombudsman
- d. CRCL Office for Civil Rights & Civil Liberties
- e. DNDO Domestic Nuclear Detection Office
- f. ESEC Office of the Executive Secretary
- g. FEMA Federal Emergency Management Agency
- h. FLETC Federal Law Enforcement Training Center
- i. I&A Office of Intelligence and Analysis
- j. IGA Office of Intergovernmental Affairs
- k. ICE U.S. Immigration and Customs Enforcement
- l. MGMT Management Directorate
- m. NCSC National Cyber Security Center

- n. NPPD National Protection and Programs Directorate
- o. OBIM Office of Biometric Identity Management
- p. OGC Office of the General Counsel
- q. OHA Office of Health Affairs
- r. OIG Office of Inspector General
- s. OLA Office of Legislative Affairs
- t. OPA Office of Public Affairs
- u. OPS Office of Operations Coordination and Planning
- v. PLCY Office of Policy
- w. PRIV Privacy Office
- x. S&T Science and Technology Directorate
- y. TSA Transportation Security Administration
- z. USCG United States Coast Guard
- aa. USCIS United States Citizenship and Immigration Services
- bb. USSS United States Secret Service

2. Definition of terms, expressed in common terminology.

- 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.*

* Pursuant to 5 U.S.C. § 552(b)(3) as amended by sec. 564 of Public Law 111-83, a statute enacted after

- 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., “first-party” 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 entirety 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.
- 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.
 - l. **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. **Perfect 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 Times Relied upon per Component		Total Number of Times Relied upon by Agency
10 U.S.C. § 130b	Personally identifiable information pertaining to members of the armed forces assigned to "routinely deployable unit[s]" and certain employees of DOD and DHS	<u>Hiken v. DOD</u> , 521 F. Supp. 2d 1047, 1062 (N.D. Cal. 2007); <u>O'Keefe v. DOD</u> , 463 F. Supp. 2d 317, 325 (E.D.N.Y. 2006); <u>Windel v. United States</u> , No. A02-306, 2005 WL 846206, at *2.	USCG	1	1
10 U.S.C. § 424	Organization or any function of, and certain information pertaining to, employees of the Defense Intelligence Agency	<u>Physicians for Human Rights v. DOD</u> No RDB-08-273, 2011 WL 1495942, at *7 (D.D.C. Apr 19, 2011); <u>Miller v DOJ</u> , 562 F. Supp 2d 82, 112 (D.D.C. 2008); <u>Wickwire Gavin, P.C. v. Def Intelligence Agency</u> , 330 F. Supp 2d 592, 602 (E.D. Va 2004).	USCG	1	1
18 U.S.C. § 1461	Mailing Obscene or Crime-Inciting Matter		USSS	1	1
18 U.S.C. §§ 2510-20	Wiretap requests and the content of any wire, oral, or electronic communication obtained through wiretaps	<u>Mendoza v. DEA</u> , No. 07-5006, 2007 U.S. App. LEXIS 22175 (D.C. Cir. Sept. 14, 2007) (per curiam); <u>Lam Lek Chong v. DEA</u> , 929 F.2d 729, 733 (D.C. Cir. 1991); <u>Payne v. DOJ</u> , No. 96-30840, slip op. at 5-6 (5th Cir. July 11, 1997).	USSS	1	1
18 U.S.C. § 2722(a)	Prohibits the disclosure of personal information from a motor vehicle record		OIG	2	2
18 U.S.C. § 3509(d) (Federal Victims' Protection and Rights Act)	Information related to child pornography victims	<u>Tampico v. EOUSA</u> , No. 04-2285, slip op. at 8 (D.D.C. Apr. 29, 2005).	ICE	6	6
26 U.S.C. §§ 6103	Certain tax return information and certain tax convention information	<u>Church of Scientology v. IRS</u> , 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); <u>Pac. Fisheries, Inc. v. IRS</u> , No. 09-35618, 2010 WL 3611645, at *2 (9 th Cir. September 15, 2010)(unpublished disposition); <u>Tax Analysts v. IRS</u> , 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).	USCIS	1,740	1,740
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	<u>Hulsten v. DEA</u> No.10-4112, 2011 U.S. Dist. LEXIS 25788, at *7-8 (N.D. Iowa Mar. 11, 2011); <u>Berger v. IRS</u> , 487 F. Supp. 2d 482, 496-97 (D.N.J. 2007), aff'd on other grounds, 288 F. App'x 829 (3d Cir. 2008), cert. denied, 129 S. Ct. 2789 (U.S. 2009); <u>Sciba v. Bd. of Governors of the Fed. Reserve Sys.</u> , No. 04-1011, 2005 WL 3201206, at *6 (D.D.C. Nov. 4, 2005).	ICE USSS	2 1	3

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by Agency
U.S.C. § 4702(b)	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	<u>Sinkfield v. HUD</u> , No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); <u>Hornbostel v. U.S. Dep't of the Interior</u> , 305 F. Supp. 2d 21, 30 (D.D.C. 2003), <u>summary affirmance granted</u> , 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	CBP FEMA ICE NPPD PRIV S&T TSA	1 5 1 5 3 3 3	22
41 U.S.C. § 2102	Contractor bid or proposal information; source selection information	<u>Legal & Safety Employer Research, Inc. v. U.S. Dep't of the Army</u> , No. Civ. S001748, 2001 WL34098652, at *3-4 (E.D. Cal. 2001) dictum).	CBP	1	1
42 U.S.C. § 262a(h)	Enhanced control of dangerous biological agents and toxins/bio-terrorism information		S&T	2	2
49 U.S.C. § 114(s)	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	<u>Tooley v. Bush</u> , No. 06-306, 2006 WL 3783142, at *19 (D.D.C. Dec. 21, 2006), <u>aff'd on other grounds</u> , 586 F. 3d 1006 (D.C. Cir. 2009); <u>Gordon v. FBI</u> , 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	CBP ICE PRIV	369 2,031 1	2,401
49 U.S.C. § 1114(c) (Transportation Safety Act of 1974)	Certain "cockpit voice or video recorder recording[s] or transcript[s] of communications by and between flight crew members and ground stations pertaining to [] incident[s] investigated by the [National Transportation Safety] Board"	<u>McGilvra v. NTSB</u> , 840 F. Supp. 100, 102 (D.Colo. 1993)	OIG TSA USCG	1 133 2	136
50 U.S.C. § 403-1(i)(1) (National Security Act of 1947)	Intelligence sources and methods	<u>CIA v. Sims</u> , 471 U.S. 159, 167 (1985); <u>Berman v. CIA</u> , 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); <u>Wolf v. CIA</u> , 473 F.3d 370, 378, 380 (D.C. Cir. 2007).	PRIV	2	2
50 U.S.C. § 403g	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"	<u>Larson v. Dep't of State</u> , 565 F.3d 857, 865 n.2 (D.C. Cir. 2009); <u>Berman v. CIA</u> , 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); <u>Makky v. Chertoff</u> , 489 F. Supp. 2d 421, 442 (D.N.J. 2007), <u>aff'd on other grounds</u> , 541 F. 3d 205 (3d Cir. 2008).	CBP I&A PRIV USCG USSS ICE	18 3 1 2 9 1	34

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. app. § 2411(c) (Export Administration Act of 1979)	Information pertaining to license applications under the Export Administration Act	<u>Wis. Project on Nuclear Arms Control v. U.S. Dep't of Commerce</u> , 317 F.3d 275, 284 (D.C. Cir. 2003); <u>Times Publ'g Co. v. U.S. Dep't of Commerce</u> , 236 F.3d 1286, 1292 (11th Cir. 2001).	S&T	1	1
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	<u>Sussman v. USMS</u> , 494 F.3d 1106, 1113 (D.C. Cir. 2007); <u>Fund for Constitutional Gov't v. Nat'l Archives & Records Serv.</u> , 656 F.2d 856, 867-68 (D.C. Cir. 1981); <u>Durham v. U.S. Atty. Gen.</u> , No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); <u>Cozen O'Connor v. U.S. Dep't of Treasury</u> , 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	USCIS	10	10

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	13,513	41,381	14,635	40,259
CRCL	3	73	73	3
FEMA	326 [‡]	798	564	560
FLETC	12	113	122	3
I&A	3	109	78	34
ICE	2,903 [§]	34,161	30,818	6,246
NPPD	2,395	15,187	12,942	4,640
OIG	23	170	142	51
OPS	0	45	45	0
PRIV	85 ^{**}	798	840	43
S&T	1	26	26	1
TSA	573	909	851	631
USCG	760 ^{††}	3,468	3,098	1,130
USCIS	17,024 ^{‡‡}	132,797	138,523	11,298
USSS	853 ^{§§}	1,499	1,575	777

[†] The following information is important to interpret the FOIA request data presented in this Annual Report: PRIV processes and reports on FOIA requests for itself, the Office of the Secretary (including the Military Advisor's Office and the Office of Intergovernmental Affairs), and the following components: CISOMB, DNDO, ESEC, MGMT, OHA, OGC, OLA, OPA, and PLCY; Readers of the Annual Report should consider the contents of this footer to apply, as appropriate, to all tables in the report.

[‡] Number of requests pending as pf start of fiscal year corrected due to component reporting error in FY 2012

[§] There are an unknown number of referred requests from USCIS that were not logged in as of the date of this report, and, therefore are not reflected in the backlog number reported by ICE. Until those requests are processed, it is impossible for DHS to determine if the requests are valid requests that should be reported; DHS will provide revised numbers if necessary once the requests are evaluated.

^{**} Number of requests pending as pf start of fiscal year corrected due to component reporting error in FY 2012

^{††} Number of requests pending as pf start of fiscal year corrected due to component reporting error in FY 2012

^{‡‡} Number of requests pending as pf start of fiscal year corrected due to component reporting error in FY 2012

^{§§} Number of requests pending as pf start of fiscal year corrected due to component reporting error in FY 2012

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
AGENCY OVERALL	38,474	231,534	204,332	65,676

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

Component	No. of Full Grants	No. of Partial Grants/ Partial Denials	No. of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									Total
				No Records	All Records Referred	Request Withdrawn	Fee-Related Reason	Not Reasonably Described	Improper FOIA Request	Not Agency Record	Duplicate Request	Other	
CBP	1,344	4,891	58	3,072	70	92	20	236	4,435	79	289	49	14,635
CRCL	18	17	0	28	3	3	0	0	4	0	0	0	73
FEMA	103	115	8	85	5	96	4	25	61	3	47	12	564
FLETC	14	41	9	31	4	8	0	0	9	6	0	0	122
I&A	2	14	3	35	5	1	0	3	8	4	0	3	78
ICE	229	26,867	503	1,104	762	67	5	25	397	0	78	781	30,818
NPPD	2,888	7,833	13	2,136	0	1	0	0	40	0	0	31	12,942
OIG	8	84	18	21	2	1	1	0	3	2	0	2	142
OPS	10	12	1	16	4	0	0	0	0	2	0	0	45
PRIV	49	149	49	70	107	11	2	221	97	24	8	53	840
S&T	0	8	1	9	7	0	0	1	0	0	0	0	26
TSA	104	188	103	93	6	71	1	126	122	6	9	22	851
USCG	2,271	192	49	294	1	179	7	8	2	12	39	44	3,098
USCIS	11,774	79,635	3,515	16,073	1,133	94	234	0	9,184	4,706	12,172	3	138,523
USSS	26	254	45	875	12	33	2	15	16	35	5	257	1,575
AGENCY OVERALL	18,840	120,300	4,378	23,942	2,121	701	276	660	14,378	4,879	12,647	1,210	204,332

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
CBP	Coordinated by Another Office	15	49
	Records Publicly Available	17	
	Unable to Locate Requestor	10	
	Sent in Error	7	
CRCL	N/A	0	0
FEMA	Coordinated by Another Processing Office	2	12
	Records Publicly Available	6	
	Unable to Locate Requestor	4	
FLETC	N/A	0	0

Component	Description	No. of Times Used	Total
I&A	N/A	0	0
ICE	Aggregated Fugitive Disentitlement Litigation Records Publicly Available Referred Documents are Not Responsive Unable to Locate Requestor	1 532 4 1 160 83	781
NPPD	Duplicate	31	31
OIG	Records Publicly Available	2	2
OPS	N/A	0	0
PRIV	Aggregated Coordinated by Another Program Office Litigation Records Publicly Available Unable to Locate Requestor	3 7 2 31 10	53
S&T	N/A	0	0
TSA	Aggregated Records Publically Available Unable to Locate Requestor, etc.	4 6 12	22
USCG	N/A	0	0
USCIS	Unable to Locate Requestor	3	3

Component	Description	No. of Times Used	Total
USSS	Coordinated by Another Office	1	257
	Nonresponsive to Requests for Additional Information	173	
	Opened in Error	6	
	Records Publicly Available	2	
	Records Referred Not Responsive	27	
	Statute of Limitation Passed	26	
	Unable to Locate Requestor	22	
AGENCY OVERALL			1,210

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	211	389	47	41	4,816	40	0	4,830	5	4,730	5	0	0
CRCL	0	0	0	0	9	19	0	0	8	0	2	0	0	0
FEMA	0	5	5	46	21	105	0	0	11	0	5	0	0	0
FLETC	0	1	0	16	11	39	3	0	8	0	6	4	0	0
I&A	0	0	3	4	11	0	0	4	1	7	3	0	0	0
ICE	2	25	2,041	17	13,418	25,931	58	5	25,915	26	24,706	17	0	0
NPPD	0	0	5	25	9	896	5	0	6,022	0	5,969	12	0	0
OIG	0	11	3	8	21	95	18	0	83	9	22	11	0	0
OPS	1	0	0	0	1	10	0	0	10	0	0	0	0	0
PRIV	6	2	7	27	61	142	28	1	27	0	40	1	0	0
S&T	1	0	5	5	5	6	0	0	2	0	3	0	0	0
TSA	1	23	137	22	69	217	26	1	30	0	8	1	0	0
USCG	3	1	6	20	39	133	42	3	94	38	38	0	0	0
USCIS	0	121	1,750	92	41,503	49,679	21	0	65,338	1	61,742	0	0	0
USSS	1	1	12	11	19	204	41	0	203	14	190	2	0	0
AGENCY OVERALL	15	401	4,363	340	55,238	82,292	282	14	102,582	100	97,464	53	0	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 Processed in Fiscal Year	No. of Appeals Pending as of End of Fiscal Year
CBP	16	346	354	8
FEMA ***	60	16	45	31
FLETC	0	7	5	2
ICE	0	350	317	33
OGC	111	92	179	24
OIG	14	17	3	28

*** FEMA began processing appeals in FY 2013.

TSA	11	18	22	7
USCG	40	34	45	29
USCIS	105	1,959	2,001	63
USSS	11 ^{†††}	66	75	2
AGENCY OVERALL	368	2,905	3,046	227

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
CBP	51	49	151	103	354
FEMA	13	3	2	27	45
FLETC	4	0	0	1	5
ICE	110	8	107	92	317
OGC	85	9	14	71	179
OIG	0	0	1	2	3
TSA	11	2	6	3	22
USCG	9	0	24	12	45
USCIS	571	850	380	200	2,001
USSS	28	29	8	10	75
AGENCY OVERALL	882	950	693	521	3,046

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
CBP	0	4	18	8	7	193	2	0	189	3	198	3	0	0
FEMA	0	1	0	4	4	7	0	0	0	0	1	0	0	0
FLETC	0	0	0	1	2	4	1	0	0	0	0	1	0	0
ICE	0	2	16	1	26	120	1	0	102	0	95	0	0	0
OGC	3	0	5	0	13	9	2	0	28	0	32	3	0	0
OIG	0	0	0	0	0	1	1	0	1	0	0	0	0	0
TSA	1	2	4	0	5	5	0	0	2	0	0	0	0	0
USCG	0	0	2	0	3	8	1	0	1	0	2	0	0	0
USCIS	0	1	24	4	653	793	1	0	976	0	925	0	0	0
USSS	0	1	0	15	1	12	23	0	11	0	17	0	0	0
AGENCY OVERALL	4	11	69	33	714	1,152	32	0	1,310	3	1,270	7	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	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial for Expedited Processing	Other *Explain in chart below
CBP	72	4	5	8	0	10	0	0	0	0	4
FEMA	0	4	20	3	0	0	0	0	0	0	0

^{†††} Number of appeals pending in Fiscal Year corrected due to component reporting error in FY 2012

FLETC	1	0	1	0	0	0	0	0	0	0	0
ICE	69	0	0	0	1	2	0	0	1	2	16
OGC	25	0	23	0	5	4	0	1	0	1	84
OIG	0	0	0	0	0	0	0	0	0	0	2
TSA	1	1	0	0	0	1	0	0	0	0	0
USCG	2	0	6	0	0	0	0	1	1	0	2
USCIS	0	0	0	0	0	190	0	10	0	0	0
USSS	4	0	0	0	0	0	2	0	0	0	6
AGENCY OVERALL	174	9	55	11	6	207	2	12	2	3	114

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

Component	Description	No. of Times Used	Total
CBP	Adequacy of Search	2	4
	Records Alternatively Available	1	
	Untimely (>60 days)	1	
FEMA	N/A	0	0
FLETC	N/A	0	0
ICE	Fugitive Disentitlement Upheld	16	16
OGC	Adequacy of Search	36	84
	Constructive Denial	2	
	Coordinated by Another Processing Office	39	
	Improper Appeal	7	
OIG	Moot	2	2
TSA	N/A	0	3
USCG	N/A	0	0
USCIS	N/A	0	0
USSS	Coordinated by Another Office	2	6
	Previously Furnished	2	
	Opened in Error	2	
AGENCY OVERALL			114

C. (4) Response Times for Administrative Appeals

Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
CBP	12	16.78	1	256
FEMA	546	641.51	1	1,611
FLETC	21	38.60	10	120
ICE	16	22.16	1	233
OGC	134	169.73	10	1,344
OIG	58	89.66	9	202
TSA	38	58.68	1	234
USCG	124	235.18	3	941
USCIS	17.81	17.79	1	185
USSS	22	35.30	9	103
AGENCY OVERALL	30	132.54	1	1,611

C. (5) Ten Oldest Pending Administrative Appeals

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
CBP	Date of Receipt	N/A	N/A	2013-09-27	2013-09-27	2013-09-25	2013-09-25	2013-09-25	2013-09-23	2013-09-06	2013-09-06
	Number of Days Pending	0	0	2	2	4	4	4	6	17	17
FEMA	Date of Receipt	2010-11-22	2010-08-27	2010-05-06	2010-04-12	2010-02-17	2009-12-11	2009-08-31	2009-06-25	2009-02-26	2008-11-20
	Number of Days Pending	721	779	858	876	914	954	1,024	1,070	1,154	1,218
FLETC	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2013-09-16	2013-07-15
	Number of Days Pending	0	0	0	0	0	0	0	0	11	55
ICE	Date of Receipt	2013-04-12	2013-03-29	2013-03-29	2013-03-14	2013-03-14	2013-03-14	2013-03-14	2013-01-30	2013-01-24	2013-01-23
	Number of Days Pending	119	129	129	140	140	140	140	170	174	175
OGC	Date of Receipt	2013-07-22	2013-07-16	2013-07-12	2013-07-12	2013-06-18	2013-02-25	2013-02-25	2012-09-05	2012-08-29	2012-06-21
	Number of Days Pending	50	54	56	56	73	153	153	269	273	321
OIG	Date of Receipt	2012-07-25	2012-07-05	2012-07-03	2012-06-28	2012-06-14	2011-03-09	2010-11-10	2010-09-15	2009-01-14	2008-11-14
	Number of Days Pending	298	312	313	316	326	649	728	767	1,182	1,222
TSA	Date of Receipt	N/A	N/A	N/A	2013-09-12	2013-09-09	2013-09-06	2013-09-04	2013-08-19	2013-07-12	2012-11-15
	Number of Days Pending	0	0	0	13	16	17	19	30	56	220
USCG	Date of Receipt	2012-09-21	2012-08-27	2012-08-02	2012-07-30	2012-07-11	2012-07-11	2012-01-07	2011-10-05	2011-04-04	2009-03-10
	Number of Days Pending	257	275	292	295	308	308	436	500	631	1,146
USCIS	Date of Receipt	2013-09-11	2013-09-11	2013-09-09	2013-09-09	2013-09-09	2013-09-04	2013-08-30	2013-08-28	2013-08-23	2013-08-14

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
	Number of Days Pending	14	14	15	15	15	18	22	23	27	33
USSS	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2013-09-10	2012-09-28
	Number of Days Pending	0	0	0	0	0	0	0	0	15	252
AGENCY OVERALL	Date of Receipt	2010-05-06	2010-04-12	2010-02-17	2009-12-11	2009-08-31	2009-06-25	2009-02-26	2009-01-14	2008-11-20	2008-11-14
	Number of Days Pending	858	876	914	954	1,024	1,070	1,154	1,182	1,218	1,222

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

A. Processed Requests – Response Time for All Processed Perfected Requests

Component	Simple				Complex				Expedited			
	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	129	142.02	1	544	66.5	94.86	1	509	23	38.44	1	119
CRCL	6	6.07	1	12	12	15.8	1	81	N/A	N/A	N/A	N/A
FEMA	100.5	151.37	1	923	94	147.96	1	899	N/A	N/A	N/A	N/A
FLETC	10	19.26	1	181	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I&A	32	30.93	7	49	35.5	50.86	1	290	N/A	N/A	N/A	N/A
ICE	45	52.79	1	273	37	63.01	2	590	19	28.76	1	149
NPPD	35	44.22	1	243	25	37.26	1	362	13.5	13.5	11	16
OIG	22	29.22	1	119	54	71.2	7	304	117	117	117	117
OPS	2	2.75	1	13	4	5.86	1	19	N/A	N/A	N/A	N/A
PRIV	7	16.47	1	149	38	62.89	1	441	16.5	21.3	9	58
S&T	5	6.75	1	18	94	110.17	67	184	93	93	93	93
TSA	6	7.4	1	20	231	288.44	21	2,120	1	1	1	1
USCG	11	10.83	1	20	35	97.29	2	983	N/A	N/A	N/A	N/A
USCIS	15.76	19.73	1	397	25.35	28.08	1	531	23.98	39.09	5	219
USSS	11	10.79	1	20	92	223.4	21	1,510	N/A	N/A	N/A	N/A
AGENCY OVERALL	11	36.71	1	923	37.5	92.65	1	2,120	21	44.01	1	219

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

Component	Simple				Complex				Expedited			
	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	79	120.48	1	544	79	105.96	1	509	23	38.44	1	119
CRCL	3	3.8	2	6	15.5	19.27	2	81	N/A	N/A	N/A	N/A
FEMA	109	139.39	1	532	138	172.63	1	899	N/A	N/A	N/A	N/A
FLETC	17	20.27	1	69	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I&A	N/A	N/A	N/A	N/A	66.5	105.25	11	281	N/A	N/A	N/A	N/A
ICE	46	51.31	1	273	50	72.51	1	519	18	31.64	1	149
NPPD	55	55.95	1	243	38.5	51.23	3	362	13.5	13.5	11	16
OIG	27	32.9	1	111	69	80.03	10	304	117	117	117	117

Component	Simple				Complex				Expedited			
	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
OPS	1	1.44	1	3	8	9.5	3	19	N/A	N/A	N/A	N/A
PRIV	14	14	14	14	32.85	28.77	4	43	58	58	58	58
S&T	9	9	8	10	94	110.17	63	184	93	93	93	93
TSA	13	11.45	1	20	273	322.49	21	2,120	N/A	N/A	N/A	N/A
USCG	11	11.22	1	20	30	68.81	6	703	N/A	N/A	N/A	N/A
USCIS	26.72	27.66	1	397	27.4	34.36	2	465	26.37	41.3	5	219
USSS	16	17	15	20	140	238.28	24	1,500	N/A	N/A	N/A	N/A
AGENCY OVERALL	16.5	38.85	1	544	58.25	101.37	1	2,120	26.37	56.12	1	219

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	1,730	828	1,071	434	359	288	316	724	354	194	2,561	746	3	9,608
CRCL	28	0	0	0	0	0	0	0	0	0	0	0	0	28
FEMA	38	31	64	57	59	67	65	61	49	47	112	52	54	756
FLETC	82	23	9	6	1	0	0	0	0	1	0	0	0	122
I&A	3	7	2	2	0	0	0	0	0	0	0	0	0	14
ICE	9,380	6,132	7,080	5,230	1,922	1,182	506	966	1,257	404	78	0	0	34,137
NPPD	5,154	3,041	3,019	1,196	657	1,862	88	0	0	0	1	0	0	15,018
OIG	38	27	14	6	1	2	0	0	0	0	0	0	0	88
OPS	20	0	0	0	0	0	0	0	0	0	0	0	0	20
PRIV	151	18	10	8	2	2	1	1	0	0	0	0	0	193
S&T	20	0	0	0	0	0	0	0	0	0	0	0	0	20
TSA	441	0	0	0	0	0	0	0	0	0	0	0	0	441
USCG	2,070	0	0	0	0	0	0	0	0	0	0	0	0	2,070
USCIS	11,947	8,598	732	379	121	63	52	21	16	10	25	3	314	22,281
USSS	720	0	0	0	0	0	0	0	0	0	0	0	0	720
AGENCY OVERALL	31,822	18,705	12,001	7,318	3,122	3,466	1,028	1,773	1,676	656	2,777	801	371	85,516

(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	60	42	47	30	21	20	14	27	13	11	32	4	3	324
CRCL	35	8	1	0	1	0	0	0	0	0	0	0	0	45
FEMA	37	53	58	73	32	12	6	11	7	12	33	18	29	381
FLETC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
I&A	26	30	21	8	3	2	0	1	2	2	3	0	0	98
ICE	815	651	307	241	139	164	147	150	101	21	53	17	11	2,817
NPPD	59	41	21	9	4	3	2	0	0	1	0	2	0	142
OIG	5	13	8	9	3	2	3	4	1	1	0	1	0	50
OPS	14	0	0	0	0	0	0	0	0	0	0	0	0	14
PRIV	96	68	42	26	13	18	13	12	5	5	18	0	1	317

S&T	0	0	0	1	3	0	1	0	0	1	0	0	0	6
TSA	0	141	83	48	53	42	41	36	30	28	123	147	304	1,076
USCG	4	559	150	60	35	27	13	16	18	11	42	26	64	1,025
USCIS	32,284	56,052	6,862	6,402	876	807	321	111	53	21	49	6	2,820	106,664
USSS	0	250	83	58	47	36	42	19	35	27	55	39	143	834
AGENCY OVERALL	33,435	57,908	7,683	6,965	1,230	1,133	603	387	265	141	408	260	3,375	113,793

(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	15	5	5	1	1	5	0	0	0	0	0	0	0	32
CRCL	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FEMA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FLETC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
I&A	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ICE	10	4	1	0	1	0	0	1	0	0	0	0	0	17
NPPD	2	0	0	0	0	0	0	0	0	0	0	0	0	2
OIG	0	0	0	0	0	1	0	0	0	0	0	0	0	1
OPS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PRIV	8	0	2	0	0	0	0	0	0	0	0	0	0	10
S&T	0	0	0	0	1	0	0	0	0	0	0	0	0	1
TSA	3	0	0	0	0	0	0	0	0	0	0	0	0	3
USCG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
USCIS	14	7	6	1	0	1	0	0	0	1	1	0	0	31
USSS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	52	16	14	2	3	7	0	1	0	1	1	0	0	97

D. Pending Requests – All Pending Perfected Requests

Component	Simple			Complex			Expedited		
	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	40,062	122	151.2	197	68	98.2	0	N/A	N/A
CRCL	0	N/A	N/A	3	4	3.33	0	N/A	N/A
FEMA	343	156	195.07	217	55	131.67	0	N/A	N/A
FLETC	3	10	22	0	N/A	N/A	0	N/A	N/A
I&A	0	N/A	N/A	36	23.5	27.19	0	N/A	N/A
ICE	5,359	54	75.52	837	82	89.52	2	13.5	13.5
NPPD	4,539	37	39.18	25	18	39.72	0	N/A	N/A
OIG	6	8.5	29.83	42	46	85.38	3	179	162
OPS	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
PRIV	5	4	4.6	38	.5	91.63	0	N/A	N/A
S&T	0	N/A	N/A	1	136	136	0	N/A	N/A
TSA	68	9	9.12	556	236	290.73	0	N/A	N/A
USCG	265	13	11.31	892	225.5	293.91	0	N/A	N/A
USCIS	1,757	18.5	22.46	8,180	15.07	20.76	3	108.92	102.52
USSS	100	1	5.49	677	304	355.77	0	N/A	N/A
AGENCY OVERALL	52,507	13	51.43	11,701	55	127.83	8	61.21	69.51

E. Pending Requests – Ten Oldest Pending Perfected Requests

Component	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
CBP	Date of Receipt	2012-01-27	2012-01-27	2012-01-27	2012-01-27	2012-01-27	2012-01-26	2012-01-26	2012-01-25	2012-01-25	2012-01-25
	Number of Days Pending	423	423	423	423	423	424	424	425	425	425
CRCL	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	09-30-2013	2013-09-25	2013-09-24
	Number of Days Pending	0	0	0	0	0	0	0	1	4	5
FEMA	Date of Receipt	2010-06-23	2010-04-26	2010-04-12	2010-04-02	2010-02-19	2010-01-20	2009-11-27	2009-07-08	2008-02-03	2007-09-07
	Number of Days Pending	825	866	876	882	912	929	964	1,062	1,420	1,520
FLETC	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2013-09-16	2013-09-16	2013-07-26
	Number of Days Pending	0	0	0	0	0	0	0	11	11	46
I&A	Date of Receipt	2013-08-03	2013-08-03	2013-08-03	2013-08-01	2013-07-30	2013-07-24	2013-07-23	2013-07-23	2013-06-26	2013-02-16
	Number of Days Pending	40	40	40	42	42	44	48	49	67	158
ICE	Date of Receipt	2012-05-29	2012-05-24	2012-03-08	2012-02-27	2012-02-14	2012-02-13	2011-12-01	2011-12-01	2011-12-01	2011-10-05
	Number of Days Pending	338	340	395	403	411	412	462	462	462	520
NPPD	Date of Receipt	2013-05-16	2013-05-16	2013-05-16	2013-05-16	2013-05-16	2013-05-16	2013-05-16	2013-04-25	2012-11-10	2012-10-31
	Number of Days Pending	95	95	95	95	95	95	95	110	222	230
OIG	Date of Receipt	2013-03-05	2013-03-01	2013-02-28	2013-02-08	2013-02-01	2013-01-16	2013-01-16	2012-04-24	2012-04-24	2011-12-08
	Number of Days Pending	147	149	150	163	168	180	180	362	362	457
OPS	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
PRIV	Date of Receipt	2013-03-11	2013-02-27	2013-02-15	2012-10-31	2012-10-08	2012-08-07	2012-08-06	2012-08-03	2012-04-25	2012-03-16
	Number of Days Pending	143	151	159	230	246	289	290	291	361	389
S&T	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2013-03-20
	Number of Days Pending	0	0	0	0	0	0	0	0	0	136
TSA	Date of Receipt	2010-03-22	2010-2-25	2010-02-25	2010-02-16	2010-01-29	2010-01-15	2010-01-05	2009-11-23	2009-10-26	2008-12-18
	Number of Days Pending	891	908	908	915	922	931	939	964	986	1,199
USCG	Date of Receipt	2010-02-24	2010-02-23	2010-02-23	2010-02-22	2010-02-18	2010-01-11	2009-12-29	2009-12-08	2009-11-30	2009-11-25
	Number of Days Pending	909	910	910	911	913	935	943	957	963	965
USCIS	Date of Receipt	2013-01-03	2012-12-31	2012-12-24	2012-12-12	2012-12-05	2012-11-28	2012-11-19	2012-10-26	2012-07-11	2012-04-19
	Number of Days Pending	188	190	194	202	207	212	218	233	308	365
USSS	Date of Receipt	2007-06-29	2007-06-29	2007-06-29	2007-06-29	2007-06-29	2007-06-29	2007-06-29	2007-06-05	2007-01-09	2006-12-01
	Number of Days Pending	1,568	1,568	1,568	1,568	1,568	1,568	1,568	1,586	1,688	1,713
AGENCY OVERALL	Date of Receipt	2007-06-29	2007-06-29	2007-06-29	2007-06-29	2007-06-29	2007-06-29	2007-06-05	2007-06-05	2007-01-07	2006-12-01
	Number of Days Pending	1,568	1,568	1,568	1,568	1,568	1,568	1,568	1,586	1,688	1,713

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	32	423	1	1.48	449
CRCL	0	0	N/A	N/A	0
FEMA	0	0	N/A	N/A	0
FLETC	0	0	N/A	N/A	0
I&A	0	2	2	2	2
ICE	17	46	2	3.87	57
NPPD	0	0	N/A	N/A	0
OIG	4	14	8.5	8.66	15
OPS	0	0	N/A	N/A	0
PRIV	10	49	3	5.12	55
S&T	0	1	7	7.33	0
TSA	2	21	1	1.64	22
USCG	0	0	N/A	N/A	0
USCIS	31	821	5	5.74	759
USSS	0	7	1	1	7
AGENCY OVERALL	96	1,384	2	4.09	1,366

B. Requests for Fee Waiver

Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
CBP	10	29	1	8.62
CRCL	0	0	N/A	N/A
FEMA	0	0	N/A	N/A
FLETC	0	0	N/A	N/A
I&A	4	4	4	7.25
ICE	33	33	1	4.86
NPPD	1	3	2	2
OIG	0	17	4	7.23
OPS	0	0	N/A	N/A
PRIV	0	2	7	6.07
S&T	0	0	N/A	N/A
TSA	0	52	0	1.94
USCG	0	0	N/A	N/A
USCIS	68	111	4	6.16
USSS	0	0	N/A	N/A
AGENCY OVERALL	116	251	2	4.90

IX. FOIA Personnel and Costs

Component	Personnel	Costs
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	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	34	16.22	50.22	\$4,422,723.41	\$376,815.71	\$4,799,539.12
CRCL	1	0	1	\$108,717.00	\$0.00	\$108,717.00
FEMA	16	20	36	\$3,195,049.00	\$29,000.00	3,224,049.00
FLETC	1	.55	1.55	\$161,453.53	\$0.00	\$161,453.53
I&A	2	1	3	\$158,000.00	\$0.00	\$158,000.00
ICE	48	8.75	56.75	\$4,381,562.00	2,351,390.78	\$6,732,952.78
NPPD	5	0	5	\$484,580.00	\$0.00	\$494,580.00
OIG	4	.25	4.25	\$320,230.88	39,075.80	\$359,306.68
OPS	0	.33	.33	\$39,000.00	\$0.00	\$39,000.00
PRIV	12	4	16	\$2,188,886.04	\$250,000.00	\$2,438,886.04
S&T	1	0	1	\$79,864.00	\$0.00	\$79,864.00
TSA	12	0	12	\$1,053,609.00	\$14,512.00	\$1,068,121.00
USCG	12	28.96	40.96	\$2,755,407.37	\$0.00	\$2,755,407.37
USCIS	229	126.45	355.45	\$20,245,268.00	\$331,726.15	\$20,576,994.15
USSS	16	4.15	20.15	\$1,755,401.25	\$273,129.40	\$2,028,530.65
AGENCY OVERALL	393	210.66	603.66	\$41,359,751.48	\$3,665,649.84	\$45,025,401.32

X. Fees Collected for Processing Requests

Component	Total Amount of Fees Collected	Percentage of Total Costs
CBP	\$312,014.15	7.05%
CRCL	\$0.00	0.00%
FEMA	\$3,215.00	0.10%
FLETC	\$119.00	0.07%
I&A	\$0.00	0.00%
ICE	\$2,691.10	0.06%
NPPD	\$1,040.60	0.21%
OIG	\$76.45	0.02%
OPS	\$0.00	0.00%
PRIV	\$97.00	0.00%
S&T	\$0.00	0.00%
TSA	\$0.00	0.00%
USCG	\$37,155.11	1.35%
USCIS	\$4,066.83	0.02%
USSS	\$0.00	0.00%
AGENCY OVERALL	\$360,475.24	0.87%

XI. FOIA Regulations – The Department of Homeland Security FOIA Implementing Regulations are codified at 6 C.F.R. Part 5, and also can be found at 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	37,848	0
CRCL	0	0
FEMA	496	31
FLETC	1	1
I&A	12	0
ICE	4,714	32
NPPD	3,099	0
OGC	0	13
OIG	34	28
OPS	0	0
PRIV	20	0
S&T	1	0
TSA	546	7
USCG	877	29
USCIS	3,394	3
USSS	719	1
AGENCY OVERALL	51,761	145

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	5	66	45	26
CRCL	0	2	2	0
FEMA	2	8	9	1
FLETC	0	1	1	0
I&A	4	11	15	0
ICE	4	95	54	45
NPPD	0	0	0	0
OIG	0	5	5	0
OPS	0	10	10	0
PRIV	0 ⁺⁺⁺	32	21	11
S&T	0	3	3	0
TSA	10	8	3	15
USCG	6	0	3	3
USCIS	3	56	58	1
USSS	10 ^{§§§}	21	19	12
AGENCY OVERALL	44	318	248	114

⁺⁺⁺ Corrected number due to component reporting error in FY 2012.

^{§§§} Corrected number due to component reporting error in FY 2012.

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
CBP	Date of Receipt	2013-06-10	2013-05-22	2013-05-07	2013-02-21	2013-01-11	2012-12-13	2012-06-28	2012-05-31	2012-04-10	2012-03-16
	Number of Days Pending	79	91	102	155	182	201	316	336	372	389
CRCL	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
FEMA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2013-09-13
	Number of Days Pending	0	0	0	0	0	0	0	0	0	12
FLETC	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
I&A	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
ICE	Date of Receipt	2013-04-10	2013-04-10	2013-04-04	2013-03-28	2013-03-22	2013-02-14	2013-02-14	2013-02-14	2013-02-14	2012-11-02
	Number of Days Pending	121	121	125	130	134	160	160	160	160	228
NPPD	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
OIG	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
OPS	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
PRIV	Date of Receipt	2013-09-16	2013-09-11	2013-09-05	2013-08-09	2013-08-06	2013-08-01	2013-07-16	2013-06-11	2013-04-26	2013-03-26
	Number of Days Pending	11	14	18	36	39	42	54	78	109	132
S&T	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
TSA	Date of Receipt	2013-05-20	2012-04-10	2012-03-30	2011-09-16	2011-09-16	2011-09-15	2010-10-28	2010-09-03	2010-06-15	2009-12-16
	Number of Days Pending	93	372	379	513	513	514	737	774	831	951
USCG	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2012-01-26	2011-05-05	2011-03-21
	Number of Days Pending	0	0	0	0	0	0	0	424	608	641
USCIS	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2013-05-08
	Number of Days Pending	0	0	0	0	0	0	0	0	0	100
USSS	Date of Receipt	2013-06-20	2013-06-06	2013-04-03	2013-03-19	2013-02-13	2012-12-14	2011-05-10	2010-10-08	2010-10-08	2010-10-08
	Number of Days Pending	71	81	126	137	161	200	605	750	750	750
AGENCY OVERALL	Date of Receipt	2011-05-10	2011-05-05	2011-03-21	2010-10-28	2010-10-08	2010-10-08	2010-10-08	2010-09-03	2010-06-15	2009-12-16
	Number of Days Pending	605	608	641	737	750	750	750	774	831	951

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

Component	Number of Requests Received		Number of Requests Processed	
	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
CBP	33,243	41,381	26,571	14,635
CRCL	84	73	87	73
FEMA	761	798	952	564
FLETC	109	113	102	122
I&A	96	109	115	78
ICE	24,073	34,161	21,220	30,818
NPPD	7,105	15,187	4,891	12,942
OIG	180	170	166	142
OPS	60	45	60	45
PRIV	899	798	868	840
S&T	36	26	37	26
TSA	861	909	949	851
USCG	3,700	3,468	3,256	3,098
USCIS	117,787	132,797	145,278	138,523
USSS	1,595	1,499	1,343	1,575
AGENCY OVERALL	190,589	231,534	205,893	204,332

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
CBP	10,648	37,848
CRCL	0	0
FEMA	306	496
FLETC	2	1
I&A	3	12
ICE	2,903****	4,714
NPPD	2,288	3,099
OIG	11	34
OPS	0	0
PRIV	23	20
S&T	0	1
TSA	542	546
USCG	782	877
USCIS	10,727	3,394
USSS	778	719
AGENCY OVERALL	29,013	51,761

**** Number of backlogged requests in Fiscal Year corrected due to component reporting error in FY 2012

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

Component	Number of Appeals Received		Number of Appeals Processed	
	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
CBP	474	346	476	354
FEMA ^{††††}	60	16	0	45
FLETC	1	7	1	5
ICE	288	350	303	317
OGC	113	92	161	179
OIG	19	17	19	3
TSA	32	18	25	22
USCG	35	34	51	45
USCIS	1,349	1,959	1,431	2,001
USSS	34	66	23	75
AGENCY OVERALL	2,405	2,905	2,490	3,046

(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	0	0
FEMA ^{††††}	60	31
FLETC	0	1
ICE	0	32
OGC	99	13
OIG	13	28
TSA	10	7
USCG	33	29
USCIS	10	3
USSS	0	1
AGENCY OVERALL	225	145

^{††††} Number of appeals received in Fiscal Year corrected due to component reporting error in FY 2012

^{††††} Number of appeals received in Fiscal Year corrected due to component reporting error in FY 2012

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 Citizenship and Immigration Services Ombudsman (CISOMB) provides recommendations for resolving individual and employer problems with the United States Citizenship and Immigration Services in order to ensure national security and the integrity of the legal immigration system.

The Office for Civil Rights and Civil Liberties (CRCL) supports the Department as it secures the Nation while preserving individual liberty, fairness, and equality under the law.

The Office of the Executive Secretariat (ESEC) assures the accurate and timely dissemination of information and written communications from throughout the Department and our homeland security partners to and from the Secretary and Deputy Secretary.

The Office of Intergovernmental Affairs (IGA) promotes an integrated national approach to homeland security by ensuring, coordinating, and advancing federal interaction with state, local, tribal, and territorial governments.

The Military Advisor's Office advises on facilitating, coordinating, and executing policy, procedures, preparedness activities, and operations between the Department and the Department of Defense.

The Office of the General Counsel (OGC) integrates approximately 1700 lawyers from throughout the Department comprised of a headquarters office with subsidiary divisions and the legal programs for eight Department components.

The Office of Inspector General (OIG) conducts independent and objective inspections, audits, and investigations to provide oversight and promote excellence, integrity, and accountability in DHS programs and operations.

The Office of Legislative Affairs (OLA) serves as primary liaison to members of Congress and their staffs.

The Office of Public Affairs (OPA) coordinates the public affairs activities of all of the Department's components and offices.

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

Department Components and Directorates:

United States Customs and Border Protection (CBP) is responsible for securing the border against all transnational threats and facilitating trade and travel while enforcing hundreds of U.S. regulations, including immigration and drug laws.

The Domestic Nuclear Detection Office (DNDO) works to enhance the nuclear detection efforts of federal, state, territorial, tribal, and local governments, and the private sector and to ensure a coordinated response to such threats.

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 Centers (FLETC) mission is "We train those who protect our homeland." To carry out this mission, the FLETC serves as an interagency law enforcement training organization for 91 federal agencies or Partner Organizations. The FLETC also provides training to state, local, rural, tribal, territorial, and international law enforcement agencies.

The Office of Intelligence and Analysis (I&A) is responsible for equipping the Homeland Security Enterprise with the information and intelligence it needs to keep the United States 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 Management Directorate provides Department-wide leadership and direction on the full spectrum of management issues. These efforts include integrating common operating standards; managing the Department's delegations and directives; leading investment and portfolio management; and administering six functional lines of business, which are financial management, human resources, facilities and logistics, information technology, security and procurement.

The Directorate for National Protection and Programs (NPPD) leads the national effort to protect and enhance the resilience of the Nation's physical and cyber infrastructure.

The Office of Health Affairs (OHA) coordinates all medical activities of the Department of Homeland Security to ensure appropriate preparation for and response to incidents having medical significance.

The Office of Operations Coordination and Planning (OPS) provides decision support and enables the execution of homeland security responsibilities across the enterprise; promotes situational awareness and information sharing; integrates and synchronizes strategic operations and planning; and administers the DHS continuity program.

The Office of Policy (PLCY) develops Department-wide policies, programs and planning to promote and ensure quality, consistency and integration across all homeland security missions.

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.

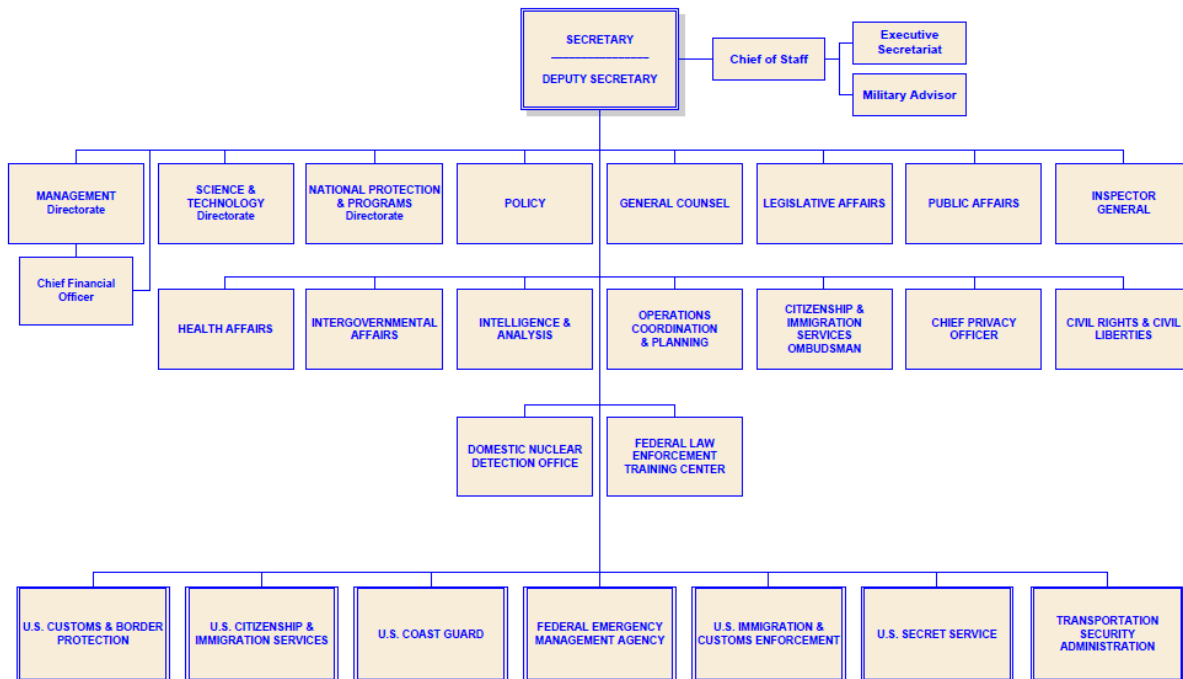
United States Citizenship and Immigration Services (USCIS) grants immigration and citizenship benefits, promotes awareness and understanding of citizenship, and ensures the integrity of our immigration system.

The Directorate for Science and Technology (S&T) strengthens America's security and resiliency by providing knowledge products and innovative technology solutions for the Homeland Security Enterprise.

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

Karen Neuman
Chief FOIA Officer
Privacy Office
U.S. Department of Homeland Security
245 Murray Lane, SW, Mail Stop 0655
Washington, DC 20528-0655

Delores J. Barber
Deputy Chief FOIA Officer
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

Privacy Office
Dr. James V.M.L. Holzer
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

Privacy Office
Angela Washington, Acting
Director, Disclosure Policy and FOIA
Program Development
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

Privacy Office
Rose Bird
Director, FOIA Improvement
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. 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. 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

U.S. Customs and Border Protection
Sabrina Burroughs
Ph: 202-325-0150; Fax: 202-325-0230
FOIA Division
90 K Street NE, 9th Floor
Washington, DC 20229-1181

Office for Civil Rights and Civil Liberties
Fernando Pineiro, Jr.
Ph: 202-357-7672; Fax: 202-357-1196
DHS-CRCL-FOIA
U.S. Department of Homeland Security
245 Murray Lane, SW, Bldg. 410,
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Washington, DC 20528-0190

Federal Emergency Management Agency
Terry Cochran
Ph: 202-646-3323; Fax: 202-646-3347
Disclosure Branch
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