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# FREEDOM OF INFORMATION ACT

# Preliminary Analysis of Processing Trends Shows Importance of Improvement Plans

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# Highlights

Highlights of GAO-06-1022T, a testimony before the Subcommittee on Government Management, Finance, and Accountability, Committee on Government Reform, House of Representatives

# FREEDOM OF INFORMATION ACT

## Preliminary Analysis of Processing Trends Shows Importance of Improvement Plans

### Why GAO Did This Study

The Freedom of Information Act (FOIA) establishes that federal agencies must provide the public with access to government information, thus enabling them to learn about government operations and decisions. To help ensure appropriate implementation, the act requires that agencies report annually to the Attorney General, providing specific information about their FOIA operations. In addition, a recent Executive Order directs agencies to develop plans to improve their FOIA operations, including, among other things, goals to reduce backlogs in FOIA requests.

GAO has reported previously on the contents of these annual reports for 25 major agencies. For this hearing, GAO was asked to testify both on the annual reports for fiscal year 2005 and on the recently developed improvement plans for these 25 agencies. GAO based its testimony on its ongoing work on these topics. Upon completion of its ongoing review, GAO expects to make recommendations to improve agency implementation of the Executive Order, including efforts to reduce and eliminate backlog.

www.gao.gov/cgi-bin/getrpt?GAO-06-1022T.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Linda Koontz at (202) 512-6240 or koontzl@gao.gov.

### What GAO Found

According to data reported by agencies in their annual reports, the public continues to request and receive increasing amounts of information from the federal government through FOIA; however, excepting one case—the Social Security Administration (SSA)—the rate of increase has flattened in recent years. (SSA reported an additional 16 million requests in 2005, dwarfing those for all other agencies combined, which together total about 2.6 million; SSA attributed this rise to an improvement in its method of counting requests. However, Justice officials have suggested that SSA consider treating the bulk of these requests as non-FOIA requests and thus not include them in future reports.) When SSA's numbers are excluded, data reported by the other 24 major agencies show that the number of requests received increased by 27 percent from fiscal year 2002 to 2005, but by only about 2.5 percent from fiscal year 2004. As more requests come in, agencies also report that they have been processing more of them—25 percent more from 2002 to 2005 (but only about 2.0 percent more than from 2004). Despite processing more requests, agencies have not kept up with the increase in requests being made: the number of pending requests carried over from year to year has been steadily increasing, rising to about 200,000 in fiscal year 2005—43 percent more than in 2002. The rate of increase in requests pending is also growing: the increase from fiscal year 2004 to 2005 is 24 percent, compared to 11 percent from 2003 to 2004.

Most of the agency improvement plans discussed reducing backlog, but not all consistently followed the Executive Order or implementing guidance provided by the Justice Department. Of the 25 agencies, 3 had not posted their plans in time to be included in this testimony, and 1 reported no backlog. Of the remaining 21 agencies, 12 followed the Executive Order's instruction to establish measurable, outcome-oriented objectives for reducing or eliminating their backlogs, as well as timetables with milestones for meeting these objectives. Nine agencies did not do this, although they accounted for a substantial fraction—about 29 percent—of the requests reported to be pending at the end of fiscal year 2005. (Most agencies did provide goals and timetables for other kinds of objectives, however, such as performing staffing analyses and reviewing progress.) In addition, agencies generally did not specify the dates or numbers they were using as the baselines for their existing backlogs, which will be important for measuring improvement. GAO's ongoing work suggests that factors contributing to these deficiencies include difficulties in coordinating responses among components in large, decentralized agencies and limitations in the systems that track FOIA processing. In addition, neither the Executive Order nor Justice guidance established a baseline date for measuring the backlog or directed agencies to establish such a date. Without clearly defined baselines, specific objectives, and timetables for reducing backlog, it could be challenging for agency heads, Justice, and the Congress to gauge progress in improving FOIA processes as intended by the Executive Order.

Mr. Chairman and Members of the Subcommittee:

I appreciate the opportunity to participate in the Subcommittee's hearing on the implementation of the Freedom of Information Act (FOIA).[1] Generally speaking, FOIA establishes that federal agencies must provide the public with access to government information, thus enabling them to learn about government operations and decisions. Specific requests by the public for information through the act have led to disclosure of waste, fraud, abuse, and wrongdoing in the government, as well as the identification of unsafe consumer products, harmful drugs, and serious health hazards.

To help ensure appropriate implementation, the act requires that agencies provide annual reports on their FOIA operations to the Attorney General, including specific information such as how many requests were received and processed in the previous fiscal year and how many requests were pending at the end of the year. In addition, the President issued an Executive Order[2] in December 2005 that is aimed at improving agencies' disclosure of information consistent with FOIA. Among other things, this order requires each agency to review its FOIA operations and develop improvement plans; by June 14, 2006, each agency was to submit a report to the Attorney General and the Director of the Office of Management and Budget (OMB) that summarizes the results of the agency's review and includes a copy of its improvement plan. These plans are to include specific outcome-oriented goals and timetables, by which the agency head is to evaluate the agency's success in implementing the plan. The Executive Order specifically requires that these plans address ways to eliminate or reduce any backlog of FOIA requests.

As requested, in my remarks today, I will discuss two topics, basing my discussion on ongoing work that we are performing for the Subcommittee: (1) statistics on the processing of FOIA requests as reflected in agencies' 2005 annual reports, highlighting any trends in

[1] See 5 U.S.C. § 552.

[2] Executive Order 13392, *Improving Agency Disclosure of Information* (Washington, D.C.: Dec. 14, 2005).

these reports since 2002, and (2) to what extent agencies addressed the Executive Order's requirement to provide measurable, outcome-oriented goals to reduce or eliminate backlog, along with timetables that include milestones for these goals.

To describe statistics on the processing of FOIA requests, we analyzed annual report data for fiscal years 2002 through 2005 from 25 major agencies[3] (herein we refer to this scope as governmentwide). To describe how agency improvement plans addressed the order's requirements regarding goals and timetables to address backlog, we analyzed the 22 agencies' plans that were published as of June 30, 2006, to determine whether they contained descriptions of activities to reduce backlog, along with goals and timetables that could be used to evaluate progress.[4] We also reviewed the Executive Order itself, implementing guidance issued by OMB and the Department of Justice, other FOIA guidance issued by Justice, and our past work in this area. Three agencies, the Departments of State and Homeland Security and the Agency for International Development, had not published their plans by June 30, and thus we could not analyze them for this hearing. These three agencies have since provided their plans. We discussed the content of this statement with officials of the Department of Justice, including the Director of the Office of Information and Privacy.

We conducted our review in accordance with generally accepted government auditing standards, except that we did not verify the accuracy and reliability of the data in agencies' annual reports in time to be included in this testimony. As a result, our findings on the status of FOIA implementation as reflected in agencies' annual reports are preliminary and may change when we complete our assessment of data reliability. We performed our work from April to July 2006.

[3] The agencies included are listed in table 2; these agencies are the 24 agencies covered by the Chief Financial Officers Act, plus the Central Intelligence Agency.

[4] Two GAO analysts independently analyzed each agency's plan to determine if it contained objective goals and timetables for reducing the backlog. When the analysts disagreed, they discussed the reasons for their differences and arrived at a consensus.

## Results in Brief

The public continues to request and receive increasing amounts of information from the federal government through FOIA; however, excepting one case—the Social Security Administration (SSA)—the rate of increase has flattened in recent years.[5] Based on data reported by 24 major agencies in their annual FOIA reports, the number of requests received in fiscal year 2005 increased by 27 percent from 2002, but by only about 2.5 percent from 2004. As more requests come in, agencies also report that they have been processing more of them—25 percent more from 2002 to 2005 (but only about 2.0 percent more than from 2004). For 87 percent of requests processed in fiscal year 2005, agencies reported that responsive records were provided in full to requesters. However, the number of pending requests carried over from year to year has been steadily increasing, rising 43 percent since 2002.[6] Further, the rate of increase is growing: the increase from fiscal year 2004 to fiscal year 2005 is 24 percent, compared to 11 percent from 2003 to 2004. Finally, the median times to process requests varied greatly across the government, ranging from less than 10 days for some agency components to more than 100 days at others (sometimes much more than 100).

Most of the agency improvement plans discussed reducing backlog, but not all consistently followed the Executive Order or implementing guidance provided by the Justice Department. Of the 25 agencies, 3 had not posted their plans in time to be included in this testimony, and 1 reported no backlog. Of the remaining 21 agencies, 12 followed the Executive Order's instruction to establish measurable, outcome-oriented goals for reducing or eliminating

[5] We exclude SSA's statistics from our discussion of requests received, requests processed, and their disposition, because a change in the agency's counting methodology resulted in a report of over 17 million requests for fiscal year 2005, for a jump of about 16 million from the year before. Including these statistics in the governmentwide data would obscure year-to-year comparisons. This issue is discussed further on page 15 of this statement.

[6] These statistics include numbers reported by SSA, because they are not affected by the approximately 17 million requests mentioned in footnote 5, for which SSA does not keep statistics on processing times or pending requests.

their backlogs, as well as timetables with milestones for achieving these goals. Nine agencies did not do this, although they accounted for a substantial portion—about 29 percent—of the requests reported to be pending at the end of fiscal year 2005. (Most agencies did provide goals and timetables for other kinds of objectives, however, such as performing staffing analyses and reviewing progress.) In addition, agencies generally did not specify the dates or numbers they were using as the baselines for their existing backlogs, which will be important for measuring improvement. GAO's ongoing work suggests that factors contributing to these deficiencies include difficulties in coordinating responses among components in large, decentralized agencies and limitations in the systems that track FOIA processing. In addition, neither the Executive Order nor Justice guidance established a baseline date for measuring the backlog or directed agencies to establish such a date. Without clearly defined baselines, specific objectives, and timetables for reducing backlog, it could be challenging for agency heads, Justice, and the Congress to measure progress in improving FOIA processes, as intended by the Executive Order.

When we complete our ongoing review and analysis of FOIA statistics and agency improvement plans, we anticipate making recommendations to improve agency implementation of the Executive Order, including efforts to reduce and eliminate backlog.

# Background

FOIA establishes a legal right of access to government records and information, on the basis of the principles of openness and accountability in government. Before the act (originally enacted in 1966),[7] an individual seeking access to federal records had faced the burden of establishing a right to examine them. FOIA established a "right to know" standard for access, instead of a "need to know," and shifted the burden of proof from the individual to the government agency seeking to deny access.

[7] The act has been amended several times.

FOIA provides the public with access to government information either through "affirmative agency disclosure"—publishing information in the *Federal Register* or the Internet, or making it available in reading rooms—or in response to public requests for disclosure. Public requests for disclosure of records are the best known type of FOIA disclosure. Any member of the public may request access to information held by federal agencies, without showing a need or reason for seeking the information.

Not all information held by the government is subject to FOIA. The act prescribes nine specific categories of information that are exempt from disclosure: for example, trade secrets and certain privileged commercial or financial information, certain personnel and medical files, and certain law enforcement records or information (attachment 1 provides the complete list). In denying access to material, agencies may cite these exemptions. The act requires agencies to notify requesters of the reasons for any adverse determination (that is, a determination not to provide records) and grants requesters the right to appeal agency decisions to deny access.

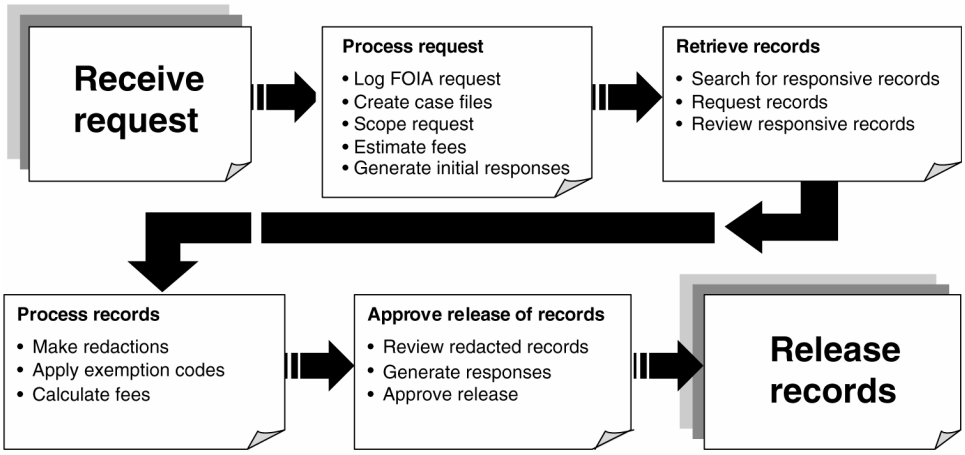
In addition, agencies are required to meet certain time frames for making key determinations: whether to comply with requests (20 business days from receipt of the request), responses to appeals of adverse determinations (20 business days from filing of the appeal), and whether to provide expedited processing of requests (10 business days from receipt of the request). Congress did not establish a statutory deadline for making releasable records available, but instead required agencies to make them available promptly.

## The FOIA Process at Federal Agencies

Although the specific details of processes for handling FOIA requests vary among agencies, the major steps in handling a request are similar across the government. Agencies receive requests, usually in writing (although they may accept requests by telephone or electronically), which can come from any organization or member of the public. Once received, the request goes through several phases, which include initial processing, searching for and

retrieving responsive records, preparing responsive records for release, approving the release of the records, and releasing the records to the requester. Figure 1 is an overview of the process, from the receipt of a request to the release of records.

**Figure 1: Overview of Generic FOIA Process**




Source: GAO analysis of agency information.

During the initial processing phase, a request is logged into the agency's FOIA system, and a case file is started. The request is then reviewed to determine its scope, estimate fees, and provide an initial response to the requester (in general, this simply acknowledges receipt of the request). After this point, the FOIA staff begins its search to retrieve responsive records. This step may include searching for records from multiple locations and program offices. After potentially responsive records are located, the documents are reviewed to ensure that they are within the scope of the request.

During the next two phases, the agency ensures that appropriate information is to be released under the provisions of the act. First, the agency reviews the responsive records to make any redactions based on the statutory exemptions. Once the exemption review is complete, the final set of responsive records is turned over to the FOIA office, which calculates appropriate fees, if applicable. Before release, the redacted responsive records are then given a final review, possibly by the agency's general counsel, and then a

response letter is generated, summarizing the agency's actions regarding the request. Finally, the responsive records are released to the requester.

Some requests are relatively simple to process, such as requests for specific pieces of information that the requester sends directly to the appropriate office. Other requests may require more extensive processing, depending on their complexity, the volume of information involved, the need for the agency FOIA office to work with offices that have relevant subject-matter expertise to find and obtain information, the need for a FOIA officer to review and redact information in the responsive material, the need to communicate with the requester about the scope of the request, and the need to communicate with the requester about the fees that will be charged for fulfilling the request (or whether fees will be waived).[8]

Specific details of agency processes for handling requests vary, depending on the agency's organizational structure and the complexity of the requests received. While some agencies centralize processing in one main office, other agencies have separate FOIA offices for each agency component and field office. Agencies also vary in how they allow requests to be made. Depending on the agency, requesters can submit requests by telephone, fax, letter, or e-mail or through the Web. In addition, agencies may process requests in two ways, known as "multitrack" and "single track." Multitrack processing involves dividing requests into two groups: (1) simple requests requiring relatively minimal review, which are placed in one processing track, and (2) more voluminous and complex requests, which are placed in another track. In contrast, single-track processing does not distinguish between simple and complex requests. With single-track processing, agencies process all requests on a first-in/first-out basis. Agencies can also process FOIA requests on an expedited basis when a requester has shown a compelling need or urgency for the information.

As agencies process FOIA requests, they generally place them in one of four possible disposition categories: grants, partial grants,

[8] Fees may be waived when requests are determined to be in the public interest.

denials, and "not disclosed for other reasons." These categories are defined as follows:

- *Grants:* Agency decisions to disclose all requested records in full.
- *Partial grants:* Agency decisions to withhold some records in whole or in part, because such information was determined to fall within one or more exemptions.
- *Denials:* Agency decisions not to release any part of the requested records because all information in the records is determined to be exempt under one or more statutory exemptions.
- *Not disclosed for other reasons:* Agency decisions not to release requested information for any of a variety of reasons other than statutory exemptions from disclosing records. The categories and definitions of these "other" reasons for nondisclosure are shown in table 1.

**Table 1: "Other" Reasons for Nondisclosure**

| Category | Definition |
|---|---|
| No records | The agency searched and found no record responsive to the request. |
| Referrals | The agency referred records responsive to the request to another agency. |
| Request withdrawn | The requester withdrew the request. |
| Fee-related reasons | The requester refused to commit to pay fees (or other reasons related to fees). |
| Records not reasonably described | The requester did not describe the records sought with sufficient specificity to allow them to be located with a reasonable amount of effort. |
| Not a proper FOIA request | The request was not a FOIA request for one of several procedural reasons. |
| Not an agency record | The requested record was not within the agency's control. |
| Duplicate request | The request was submitted more than once by the same requester. |

Source: Department of Justice.

When a FOIA request is denied in full or in part, or the requested records are not disclosed for other reasons, the requester is entitled to be told the reason for the denial, to appeal the denial, and to challenge it in court.

## The Privacy Act Also Provides Individuals with Access Rights

In addition to FOIA, the Privacy Act of 1974[9] includes provisions granting individuals the right to gain access to and correct information about themselves held by federal agencies. Thus the Privacy Act serves as a second major legal basis, in addition to FOIA, for the public to use in obtaining government information. The Privacy Act also places limitations on agencies' collection, disclosure, and use of personal information.

Although the two laws differ in scope, procedures in both FOIA and the Privacy Act permit individuals to seek access to records about themselves—known as "first-party" access. Depending on the individual circumstances, one law may allow broader access or more extensive procedural rights than the other, or access may be denied under one act and allowed under the other. Consequently, the Department of Justice's Office of Information and Privacy issued guidance that it is "good policy for agencies to treat all first-party access requests as FOIA requests (as well as possibly Privacy Act requests), regardless of whether the FOIA is cited in a requester's letter." This guidance was intended to help ensure that requesters receive the fullest possible response to their inquiries, regardless of which law they cite.

In addition, Justice guidance for the annual FOIA report directs agencies to include Privacy Act requests (that is, first-party requests) in the statistics reported. According to the guidance, "A Privacy Act request is a request for records concerning oneself; such requests are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.)"

Although FOIA and the Privacy Act can both apply to first-party requests, such requests are not in many cases processed in the same way as described earlier for FOIA requests. For example, most SSA first-party requests are processed by staff other than FOIA staff,

[9] See 5 U.S.C. § 552a.

specifically, staff in SSA's field and district offices and teleservice centers.[10]

## Roles of OMB and Justice in FOIA Implementation

OMB and the Department of Justice both have roles in the implementation of FOIA. The act requires OMB to issue guidelines to "provide for a uniform schedule of fees for all agencies."[11] OMB issued this guidance in April 1987.[12]

The Department of Justice oversees agencies' compliance with FOIA and is the primary source of policy guidance for agencies. Specifically, Justice's requirements under the act are to

- make agencies' annual FOIA reports available through a single electronic access point and notify Congress as to their availability;
- in consultation with OMB, develop guidelines for the required annual agency reports, so that all reports use common terminology and follow a similar format; and
- submit an annual report on FOIA statistics and the efforts undertaken by Justice to encourage agency compliance.

Within the Department of Justice, the Office of Information and Privacy has lead responsibility for providing guidance and support to federal agencies on FOIA issues. This office first issued guidelines for agency preparation and submission of annual reports in the spring of 1997. It also periodically issues additional guidance on annual reports as well as on compliance, provides training, and

[10] According to SSA, its field organization is decentralized to provide services at the local level, and includes 10 regional offices, 6 processing centers, and approximately 1500 field offices.

[11] This provision was added by the Freedom of Information Reform Act of 1986 (Pub. L. 99-570).

[12] See OMB, *Uniform Freedom of Information Act Fee Schedule and Guidelines*, 52 FR 10011 (Mar. 27, 1987), effective April 27, 1987. Also in 1987, the Department of Justice issued guidelines on waiving fees when requests are determined to be in the public interest. Under the guidelines, requests for waivers or reduction of fees are to be considered on a case-by-case basis, taking into account both the public interest and the requester's commercial interests.

maintains a counselors service to provide expert, one-on-one assistance to agency FOIA staff. Further, the Office of Information and Privacy also makes a variety of FOIA and Privacy Act resources available to agencies and the public via the Justice Web site and on-line bulletins.

## 1996 Amendments Established Annual FOIA Reports

In 1996, the Congress amended FOIA to provide for public access to information in an electronic format (among other purposes). These amendments, referred to as e-FOIA, also required that agencies submit a report to the Attorney General on or before February 1 of each year that covers the preceding fiscal year and includes information about agencies' FOIA operations.[13] The following are examples of information that is to be included in these reports:

- number of requests received, processed, and pending;
- median number of days taken by the agency to process different types of requests;
- determinations made by the agency not to disclose information and the reasons for not disclosing the information;
- disposition of administrative appeals by requesters;
- information on the costs associated with handling of FOIA requests; and
- full-time-equivalent staffing information.

In addition to providing their annual reports to the Attorney General, agencies are to make them available to the public in electronic form. The Attorney General is required to make all agency reports available on line at a single electronic access point and report to Congress no later than April 1 of each year that these reports are available in electronic form.

In 2001, we prepared the first in a series of reports on the implementation of the 1996 amendments to FOIA, starting from

[13] 5 U.S.C.§ 552(e).

fiscal year 1999.[14] In this and subsequent reviews, we examined the contents of these annual reports for 25 major agencies (shown in table 2).[15] They include the 24 major agencies covered by the Chief Financial Officers Act, as well as the Central Intelligence Agency and, until 2003, the Federal Emergency Management Agency (FEMA). In 2003, the creation of the Department of Homeland Security (DHS), which incorporated FEMA, led to a shift in some FOIA requests from agencies affected by the creation of the new department, but the same major component entities are reflected in all the years reviewed.

[14] GAO, *Information Management: Progress in Implementing the 1996 Electronic Freedom of Information Act Amendments*, GAO-01-378 (Washington, D.C.: Mar. 16, 2001).

[15] GAO, *Information Management: Update on Implementation of the 1996 Electronic Freedom of Information Act Amendments*, GAO-02-493 (Washington, D.C.: Aug. 30, 2002); *Information Management: Update on Freedom of Information Act Implementation Status*, GAO-04-257 (Washington, D.C.: Feb. 18, 2004); and *Information Management: Implementation of the Freedom of Information Act*, GAO-05-648T (Washington, D.C.: May 11, 2005).

**Table 2: Agencies Reviewed**

| Agency | Abbreviation |
|---|---|
| Agency for International Development | AID |
| Central Intelligence Agency | CIA |
| Department of Agriculture | USDA |
| Department of Commerce | DOC |
| Department of Defense | DOD |
| Department of Education | ED |
| Department of Energy | DOE |
| Department of Health and Human Services | HHS |
| Department of Homeland Security [a] | DHS |
| Federal Emergency Management Agency [a] | FEMA |
| Department of Housing and Urban Development | HUD |
| Department of Interior | DOI |
| Department of Justice | DOJ |
| Department of Labor | DOL |
| Department of State | State |
| Department of the Treasury | Treas |
| Department of Transportation | DOT |
| Department of Veterans Affairs | VA |
| Environmental Protection Agency | EPA |
| General Services Administration | GSA |
| National Aeronautics and Space Administration | NASA |
| National Science Foundation | NSF |
| Nuclear Regulatory Commission | NRC |
| Office of Personnel Management | OPM |
| Small Business Administration | SBA |
| Social Security Administration | SSA |

Source: GAO.

[a] FEMA information was reported separately in fiscal year 2002. In fiscal years 2003, 2004, and 2005, FEMA was part of DHS.

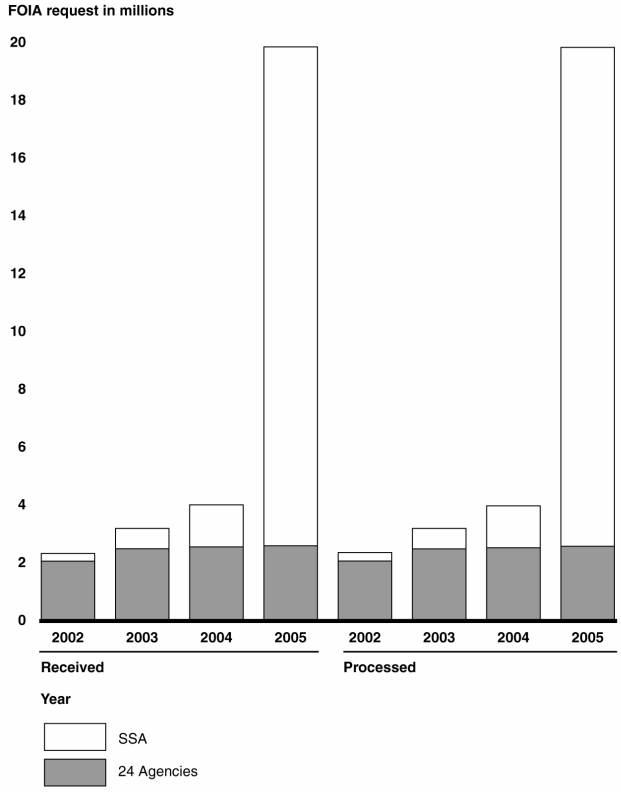
# Increases in Requests Are Slowing, but Pending Cases Are Increasing

The annual FOIA reports for fiscal year 2005 show that many of the trends of previous years are continuing: Requests received and processed continue to rise; however, excepting one case—SSA—the rate of increase has flattened in recent years. We present SSA's statistics separately because the agency reported an additional 16

million requests in 2005, dwarfing those for all other agencies combined, which together total about 2.6 million. SSA attributed this rise to an improvement in its method of counting requests. Justice officials have raised questions about the inclusion of these numbers in FOIA statistics.

Figure 2 shows total requests reported governmentwide for fiscal years 2002 through 2005, with SSA's share shown separately. This figure shows the magnitude of SSA's contribution to the whole FOIA picture, as well as the scale of the jump from 2004 to 2005.

**Figure 2: Total FOIA Requests with SSA Shown Separately, Fiscal Years 2002–2005**

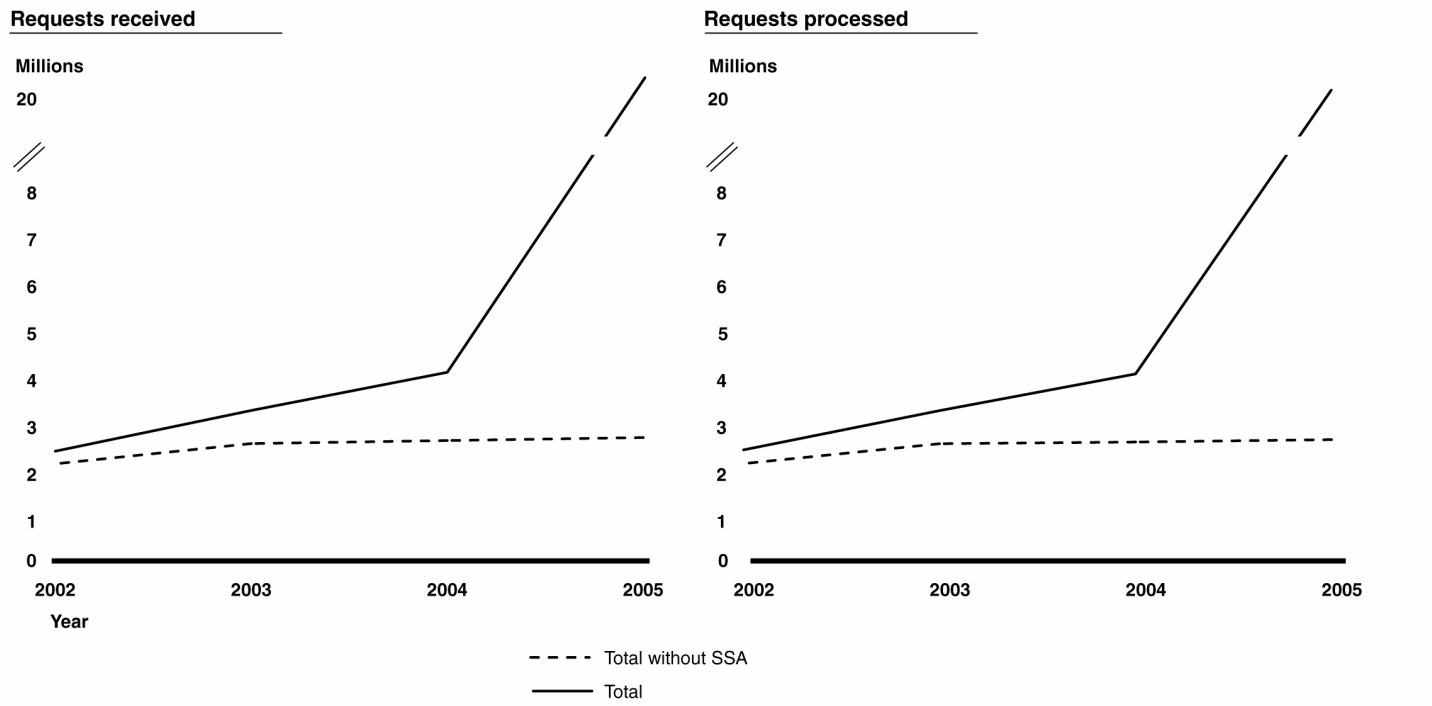



Source: GAO analysis, FOIA annual reports for fiscal years 2002-2005 (self-reported data).

Figure 3 presents these statistics on a scale that allows a clearer view of the rate of increase in FOIA requests received and processed in the rest of the government. As this figure shows, when SSA's numbers are excluded, the rate of increase is modest and has been

flattening: from fiscal year 2002 to 2005, requests received increased by about 27 percent, and requests processed increased by about 25 percent. From fiscal year 2004 to 2005, requests received increased about 2.5 percent, and requests processed increased about 2.0 percent.

**Figure 3: Total FOIA Requests and FOIA Requests Processed, Fiscal Years 2002–2005**




Source: GAO analysis, FOIA annual reports for fiscal years 2002-2005 (self-reported data).

According to SSA, the increases that the agency reported in fiscal year 2005 can be attributed to an improvement in its method of counting a category of requests it calls "simple requests handled by non-FOIA staff." In the past 4 years, SSA's FOIA reports have consistently shown significant growth in this category, which has accounted for the major portion of all SSA requests reported (see table 3). In each of these years, SSA has attributed the increases in this category largely to better reporting, as well as actual increases in requests.

**Table 3: Comparison of SSA's Simple Requests Handled by Non-FOIA Staff to Totals, Fiscal Years 2002 to 2005**

| Fiscal year | Total requests received | Total requests processed | Simple requests handled by non-FOIA staff | Percentage of total processed |
|---|---|---|---|---|
| 2005 | 17,257,886 | 17,262,315 | 17,223,713 | 99.8 |
| 2004 | 1,453,619 | 1,450,493 | 1,270,512 | 87.6 |
| 2003 | 705,280 | 704,941 | 678,849 | 96.3 |
| 2002 | 268,488 | 292,884 | 245,877 | 84.0 |

Sources: SSA FOIA reports (self-reported data), GAO analysis.

SSA describes requests in this category as typically being requests by individuals for access to their own records, or else requests in which individuals consent for SSA to supply information about themselves to third parties (such as insurance and mortgage companies) so that they can receive housing assistance, mortgages, disability insurance, and so on.[16] According to SSA's FOIA report, these requests are handled by personnel in about 1,500 locations in SSA, including field and district offices and teleservice centers. Such requests are almost always granted,[17] according to SSA, and most receive immediate responses. SSA has stated that it does not keep processing statistics (such as median days to process) on these requests, which it reports separately from other FOIA requests (for which processing statistics are kept).

According to SSA, in fiscal year 2005, the agency began to use automated systems to capture the numbers of requests processed by non-FOIA staff, generating statistics automatically as requests were processed; the result, according to SSA, is a much more accurate count. However, Justice officials have suggested that SSA consider treating the bulk of these requests as non-FOIA requests and thus not include them in future reports.

[16] According to SSA officials, most of these simple requests are for essentially the same types of information, such as copies of earnings records and verifications of monthly benefit amounts or Social Security numbers. The agency considers these requests to be covered by the Privacy Act and by FOIA; requests covered by both acts are to be reported in agencies' annual FOIA reports.

[17] Denials can occur in the case of discrepancies in the requests, such as incorrect Social Security numbers, for example.

Besides SSA, agencies reporting large numbers of requests received were the Departments of Agriculture, Defense, Health and Human Services, Homeland Security, Justice, the Treasury, and Veterans Affairs, as shown in table 4. The rest of the agencies combined account for only about 3 percent of the total requests received (if SSA is excluded). Table 4 presents, in descending order of request totals, the numbers of requests received and percentages of the total (calculated with and without SSA's statistics).

**Table 4: Requests Received, Fiscal Year 2005**

| Agency | Total | Percentage of total including SSA | Percentage of total excluding SSA |
|---|---|---|---|
| SSA | 17,257,886 | 86.78 | — |
| VA | 1,914,395 | 9.63 | 72.81 |
| HHS | 222,372 | 1.12 | 8.46 |
| DHS | 163,016 | 0.82 | 6.20 |
| DOD | 81,304 | 0.41 | 3.09 |
| Treas | 53,330 | 0.27 | 2.03 |
| DOJ | 52,010 | 0.26 | 1.98 |
| USDA | 51,516 | 0.26 | 1.96 |
| DOL | 23,505 | 0.12 | 0.89 |
| EPA | 12,201 | 0.06 | 0.46 |
| OPM | 12,085 | 0.06 | 0.46 |
| DOT | 9,597 | 0.05 | 0.37 |
| DOI | 6,749 | 0.03 | 0.26 |
| State | 4,602 | 0.02 | 0.18 |
| HUD | 4,227 | 0.02 | 0.16 |
| SBA | 3,739 | 0.02 | 0.14 |
| DOE | 3,729 | 0.02 | 0.14 |
| CIA | 2,935 | 0.01 | 0.11 |
| ED | 2,416 | 0.01 | 0.09 |
| DOC | 1,804 | 0.01 | 0.07 |
| GSA | 1,416 | 0.01 | 0.05 |
| NASA | 1,229 | 0.01 | 0.05 |
| NRC | 371 | 0.00 | 0.01 |
| AID | 369 | 0.00 | 0.01 |
| NSF | 273 | 0.00 | 0.01 |
| **Total excluding SSA** | **2,629,190** | **—** | **—** |
| **Total including SSA** | **19,887,076** | **—** | **—** |

Source: FOIA annual reports for 2005 (self-reported data).

Note: Abbreviations are as in table 2.

## Most Requests Are Granted in Full

Most FOIA requests in 2005 were granted in full, with relatively few being partially granted, denied, or not disclosed for other reasons (statistics are shown in table 5). This generalization holds with or without SSA's inclusion. However, including SSA's numbers in the proportion of grants overwhelms the other categories—raising this number from 87 percent of the total to 98 percent. This is to be expected, since SSA reports that it grants the great majority of its simple requests handled by non-FOIA staff, which make up the bulk of SSA's statistics.

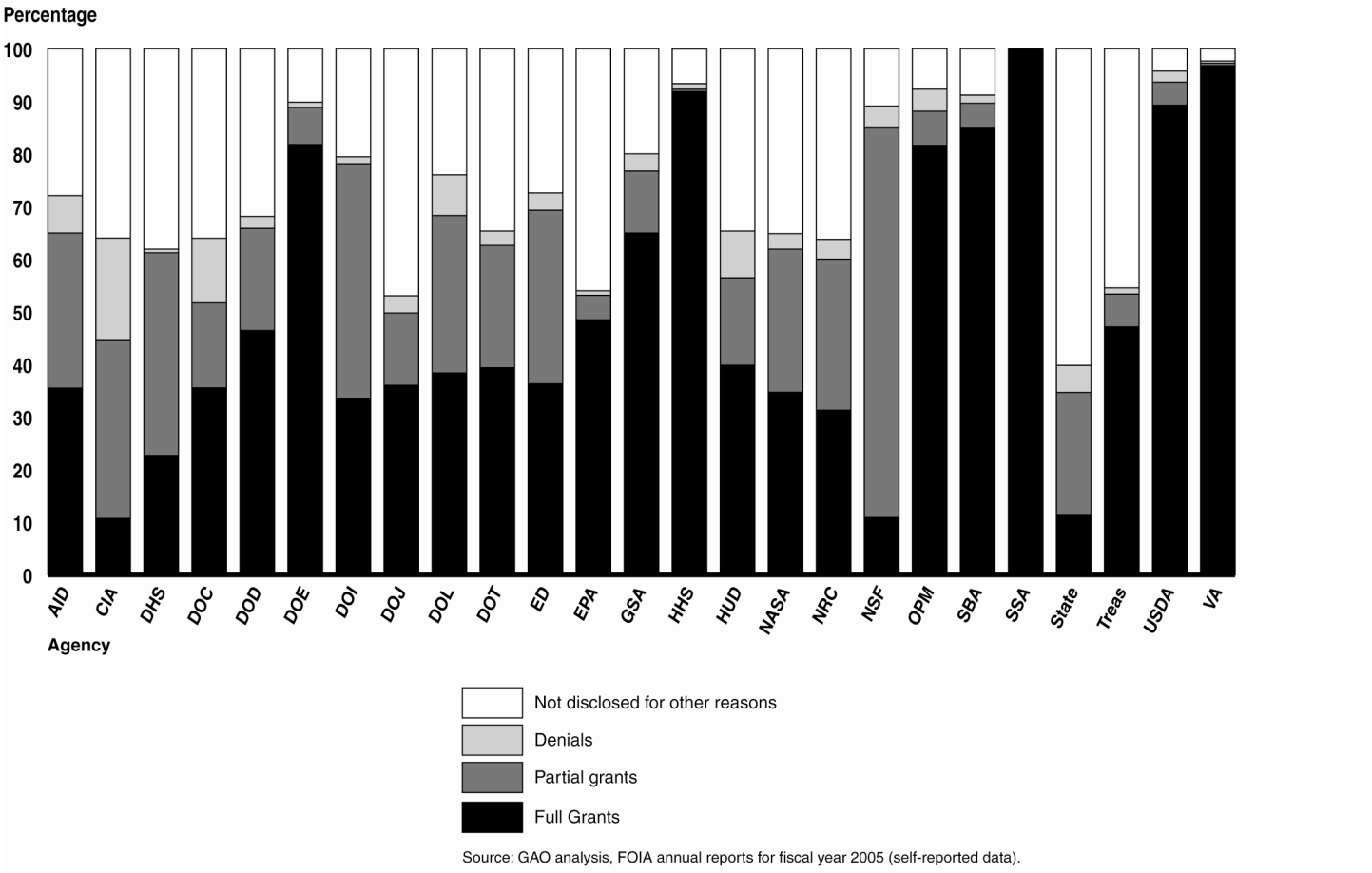
**Table 5: Disposition of Processed Requests for Fiscal Year 2005**

| | Statistics excluding SSA | | Statistics including SSA | |
|---|---|---|---|---|
| **Disposition** | **Number** | **Percentage** | **Number** | **Percentage** |
| Full grants | 2,252,867 | 87.2 | 19,513,259 | 98.3 |
| Partial grants | 104,356 | 4.0 | 104,631 | 0.5 |
| Denial | 20,949 | 0.8 | 21,403 | 0.1 |
| Not disclosed for other reasons | 206,699 | 8.0 | 207,893 | 1.1 |
| **Total** | **2,584,871** | | **19,847,186** | |

Source: FOIA annual reports for 2005 (self-reported data).

Four of the eight agencies that handled the largest numbers of requests (HHS, SSA, USDA, and VA; see table 4) also granted the largest percentages of requests in full, as shown in figure 4. This figure shows, by agency, the disposition of requests processed: that is, whether granted in full, partially granted, denied, or not disclosed for the "other" reasons shown in table 1.

**Figure 4: Disposition of Processed Requests, by Agency (Fiscal Year 2005)**




Source: GAO analysis, FOIA annual reports for fiscal year 2005 (self-reported data).

Note: Abbreviations are shown in table 2.

As the figure shows, the numbers of fully granted requests varied widely among agencies in fiscal year 2005. Seven agencies made full grants of requested records in over 80 percent of the cases they processed (besides the four already mentioned, these include DOE, OPM, and SBA). In contrast, 13 of 25 made full grants of requested records in less than 40 percent of their cases, including 3 agencies (CIA, NSF, and State) that made full grants in less than 20 percent of cases processed.

This variance among agencies in the disposition of requests has been evident in prior years as well.[18] In many cases, the variance can be accounted for by the types of requests that different agencies process. For example, as discussed earlier, SSA grants a very high proportion of requests because they are requests for personal information about individuals that are routinely made available to or for the individuals concerned. Similarly, VA routinely makes medical records available to individual veterans.

## Processing Times Vary

For 2005, the reported time required to process requests (by track) varied considerably among agencies. Table 6 presents data on median processing times for fiscal year 2005. For agencies that reported processing times by component rather than for the agency as a whole, the table indicates the range of median times reported by the agency's components.

[18] See GAO, *Information Management: Progress in Implementing the 1996 Electronic Freedom of Information Act Amendments*, GAO-01-378 (Washington, D.C.: Mar. 16, 2001), and *Information Management: Update on Freedom of Information Act Implementation Status*, GAO-04-257 (Washington, D.C.: Feb. 18, 2004).

**Table 6: Median Days to Process Requests for Fiscal Year 2005, by Track**

| | Type of request processing track | | | |
|---|---|---|---|---|
| Agency | Simple | Complex | Single | Expedited |
| AID | — | — | 55 | 34 |
| CIA | 7 | 68 | — | — |
| DHS | 16–61 | 3–242 | — | 2–45 |
| DOC | 12 | 40 | — | 8 |
| DOD | 16 | 85 | — | — |
| DOE | 5–106 | 10–170 | — | 1–12 |
| DOI | 2–43 | 28–89 | — | 1–15 |
| DOJ | 0–139 | 12–863 | — | 2–185 |
| DOL | 6–30 | 14–60 | — | 2–18 |
| DOT | 1–30 | 20–134 | — | 5–30 |
| ED | 35 | 66 | — | 24 |
| EPA | 13–32 | 4–166 | — | 8–109 |
| GSA | — | 14 | — | — |
| HHS | 10–26 | 60–370 | 5–173 | 14–158 |
| HUD | 21–65 | 35–160 | — | 9–70 |
| NASA | 19 | 49 | — | 15 |
| NRC | 12 | 75 | — | 20 |
| NSF | — | — | 14 | — |
| OPM | — | — | 14 | 1 |
| SBA | — | — | 7 | — |
| SSA | 15 | 39 | 10 | 17 |
| State | 14 | 142 | — | 136 |
| Treas | 2–86 | 3–251 | — | 1 |
| USDA | 2–90 | 10–1277 | — | 1–40 |
| VA | — | 1–60 | — | 1–10 |

Source: FOIA annual reports for fiscal years 2005 (self-reported data).

Note: For agencies that reported processing times by component, the table indicates the range of reported component median times. A dash indicates that the agency did not report any median time for a given track in a given year.

As the table shows, eight agencies had components that reported processing simple requests in less than 10 days (these components are part of the CIA, Energy, the Interior, Justice, Labor, Transportation, the Treasury, and USDA); for each of these agencies, the lower value of the reported ranges is less than 10. On the other hand, median time to process simple requests is relatively long at some organizations (for example, components of HHS, Justice, and USDA, as shown by median ranges whose upper end values are greater than 100 days).

For complex requests, the picture is similarly mixed. Components of four agencies (EPA, DHS, the Treasury, and VA) reported processing complex requests quickly—with a median of less than 10 days. In contrast, other components of several agencies (DHS, Energy, EPA, HHS, HUD, Justice, State, Transportation, the Treasury, and USDA) reported relatively long median times to process complex requests, with median days greater than 100.

Six agencies (AID, HHS, NSF, OPM, SBA, and SSA) reported using single-track processing. The median processing times for single-track processing varied from 5 days (at an HHS component) to 173 days (at another HHS component).

The changes from fiscal year 2004 to 2005 also vary. For agencies that reported agencywide figures, table 7 shows how many showed increased or decreased median processing times. Table 8 shows these numbers for the components that were reported separately.

**Table 7: Changes in Median Processing Times Reported by Agencies for Different Processing Tracks**

| Processing track | Number of agencies using this track | Agencies with increased median times | | Agencies with decreased median times | | Agencies with unchanged median times | |
|---|---|---|---|---|---|---|---|
| | | Number | % | Number | % | Number | % |
| Simple | 7 | 3 | 42.9 | 3 | 42.9 | 1 | 14.3 |
| Complex | 8 | 5 | 62.5 | 2 | 25.0 | 1 | 12.5 |
| Single | 5 | 3 | 60.0 | 2 | 40.0 | 0 | 0.0 |
| Expedited | 5 | 2 | 40.0 | 3 | 60.0 | 0 | 0.0 |

Sources: Annual FOIA reports, GAO analysis.

**Table 8: Changes in Median Processing Times Reported by Components for Different Processing Tracks**

| Processing track | Number of components using this track | Components with increased median times | | Components with decreased median times | | Components with unchanged median times | |
|---|---|---|---|---|---|---|---|
| | | Number | % | Number | % | Number | % |
| Simple | 122 | 57 | 46.7 | 46 | 37.7 | 19 | 15.6 |
| Complex | 105 | 52 | 49.5 | 44 | 41.9 | 9 | 8.6 |
| Single | 9 | 3 | 33.3 | 2 | 22.2 | 4 | 44.4 |
| Expedited | 43 | 25 | 58.1 | 13 | 30.2 | 5 | 11.6 |

Sources: Annual FOIA reports, GAO analysis.

Note: A total of 204 components are listed in the FOIA reports. Not all the components processed requests or used all the tracks.

These tables show that no one pattern emerges across tracks and types of reporting, and the numbers of agencies and components involved vary from track to track. The picture that emerges is of great variation according to circumstances.

To allow more insight into the variations in median processing times, we provide in attachment 2 tables of median processing times as reported by agencies and components in the annual FOIA reports in fiscal years 2004 and 2005. This attachment also includes information on the number of requests reported by the agencies and components, which provides context for assessing the median times reported.

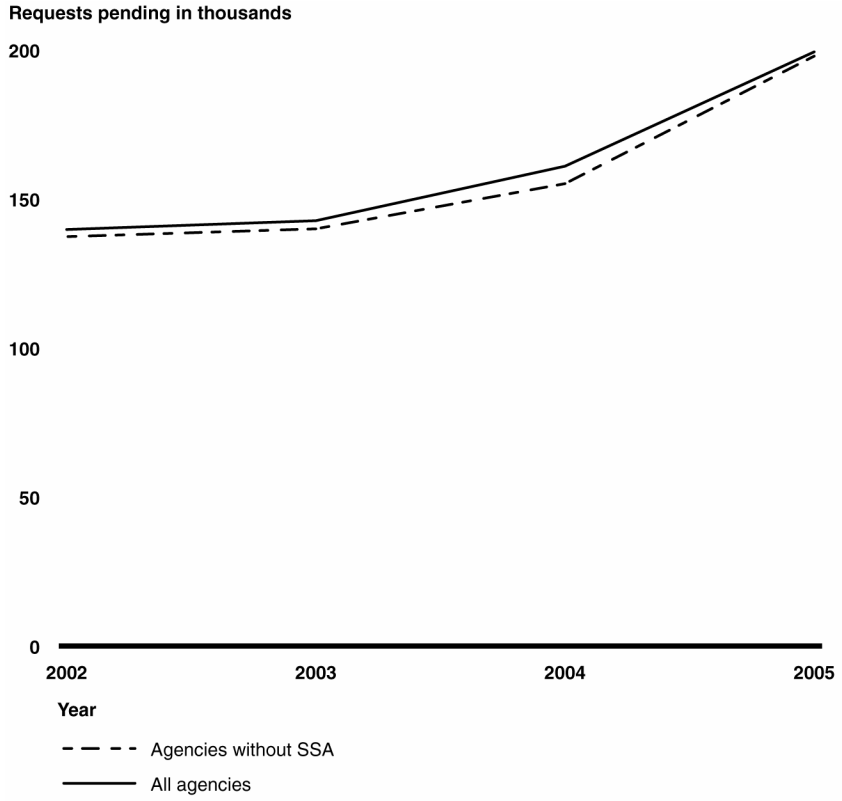
## Agency Pending Cases Continue to Increase

In addition to processing greater numbers of requests, many agencies (11 of 25) also reported that their numbers of pending

cases—requests carried over from one year to the next—have increased since 2002. In 2002, pending requests governmentwide were reported to number about 140,000, whereas in 2005, about 200,000—43 percent more—were reported. In addition, the rate of increase grew in fiscal year 2005, rising 24 percent from fiscal year 2004, compared to 11 percent from 2003 to 2004. Figure 5 shows these results, illustrating the accelerating rate at which pending cases have been increasing.

These statistics include pending cases reported by SSA, because as the figure shows, these pending cases do not change the governmentwide picture significantly. As previously discussed, SSA's pending cases do not include simple requests handled by non-FOIA staff, for which SSA does not keep these statistics.

**Figure 5: Total FOIA Requests Pending at End of Year, 2002–2005**

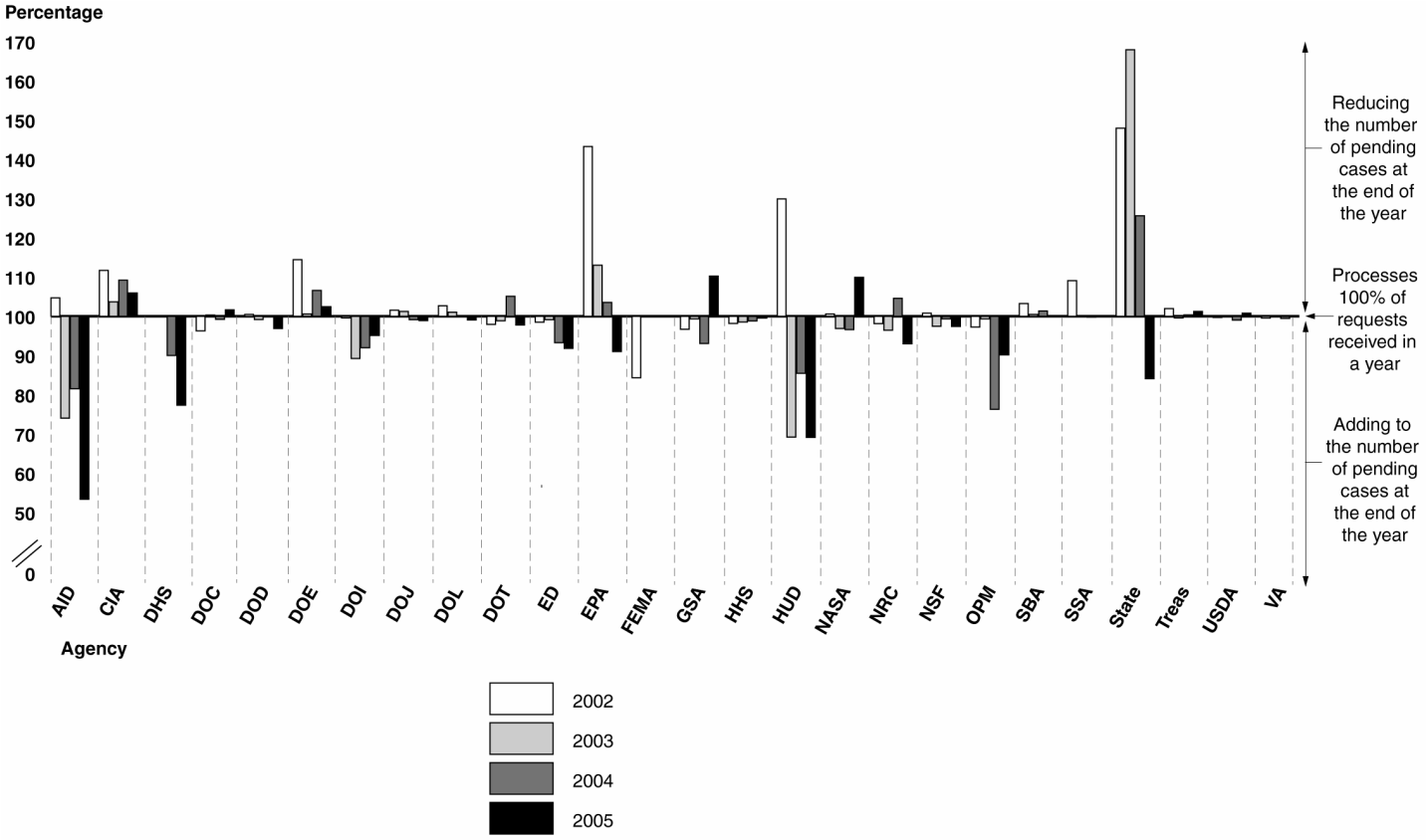



Source: GAO analysis, FOIA annual reports for fiscal years 2002-2005 (self-reported data).

Trends for individual agencies show mixed progress in reducing the number of pending requests reported from 2002 to 2005—some agencies have decreased numbers of pending cases, while others' numbers have increased. Figure 6 shows processing rates at the 25 agencies (that is, the number of requests that an agency processes relative to the number it receives). Eight of the 25 agencies (AID, DHS, the Interior, Education, HHS, HUD, NSF, and OPM) reported processing fewer requests than they received each year for fiscal years 2003, 2004, and 2005; 8 additional agencies processed less than they received in two of these three years.

In contrast, two agencies (CIA and DOE) had processing rates above 100 percent in all three years, meaning that each made continued progress in reducing their numbers of pending cases. Fifteen additional agencies were able to make at least a small reduction in their numbers of pending requests in 1 or more years between fiscal years 2003 and 2005.

**Figure 6: Agency Processing Rate for 25 Agencies**




Source: GAO analysis of FOIA annual reports for fiscal years 2002-2005 (self-reported data).

Notes: Abbreviations are as in table 2.

The agency processing rate is defined as the number of requests processed in a given year compared with the requests received, expressed as a percentage.

In 2002, FEMA data were used, and for 2003, 2004, and 2005, DHS data were used.

# About Half of FOIA Improvement Plans Do Not Include Goals and Timetables for Reducing the Backlog

The Executive Order, with its requirement for agencies to develop FOIA improvement plans, serves to focus agency managers' attention on the important role that FOIA plays in keeping citizens well informed about the operations of their government. By

requiring measurable goals and timetables, the Executive Order provides for a results-oriented framework by which agency heads can hold officials accountable for improvements in FOIA processing. Further, the Department of Justice's guidance on implementing the order provides several tangible suggestions for improving FOIA operations.

The Executive Order states that each agency shall develop an improvement plan by June 14, 2006, that includes measurable, outcome-oriented goals to reduce or eliminate backlog,[19] along with timetables that include milestones for these goals. According to this guidance, the goals and milestones in agency plans should focus on outcomes that are measurable and demonstrate whether or not intended results are being achieved.[20] Justice's implementation guidance directs agencies to include "means of measurement of success (e.g., quantitative assessment of backlog reduction expressed in numbers of pending requests, percentages, or working

[19] The Executive Order refers to "requests for records [that] have not been responded to within the statutory time limit (backlog)." The statute sets a time limit of 20 business days for agencies to determine whether to comply with a FOIA request. The law does not set a specific deadline for providing releasable records (although it does require agencies to make them available promptly), but in practice, agencies generally respond to requesters in one step—by providing or denying records—rather than in two steps—notifying requesters of their determination of whether to comply and if so providing records. In keeping with this practice, agencies have interpreted the Executive Order as referring to responses that provide or deny records, rather than responses providing a determination.

Justice officials told us in 2001 that, as a practical matter, they consider the FOIA requirement to report data on median processing days to be the basis for measuring compliance with the 20-day requirement. GAO, *Information Management: Progress in Implementing the 1996 Electronic Freedom of Information Act Amendments*, GAO-01-378 (Washington, D.C.: Mar. 16, 2001).

[20] The Executive Order states that plans shall include "specific activities that the agency will implement to eliminate or reduce the agency's FOIA backlog," as well as "concrete milestones, with specific timetables and outcomes to be achieved;" these milestones will be such that they can be used to "measure and evaluate the agency's success in the implementation of the plan."

days)" and provides agencies considerable leeway in choosing measures of timeliness.[21]

Most of the 22 agency plans available as of June 30 discussed reducing backlog, but not all consistently followed the Executive Order directions by establishing goals and timetables for reducing or eliminating their backlog. In all, 12 of the 21 agencies that reported a backlog included such goals and timetables, but the remaining 9 did not do so. (The Small Business Administration did not report a backlog.) These 9 agencies accounted for about 29 percent of the almost 200,000 requests pending at the end of fiscal year 2005 that were reported in the annual FOIA reports.

Table 9 summarizes the results of our analysis.

[21] According to Justice's guidance, "Agencies should consider a number of measures of timeliness, including number of pending requests, median processing times, average processing times (in addition, if that is feasible), number of requests processed in a year, duration of oldest pending requests, etc." "In determining such appropriate measurements, agencies should be able to carefully determine which ones best fit their individual circumstances, which can vary greatly from one agency to another."

**Table 9: Inclusion in Agency FOIA Improvement Plans of Both Outcomes and Associated Milestones for Reducing Backlog**

| Agency | Outcome-oriented goals | Milestones related to goals | Comment |
|---|---|---|---|
| AID | — | — | Plan not provided in time for analysis |
| CIA | Yes | Yes | — |
| DHS | — | — | Plan not provided in time for analysis |
| DOC | No | No | Process goals and timetable only |
| DOD | No | No | Process goals and timetable only |
| DOE | Yes | Yes | — |
| DOI | Yes | Yes | — |
| DOJ | Yes | Yes | — |
| DOL | No | No | Process goals and timetable only |
| DOT | Yes | Yes | — |
| ED | Yes | Yes | — |
| EPA | Yes | Yes | — |
| GSA | No | No | Backlog reduction not part of improvement plan |
| HHS | Yes | Yes | — |
| HUD | Yes | Yes | — |
| NASA | No | No | Backlog reduction not part of improvement plan |
| NRC | Yes | Yes | — |
| NSF | No | No | Process goals and timetable only |
| OPM | Yes | Yes | — |
| SBA | — | — | No backlog |
| SSA | Yes | No | Timetable did not include milestones for outcome, only for processes |
| State | — | — | Plan not provided in time for analysis |
| Treas | Yes | Yes | — |
| USDA | No [a] | No [a] | — |
| VA | No | No | Process goals and timetable only |
| **Total yes** | **13** | **12** | |

Source: GAO analysis of agency FOIA improvement plans.

[a] USDA provided objectives and timetables by component. Only the Office of Inspector General included outcomes and timetables.

As table 9 shows, 13 agencies included goals, but 1 of these (SSA) did not include a timetable associated with its goal.

The goals chosen by the 13 agencies varied. For example, OPM's plan set a goal of reducing and eliminating the agency's backlog by December 31, 2006. EPA's goal was to reduce its response backlog to less than 10 percent of the number of new FOIA requests received each year. Several agencies set goals to reduce backlog to various percentages of their current backlog (for example, the CIA, Energy,

the Interior, Justice, and the Treasury). HUD set an absolute goal of fewer than 400 pending requests.

Although the remaining 8 agency plans discussed efforts to improve FOIA processing, they did not contain goals for backlog reduction. In two cases (GSA and NASA), agencies did not include such goals because they did not include backlog reduction among the areas of improvement on which they planned to focus. These agencies did not consider their backlogs significant; nonetheless, the Executive Order specifically instructed agencies to include goals and timetables to address backlog.

In other cases, agencies did address backlog reduction but did not define goals. Many of these agencies did define process goals, such as establishing means to monitor and report on backlog, reviewing current processes, and identifying and reviewing tracking systems, but these were not accompanied by goals for backlog reduction:

- For example, the Department of Commerce's plan stated that, to the extent possible, its components would use current backlog numbers as a ceiling (these generally range from 9 to 13 percent of the workload) and work aggressively to reduce these numbers, focusing particularly on the 10 oldest requests in each component's backlog. However, although the plan provided milestone dates for FOIA officers to review progress in this area and assess any need to pursue alternatives (such as contract support) for achieving goals, the plan did not provide measurable targets for assessing success, such as percentage of reduction.
- Similarly, the Department of Defense set various process goals (identifying those FOIA Offices with backlogs greater than 50 cases, determining the staffing levels required to significantly reduce the backlog, and seeking the necessary funding to provide this additional staffing). However, it provided no measurable targets for reducing backlog.

In the timetables that agencies provided in their plans, 12 agencies provided milestones for goals that they had identified. As mentioned earlier, one agency (SSA) did not include a milestone for its goal of eliminating backlog. SSA provided instead a timetable that addressed process goals: reorganizing its Office of Public Disclosure

and developing a new information system. Like SSA, several agencies provided timetables for various activities that they included in their plans to reduce backlog, but these did not include milestones for outcome-oriented goals (for example, Defense provided milestones for the process goals described above).

In addition to setting goals and milestones for those goals, in order to demonstrate that goals are achieved, plans should also include baselines against which results can be measured. In the case of backlog, these numbers can differ from day to day, so specifying a baseline is crucial. Baselines can be defined on the basis of a date from which an agency intends to measure, the number it is using as its baseline, or both. Publicly available baselines are important to promote accountability as well as the transparency of government processes.

However, most of the agency improvement plans do not clearly define baselines for their existing backlogs. An exception was OPM: in describing its goal to eliminate backlog by December 31, 2006, it specified its present backlog as 107 requests. Similarly, the Department of Education referred to measuring its success in terms of having fewer open cases at the end of each year, based on a backlog that it specified as 480 as of June 2, 2006. In other cases, agencies did not specify whether they planned to measure from the date of their plans, from the end of fiscal year 2005, or from some other baseline. Some agencies did, however, describe plans to perform analyses that would measure their backlogs so that they could then establish the necessary baselines.

Our ongoing work suggests that factors contributing to these deficiencies included difficulties in coordinating responses among components in large decentralized agencies and limitations in the way that agency systems track FOIA processing. In addition, neither the Executive Order nor Justice guidance established a baseline date for measuring the backlog or directed agencies to establish such a baseline. Uncertainty regarding defined baselines could hinder the measurement of progress in reducing backlog. Without clearly defined baselines, specific objectives, and timetables for reducing backlog, the risk is that agency heads, Justice, the Congress, and the public could be hampered in determining whether

and how well agencies have achieved the Executive Order's aims of improving FOIA processing and agency disclosure of information.

When we complete our ongoing review and analysis, we expect to make recommendations aimed at improving agency implementation of the Executive Order, including efforts to reduce and eliminate backlog.

In summary, FOIA continues to be a valuable tool for citizens to obtain information about the operation and decisions of the federal government. Since 2002, agencies have received increasing numbers of requests and have also continued to increase the number of requests that they process. In addition, agencies continue to grant most requests in full. However, the rate of increase in pending requests is accelerating.

Given these continuing trends, the President's Executive Order creates, among other things, a renewed, results-oriented emphasis on improving request processing and reducing the backlog of pending requests. However, our ongoing work suggests that agencies are not yet fully complying with the order's requirements for measurable, outcome-oriented goals and associated timetables. In addition, agencies have not all established clear baselines for their existing backlogs. Without a baseline measurement and tangible steps for addressing the accumulation of pending cases, the heads of these agencies may be limited in their ability to measure and evaluate success in implementing their plans as the President's order requires. Accordingly, in moving forward, it will be important for Justice and the agencies to continue to refine these plans so that the goal of reducing backlogs can be fully realized and the federal government can remain responsive to citizen needs. When we complete our ongoing work, we expect to provide recommendations to help move this process forward.

Mr. Chairman, this completes my prepared statement. I would be happy to respond to any questions you or other Members of the Subcommittee may have at this time.

# Contact and Acknowledgements

If you should have questions about this testimony, please contact me at (202) 512-6240 or via e-mail at koontzl@gao.gov. Other major contributors included Barbara Collier, Vernetta Marquis, Alan Stapleton, Shawn Ward, and Elizabeth Zhao.

# Attachment 1: Freedom of Information Act Exemptions

The act prescribes nine specific categories of information that is exempt from disclosure:

| Exemption number | Matters that are exempt from FOIA |
|---|---|
| (1) | (A) Specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive Order. |
| (2) | Related solely to the internal personnel rules and practices of an agency. |
| (3) | Specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld. |
| (4) | Trade secrets and commercial or financial information obtained from a person and privileged or confidential. |
| (5) | Inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency. |
| (6) | Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. |
| (7) | Records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information |
| (A) | could reasonably be expected to interfere with enforcement proceedings; |
| (B) | would deprive a person of a right to a fair trial or 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, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by confidential source; |
| (E) | would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or |
| (F) | could reasonably be expected to endanger the life or physical safety of an individual. |
| (8) | Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation of supervision of financial institutions. |
| (9) | Geological and geophysical information and data, including maps, concerning wells. |

Source: 5 U.S.C. § 552(b)(1) through (b)(9).

# Attachment 2. Median Processing Times Reported

The attached tables present median processing times as reported by agencies in their annual FOIA reports in fiscal years 2004 and 2005. To provide context, we include numbers of requests processed for each agency or component. We also indicate (in columns headed "±") whether the median days to process rose (+), fell (–), or remained unchanged (=). (We also use "~" to indicate other types of changes, such as the establishment of a new component.)

Agencies report median processing times according to processing tracks: that is, some agencies divide requests into simple and complex categories and process these in separate tracks, whereas others use a single track. Accordingly, the tables show these tracks where applicable. In addition, agencies are required to subject some requests to expedited processing, and these are reported as a separate track.

Tables for the agencies are presented in the following order, which corresponds to the order generally used in the figures and tables provided in the statement:

| | |
|---|---|
| AID | Agency for International Development |
| CIA | Central Intelligence Agency |
| DHS | Department of Homeland Security |
| DOC | Department of Commerce |
| DOD | Department of Defense |
| DOE | Department of Energy |
| DOI | Department of the Interior |
| DOJ | Department of Justice |
| DOL | Department of Labor |
| DOT | Department of Transportation |
| ED | Department of Education |
| EPA | Environmental Protection Agency |
| GSA | General Services Administration |
| HHS | Department of Health and Human Services |
| HUD | Department of Housing and Urban Development |
| NASA | National Aeronautics and Space Administration |
| NRC | Nuclear Regulatory Commission |
| NSF | National Science Foundation |
| OPM | Office of Personnel Management |
| SBA | Small Business Administration |
| SSA | Social Security Administration |
| State | Department of State |
| Treas | Department of the Treasury |
| USDA | Department of Agriculture |
| VA | Department of Veterans Affairs |

## Agency for International Development

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Single | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| AID | 209 | 196 | 54 | 55 | + | 3 | 1 | 13 | 34 | + |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Central Intelligence Agency

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| CIA | 501 | 577 | 7 | 7 | = | 2,834 | 2,533 | 63 | 68 | + | 1 | 0 | 10 | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of Homeland Security

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Office of the Secretary/ Privacy Office | 279 | 604 | 19 | 16 | – | 98 | 134 | 66 | 102 | + | 48 | 1 | 9 | 11 | + |
| Office of the Inspector General | n/a | 0 | n/a | n/a | | 21 | 14 | 44 | 91 | + | 0 | 3 | n/a | 5 | |
| Office of the General Counsel | *(a)* | 0 | *(a)* | n/a | ~ | *(a)* | 1 | *(a)* | 222 | ~ | *(a)* | 0 | *(a)* | n/a | ~ |
| Information Analysis & Infrastructure Protection | n/a | 0 | n/a | n/a | | n/a | 51 | n/a | 30 | ~ | n/a | 0 | n/a | n/a | |
| Emergency Preparedness & Response | 101 | 186 | 14 | 61 | + | 128 | 345 | 48 | 178 | + | 28 | 14 | 9 | 45 | + |
| Science & Technology | *(a)* | 1 | *(a)* | 30 | ~ | *(a)* | 1 | *(a)* | 210 | ~ | *(a)* | 0 | *(a)* | n/a | ~ |
| U.S. Coast Guard | 6,735 | 6,035 | 13 | 16 | + | 638 | 608 | 21 | 21 | = | 30 | 11 | 11 | 2 | – |
| U.S. Secret Service | 0 | 0 | n/a | n/a | | 912 | 701 | 111 | 149 | + | 0 | 0 | n/a | n/a | |
| U.S. Citizenship & Immigration Services | 105,567 | 85,307 | 16 | 45 | + | 27,850 | 19,532 | 31 | 55 | + | 580 | 95 | 8 | 15 | + |
| US-VISIT | *(a)* | 14 | *(a)* | 17 | ~ | *(a)* | 1 | *(a)* | 60 | ~ | *(a)* | 0 | *(a)* | n/a | ~ |
| Border & Transportation Security | | | | | | | | | | | | | | | |
| CBP | 2,317 | 3,174 | 20 | 17 | – | 1,986 | 3,815 | 30 | 12 | – | 4 | 890 | 3 | 17 | + |
| TSA | 828 | 11 | 8 | 16 | + | 1,307 | 1,199 | 29 | 13 | – | 2 | 2 | 45 | 28 | – |
| ICE | 1,124 | 661 | 84 | 35 | – | n/a | 881 | n/a | 242 | ~ | n/a | 0 | n/a | n/a | |
| FLETC | n/a | 0 | n/a | n/a | ~ | 1,451 | 1,834 | 5 | 3 | – | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

[a]Component did not exist.

## Department of Commerce

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Agency** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Commerce | 1,564 | 1,321 | 13 | 12 | – | 465 | 511 | 41 | 40 | – | 6 | 2 | 5 | 8 | + |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of Defense

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Agency** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Defense | 63,443 | 66,979 | 17 | 16 | – | 12,972 | 11,385 | 59 | 85 | + | 841 | 411 | 1 | 0 | – |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of Energy

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| National Nuclear Security Administration Service Center Albuquerque | 118 | 76 | 30 | 15 | − | 99 | 108 | 58 | 170 | + | 0 | 0 | n/a | n/a | |
| Bonneville Power Administration | 54 | 54 | 12 | 20 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Carlsbad Field Office | 0 | 654 | n/a | 20 | | 10 | 14 | 35 | 57 | + | 0 | 0 | n/a | n/a | |
| Chicago Operations Office | 0 | 36 | n/a | 21 | | 38 | 0 | 21 | n/a | | 0 | 0 | n/a | n/a | |
| Golden Field Office | 21 | 11 | 14 | 33 | + | 2 | 1 | 20.5 | 66 | + | 0 | 0 | n/a | n/a | |
| Idaho Operations Office | 45 | 46 | 11 | 13 | + | 34 | 34 | 41 | 36 | − | 0 | 0 | n/a | n/a | |
| National Energy Technology Operations | 9 | 7 | 20 | 10 | − | 9 | 26 | 25 | 30 | + | 0 | 0 | n/a | n/a | |
| Office of Naval Reactors | *(a)* | 7 | *(a)* | 10 | ~ | *(a)* | 0 | *(a)* | n/a | | *(a)* | 0 | *(a)* | n/a | ~ |
| Oak Ridge Operations Office | 1,012 | 970 | 158 | 31 | − | 139 | 42 | 257 | 112 | − | 30 | 14 | 7 | 12 | + |
| Ohio Environmental Management Consolidated Business Center | 89 | 156 | 152 | 28 | − | 0 | 0 | n/a | n/a | | 10 | 0 | 5 | n/a | ~ |
| Office of Repository Development | 42 | 71 | 15 | 19 | + | 29 | 13 | 60 | 73 | + | 0 | 0 | n/a | 0 | |
| Richland Operations Office | 0 | 190 | n/a | 31 | | 115 | 0 | 18 | n/a | | 0 | 0 | n/a | n/a | |
| Rocky Flats Environmental Management Consolidated Business Center | 0 | 794 | n/a | 106 | | 16 | 0 | 916 | n/a | | 0 | 0 | n/a | n/a | |
| Savannah River Operations Office | 65 | 40 | 61 | 73 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of Scientific and Technical Information | 1 | 3 | 1 | 10 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Southeastern Power Administration | 3 | 0 | 10 | n/a | | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Southwestern Power Administration | 5 | 4 | 10 | 5 | − | 0 | 2 | n/a | 10 | | 0 | 0 | n/a | n/a | |
| Strategic Petroleum Reserve | 13 | 13 | 10 | 21 | + | 0 | 2 | n/a | 82 | | 0 | 4 | n/a | 1 | |

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Western Area Power Administration | 35 | 40 | 10 | 10 | = | 2 | 4 | 20 | 15 | – | 0 | 1 | n/a | 5 | |
| Department of Energy Headquarters | 395 | 384 | 81 | 41 | – | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

[a]Component did not exist.

## Department of the Interior

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Department of the Interior | 4,126 | 6,206 | 3–834 | 2–43 | ~ | 30 | 189 | 0–99 | 28–89 | ~ | 63 | 25 | 2–64 | 1–15 | ~ |
| Office of the Secretary | *(a)* | *(a)* | n/a | n/a | | *(a)* | *(a)* | 99 | 89 | – | *(a)* | *(a)* | 64 | 2 | – |
| Office of Inspector General | *(a)* | *(a)* | 834 | 7 | – | *(a)* | *(a)* | n/a | n/a | | *(a)* | *(a)* | 2 | 1 | – |
| Office of the Solicitor | *(a)* | *(a)* | 15 | 18 | + | *(a)* | *(a)* | n/a | n/a | | *(a)* | *(a)* | n/a | n/a | |
| Office of Surface mining | *(a)* | *(a)* | 21 | 13 | – | *(a)* | *(a)* | 0 | 55 | + | *(a)* | *(a)* | n/a | n/a | |
| Minerals Management Service | *(a)* | *(a)* | 22 | n/a | | *(a)* | *(a)* | n/a | 28 | | *(a)* | *(a)* | 14 | n/a | |
| Bureau of Land Management | *(a)* | *(a)* | n/a | 23 | | *(a)* | *(a)* | 56 | 57 | + | *(a)* | *(a)* | 5 | 6 | + |
| Fish and Wildlife Service | *(a)* | *(a)* | 35 | 29 | – | *(a)* | *(a)* | n/a | n/a | | *(a)* | *(a)* | 10 | 15 | + |
| National Park Service | *(a)* | *(a)* | 20 | 19 | – | *(a)* | *(a)* | n/a | n/a | | *(a)* | *(a)* | 10 | n/a | |
| Bureau of Reclamation | *(a)* | *(a)* | 20 | 18 | – | *(a)* | *(a)* | n/a | n/a | | *(a)* | *(a)* | 8 | 1 | – |
| U.S. Geological Survey | *(a)* | *(a)* | 18 | 14 | – | *(a)* | *(a)* | n/a | n/a | | *(a)* | *(a)* | n/a | n/a | |
| Bureau of Indian Affairs | *(a)* | *(a)* | 158 | 43 | – | *(a)* | *(a)* | n/a | n/a | | *(a)* | *(a)* | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

[a]Statistics not broken down by component.

Note: The Department of Interior reported the number of requests processed as a department, not by individual components.

## Department of Justice

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Office of the Attorney General | 401 | 213 | 17 | 27 | + | 23 | 35 | 480 | 362 | − | 2 | 3 | 135 | 96 | − |
| Office of the Deputy Attorney General | 246 | 108 | 17 | 29 | + | 15 | 10 | 291 | 363 | + | 0 | 2 | n/a | 62 | |
| Office of the Associate Attorney General | 52 | 40 | 44 | 89 | + | 4 | 0 | 344 | n/a | | 1 | 2 | 47 | 112 | + |
| Antitrust Division | 145 | 131 | 18 | 19 | + | 13 | 14 | 412 | 484 | + | 1 | 0 | 18 | n/a | |
| Bureau of Prisons | 15,047 | 13,243 | 15 | 16 | + | 680 | 475 | 28 | 29 | + | 13 | 25 | 1 | 3 | + |
| Bureau of Alcohol, Tobacco, Firearms, and Explosives | 2,437 | 1,719 | 7 | 8 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Civil Division | 859 | 466 | 9 | 10 | + | 0 | 0 | n/a | n/a | | 0 | 1 | n/a | 7 | |
| Civil Rights Division | 473 | 565 | 8 | 8 | = | 60 | 100 | 283 | 359 | + | 0 | 0 | n/a | n/a | |
| Community Relations Service | 8 | 2 | 10 | 10 | = | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Criminal Division | 0 | 0 | n/a | n/a | | 1,414 | 1,291 | 16 | 35 | + | 2 | 1 | 31 | 97 | + |
| Drug Enforcement Administration | 0 | 0 | n/a | n/a | | 1,933 | 1,569 | 12 | 16 | + | 0 | 0 | n/a | n/a | |
| Environment and Natural Resources Division | 0 | 0 | n/a | n/a | | 177 | 145 | 40 | 53 | + | 0 | 0 | n/a | n/a | |
| Executive Office for Immigration Review | 7,811 | 9,367 | 29 | 43 | + | 681 | 476 | 89 | 149 | + | 65 | 27 | 26 | 44 | + |
| Executive Office for United States Attorneys | 4,848 | 3,751 | 46 | 58 | + | 0 | 0 | n/a | n/a | | 73 | 84 | 195 | 169 | − |
| Executive Office for United States Trustees | 0 | 0 | n/a | n/a | | 61 | 65 | 6 | 19 | + | 0 | 0 | n/a | n/a | |
| Federal Bureau of Investigation | 10,253 | 10,828 | 6 | 6 | = | (b) | (b) | n/a | n/a | | 35 | 14 | 41 | 42 | + |
| Foreign Claims Settlement Commission | 17 | 9 | 5 | 5 | = | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Justice Management Division | 3,128 | 2,130 | 8 | (c) | | 31 | 35 | 35 | (c) | | 0 | 0 | n/a | n/a | |
| National Drug Intelligence Center | 80 | 58 | 22 | 21 | − | 3 | 3 | 30 | 73 | + | 0 | 0 | n/a | n/a | |
| Office of Community Oriented Policing Services | 101 | 61 | 14 | 8 | − | 0 | 0 | n/a | n/a | | 2 | 0 | 6 | n/a | |

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Office of Dispute Resolution | 8 | 4 | 5 | 5 | = | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of the Federal Detention Trustee | 27 | 11 | 7 | 8 | + | 2 | 0 | 105 | n/a | | 0 | 1 | n/a | 7 | |
| Office of Information and Privacy | 434 | 443 | 12 | 13 | + | 1 | 1 | 397 | 52 | – | 0 | 1 | n/a | 185 | |
| Office of the Inspector General | 241 | 208 | 10 | 11.5 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of Intelligence Policy and Review | 28 | 33 | 8 | 6 | – | 6 | 17 | 27 | 31 | + | 0 | 2 | n/a | 16 | |
| Office of Intergovernmental and Public Liaison | 15 | 6 | 41 | 46 | + | 0 | 0 | n/a | n/a | | 0 | 1 | n/a | 38 | |
| Office of Justice Programs | 493 | 206 | 1 | 2 | + | 59 | 108 | 25 | 25 | = | 0 | 0 | n/a | n/a | |
| Office of Legal Counsel | 55 | 68 | 10 | 10 | = | 9 | 16 | 30 | 30 | = | 0 | 1 | n/a | 40 | |
| Office of Legal Policy | 47 | 76 | 37 | 58 | + | 2 | 3 | 188 | 863 | + | 0 | 2 | n/a | 28 | |
| Office of Legislative Affairs | 58 | 63 | 84 | 86 | + | 6 | 9 | 386 | 330 | – | 0 | 2 | n/a | 67 | |
| Office of the Pardon Attorney | 40 | 43 | 29 | 21 | – | 3 | 0 | 100 | n/a | | 0 | 0 | n/a | n/a | |
| Office of Professional Responsibility | 129 | 86 | 19 | 15 | – | 7 | 9 | 389 | 334 | – | 0 | 0 | n/a | n/a | |
| Office of Public Affairs | 20 | 22 | 137 | 139 | + | 3 | 3 | 226 | 730 | + | 0 | 0 | n/a | n/a | |
| Office of the Solicitor General | 73 | 64 | 60 | 60 | = | 0 | 0 | n/a | n/a | | 2 | 22 | 8 | 10 | + |
| Office on Violence Against Women | *(a)* | 14 | *(a)* | 50 | ~ | *(a)* | 0 | *(a)* | n/a | ~ | *(a)* | 0 | *(a)* | n/a | ~ |
| Professional Responsibility Advisory Office | 13 | 14 | 3 | 3.5 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Tax Division | 226 | 237 | 0 | 0 | = | 27 | 26 | 15 | 28 | + | 0 | 0 | n/a | n/a | |
| U.S. Marshals Service | 1,531 | 999 | 21 | 26 | + | 16 | 17 | 130 | 195.5 | + | 0 | 0 | n/a | n/a | |
| U.S. National Central Bureau--INTERPOL | 271 | 184 | 5 | 6 | + | 10 | 18 | 24 | 21 | – | 2 | 3 | 3 | 2 | – |
| U.S. Parole Commission | 0 | 0 | n/a | n/a | | 1,351 | 1,011 | 20 | 12 | – | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

[a] Component did not exist.

[b] In addition to the expedited track, the FBI maintains three tracks for requests: small (0 to 500 pages), medium (501 to 2,500 pages), and large (more than 2,500 pages). The former is reported in the "simple requests" category; the latter two are reported as "complex requests." Therefore FBI's complex requests were excluded from analysis

[c] Justice Management Division used average days opposed to median days, so it was excluded

## Department of Labor

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Occupational Safety and Health Administration | 8,410 | 7,855 | 7 | 13 | + | 2,695 | 3,431 | 18 | 45 | + | 34 | 82 | 4 | 18 | + |
| Employment Standards Administration | 6,670 | 6,948 | 17 | 13 | – | 1,057 | 904 | 23 | 37 | + | 89 | 73 | 5 | 9 | + |
| Mine Safety and Health Administration | 1,150 | 0 | 17 | n/a | | 0 | 1,058 | n/a | 20 | | 0 | 3 | n/a | 7 | |
| Employment and Training Administration | 480 | 270 | 15 | 20 | + | 35 | 94 | 20 | 30 | + | 1 | 5 | 2 | 10 | + |
| Employee Benefits Security Administration | 367 | 1,456 | 11 | 7 | – | 65 | 257 | 40 | 34 | – | 0 | 2 | n/a | 10 | |
| Office of the Assistant Secretary for Administration and Management | 152 | 151 | 13 | 13 | = | 62 | 35 | 20 | 26 | + | 1 | 1 | 2 | 4 | + |
| Administrative Law Judges | 215 | 206 | 2 | 10 | + | 0 | 0 | n/a | n/a | | 0 | 6 | n/a | 3 | |
| Veterans' Employment and Training Service | 71 | 87 | 27 | 10 | – | 15 | 19 | 29 | 39 | + | 2 | 1 | 8 | 8 | = |
| Office of the Inspector General | 71 | 47 | 30 | 28 | – | 8 | 28 | 60 | 50 | – | 0 | 0 | n/a | n/a | |
| Bureau of Labor Statistics | 56 | 54 | 13 | 17 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of Adjudicatory Services | 25 | 52 | 7 | 6 | – | 4 | 0 | 18 | n/a | | 2 | 0 | 2 | n/a | |
| Womens Bureau | 27 | 19 | 15 | 10 | – | 0 | 2 | n/a | 25 | | 0 | 0 | n/a | n/a | |
| Office of Disability Employment Policy | 12 | 23 | 20 | 30 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of the Assistant Secretary for Policy | 3 | 16 | 25 | 20 | – | 2 | 1 | 25 | 60 | + | 1 | 0 | 25 | n/a | |
| Office of Congressional and Intergovernmental Affairs | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Bureau of International Labor Affairs | 4 | 24 | 16 | 7 | – | 9 | 2 | 30 | 14 | – | 0 | 0 | n/a | n/a | |
| Office of the Chief Financial Officer | 12 | 8 | 10 | 7 | – | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of Public Affairs | 7 | 8 | 7 | 7 | = | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Office of Small Business Programs | 22 | 22 | 30 | 10 | – | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of the Solicitor | 62 | 30 | 12 | 14 | + | 7 | 3 | 54 | 30 | – | 0 | 1 | n/a | 2 | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of Transportation

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Office of the Secretary of Transportation | 320 | 150 | 1 | 1 | = | 394 | 87 | 82 | 77 | – | 0 | 10 | n/a | 30 | |
| Office of Inspector General | 60 | 50 | 6 | 8 | + | 46 | 34 | 51 | 64 | + | 3 | 0 | 57 | n/a | |
| Federal Aviation Administration | 5,162 | 4,401 | 4 | 3 | – | 2,231 | 2,179 | 31 | 28 | – | 45 | 46 | 8 | 9 | + |
| Federal Highway Administration | 331 | 294 | 9 | 16 | + | 30 | 31 | 30 | 134 | + | 0 | 17 | n/a | 13 | |
| Federal Railroad Administration | 0 | 0 | n/a | n/a | | 524 | 451 | 95 | 90 | – | 0 | 0 | n/a | n/a | |
| National Highway Traffic Safety Administration | 0 | 0 | n/a | n/a | | 367 | 263 | 23 | 20 | – | 0 | 0 | n/a | n/a | |
| Federal Transit Administration | 192 | 199 | 68 | 29 | – | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Saint Lawrence Seaway Development Corporation | 36 | 0 | 18 | n/a | | 0 | 33 | n/a | 20 | | 0 | 0 | n/a | n/a | |
| Maritime Administration | 0 | 124 | n/a | 30 | | 155 | 0 | 30 | n/a | | 0 | 0 | n/a | n/a | |
| Research and Special Programs Administration | 85 | 43 | 19 | 15 | – | 89 | 75 | 135 | 40 | – | 11 | 1 | 5 | 5 | = |
| Federal Motor Carrier Safety Administration | 0 | 0 | n/a | n/a | | 778 | 823 | 58 | 31 | – | 0 | 0 | n/a | n/a | |
| Bureau of Transportation Statistics | 46 | 67 | 5 | 11 | + | 0 | 6 | n/a | 20 | | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of Education

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Agency** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Education | 1,566 | 1,874 | 0-30 | 35 | ~ | 442 | 329 | 2-134 | 66 | ~ | 74 | 16 | 3-21 | 24 | ~ |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Environmental Protection Agency

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Headquarters | 2,188 | 1,717 | 19 | 19 | = | 1 | 42 | 170 | 58 | – | 6 | 2 | 16 | 20 | + |
| Region 1 New England Region | 317 | 249 | 19 | 18 | – | 0 | 2 | 29 | 46 | + | 0 | 0 | n/a | n/a | |
| Region 2 New Jersey, New York, Puerto Rico, U.S. Virgin Islands and 7 Tribal Nations | 2,949 | 1,912 | 27 | 30 | + | 7 | 2 | 49 | 40 | – | 1 | 1 | 9 | 8 | – |
| Region 3 Mid-Atlantic | 1,748 | 1,699 | 15 | 13 | – | 0 | 9 | n/a | 4 | | 1 | 0 | 7 | n/a | |
| Region 4 Southeast Region | 1,034 | 852 | 21 | 19 | – | 5 | 71 | 75 | 41 | – | 1 | 0 | 6 | n/a | |
| Region 5 Mid-West Region | 2,011 | 1,920 | 18 | 18 | = | 2 | 3 | 70 | 30 | – | 0 | 0 | n/a | n/a | |
| Region 6 South Central Region | 860 | 624 | 18 | 32 | + | 1 | 0 | 353 | n/a | | 0 | 2 | n/a | 109 | |
| Region 7 America's Heartland Region | 651 | 767 | 23 | 27 | + | 0 | 2 | n/a | 166 | | 0 | 0 | n/a | n/a | |
| Region 8 Mountains and Plains Region | 387 | 332 | 13 | 15 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Region 9 Pacific Southwest Region | 725 | 588 | 16 | 18 | + | 0 | 39 | n/a | 38 | | 1 | 0 | 6 | n/a | |
| Region 10 Pacific Northwest Region | 454 | 273 | 20 | 20 | = | 1 | 0 | 19 | n/a | | 1 | 0 | 27 | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## General Services Administration

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| GSA | 0 | 0 | n/a | n/a | | 1,182 | 1,561 | 14 | 14 | = | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of Health and Human Services

Two tables are provided for this department, because its components report both multitrack (simple and complex) processing and single-track processing.

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Office of the Secretary | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Administration for Children and Families | *(a)* | 0 | *(a)* | n/a | ~ | *(a)* | 0 | *(a)* | n/a | ~ |
| Administration on Aging | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Centers for Medicare & Medicaid Services | 31,051 | 33,583 | 9 | 10 | + | 652 | 722 | 77 | 86 | + |
| Office of the Assistant Secretary for Public Health | 72 | 179 | 10 | 10 | = | 446 | 611 | 60 | 60 | = |
| Agency for Healthcare Research and Quality | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Centers for Disease Control and Prevention | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Food and Drug Administration | 13,626 | 15,539 | 25 | 26 | + | 1,993 | 1,987 | 325 | 370 | + |
| Health Resources and Services Administration | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Indian Health Services | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| National Institutes of Health | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Substance Abuse and Mental Health Services Administration | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |

| | Single | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Office of the Secretary | 1,147 | 934 | 55 | 69 | + | 1 | 1 | 2 | 60 | + |
| Administration for Children and Families | *(a)* | 137 | *(a)* | 40 | ~ | *(a)* | 4 | *(a)* | 41 | ~ |

| | Single | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| Administration on Aging | 13 | 22 | 5 | 5 | = | 0 | 0 | n/a | n/a | |
| Centers for Medicare & Medicaid Services | 0 | 0 | n/a | n/a | | 11 | 42 | 66 | 158 | + |
| OASPH | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Agency for Healthcare Research and Quality | 76 | 94 | 25 | 34 | + | 0 | 0 | n/a | n/a | |
| Centers for Disease Control and Prevention | 977 | 1,134 | 36 | 36 | = | 2 | 2 | 52 | 52 | = |
| Food and Drug Administration | 2,921 | 1,007 | 113 | 86 | – | 0 | 2 | n/a | 100 | |
| Health Resources and Services Administration | 416 | 380 | 20 | 20 | = | 0 | 6 | n/a | 14 | |
| Indian Health Services | 158,277 | 151,428 | 32 | 32 | = | 0 | 0 | n/a | n/a | |
| National Institutes of Health | 10,583 | 13,382 | 182 | 173 | – | 0 | 0 | n/a | n/a | |
| Substance Abuse and Mental Health Services Administration | 132 | 206 | 38 | 45 | + | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

[a]Component did not exist.

## Department of Housing and Urban Development

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Headquarters | 1,676 | 984 | 95 | 65 | – | 248 | 271 | 161 | 160 | – | 70 | 74 | 42 | 22 | – |
| Field | 1,510 | 1,150 | 21 | 21 | = | 10 | 15 | 30 | 35 | + | 95 | 160 | 23 | 70 | + |
| Office of Inspector General | 354 | 254 | 55 | 45 | – | 0 | 0 | n/a | n/a | | 15 | 15 | 9 | 9 | = |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## National Aeronautics and Space Administration

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Agency** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| NASA | 1,069 | 938 | 18 | 19 | + | 454 | 410 | 33 | 49 | + | 44 | 3 | 26 | 15 | – |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Nuclear Regulatory Commission

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| NRC | 357 | 303 | 11 | 12 | + | 27 | 28 | 47 | 75 | + | 5 | 14 | 60 | 20 | – |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## National Science Foundation

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Single | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| NSF | 309 | 266 | 20 | 14 | – | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Office of Personnel Management

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Single | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| OPM | 9,310 | 10,898 | 9 | 14 | + | 0 | 2 | n/a | 1 | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Small Business Administration

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Single | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| SBA | 1,927 | 3,737 | 5 | 7 | + | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Social Security Administration

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| SSA | 397 | 364 | 19 | 15 | – | 882 | 1,014 | 37 | 39 | + |

| | Single | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| SSA | 1,321 | 1,555 | 14 | 10 | – | 0 | 31 | n/a | 17 | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

Note: The tables exclude SSA's category of "simple requests handled by non-FOIA staff" and "simple request for Social Security number applications and other Office of Earnings Operations records." The category SSA labels "fast track" was reported under "single track."

## Department of State

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| Agency | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± | 2004 | 2005 | 2004 | 2005 | ± |
| State | 1,236 | 1,647 | 6 | 14 | + | 3,710 | 2,216 | 209 | 142 | – | 17 | 7 | 184 | 136 | – |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of the Treasury

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| The Departmental Offices | 332 | 307 | 2 | 2 | = | 782 | 790 | 172 | 251 | + | 0 | 0 | n/a | n/a | |
| Alcohol and Tobacco Tax and Trade Bureau | 0 | 168 | n/a | 86 | | 201 | 17 | 78 | 93 | + | 0 | 1 | n/a | 1 | |
| Office of the Comptroller of the Currency | 322 | 4,635 | 10 | 2 | – | 8,030 | 179 | 50 | 73 | + | 0 | 0 | n/a | n/a | |
| Bureau of Engraving and Printing | 69 | 76 | 4 | 3 | – | 44 | 12 | 60 | 31 | – | 1 | 0 | 5 | n/a | |
| Financial Management Service | 0 | 0 | n/a | n/a | | 529 | 351 | 7 | 10 | + | 0 | 0 | n/a | n/a | |
| Internal Revenue Service | 0 | 0 | n/a | n/a | | 51,985 | 42,533 | 21 | 21 | = | 0 | 0 | n/a | n/a | |
| United States Mint | 0 | 0 | n/a | n/a | | 67 | 316 | 15 | 15 | = | 0 | 0 | n/a | n/a | |
| Bureau of the Public Debt | 0 | 0 | n/a | n/a | | 91 | 90 | 4 | 3 | – | 0 | 0 | n/a | n/a | |
| Office of Thrift Supervision | 0 | 0 | n/a | n/a | | 1,827 | 4,003 | 15 | 12 | – | 2 | 0 | n/a | n/a | |
| Treasury Inspector General for Tax Administration | 0 | 208 | n/a | 4 | | 256 | 161 | 172 | 30 | – | 0 | 0 | 10 | n/a | |
| Financial Crimes Enforcement Network | 0 | 18 | n/a | 6 | | 32 | 122 | 99 | 95 | – | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of Agriculture

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Simple | | | | | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Agricultural Marketing Service | 139 | 120 | 19 | 22 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Animal and Plant Health Inspection Service | 435 | 922 | 77 | 90 | + | 59 | 193 | 800 | 1,277 | + | 37 | 20 | 53 | 40 | – |
| Departmental Administration | 47 | 53 | 35 | 29 | – | 0 | 0 | n/a | n/a | | 0 | 1 | n/a | 7 | |
| Farm Service Agency | 32 | 44 | 16 | 14 | – | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Food, Nutrition and Consumer Service | 190 | 137 | 6 | 15 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Farm Service Agency | 30,430 | 41,743 | 14 | 2 | – | 22,377 | 1,155 | 54 | 10 | – | 476 | 247 | 13 | 1 | – |
| Forest Service | 1,846 | 1,426 | 15 | 18 | + | 1,807 | 2,196 | 21 | 18 | - | 5 | 42 | 8 | 14 | + |
| Food Safety and Inspection Service | 0 | 544 | n/a | 26 | | 535 | 0 | 73 | n/a | | 0 | 0 | n/a | n/a | |
| Grain Inspection, Packers and Stockyards Administration | 52 | 113 | 10 | 8 | – | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Grain Inspection, Packers and Stockyards | 23 | 44 | 5 | 8 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| National Appeals Division | 322 | 358 | 15 | 18 | + | 6 | 12 | 17 | 16 | – | 2 | 4 | 5 | 9 | + |
| Office of Budget and Program Analysis | 4 | 7 | 1 | 2 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of Communications | 339 | 303 | 18 | 24 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of the Chief Financial Officer | 0 | 0 | n/a | n/a | | 36 | 19 | 15 | 16 | + | 0 | 0 | n/a | n/a | |
| Office of the Chief Information Officer | 2 | 10 | 1 | 10 | + | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of Civil Rights | 0 | 0 | n/a | n/a | | 82 | 43 | 15 | 28 | + | 0 | 0 | n/a | n/a | |
| Office of General Counsel | 0 | 0 | n/a | n/a | | 12 | 12 | 34 | 34 | = | 0 | 0 | n/a | n/a | |
| Office of the Inspector General | 133 | 178 | 5 | 4 | – | 47 | 58 | 112 | 102 | – | 5 | 7 | 1 | 3 | + |
| Research, Education and Economics | 0 | 87 | n/a | 15 | | 164 | 115 | 15 | 15 | = | 0 | 4 | n/a | 15 | |
| Risk Management Agency | 73 | 57 | 20 | 20 | = | 7 | 25 | 60 | 40 | – | 1 | 0 | 5 | n/a | |
| Rural Development | 0 | 0 | n/a | n/a | | 1,484 | 1,623 | 12 | 12 | = | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

## Department of Veterans Affairs

The department reports all processing in one track, but it refers to this track as complex, rather than single track.

No. = number of requests processed; Days = median days to process; ± = change from 2004 to 2005

| | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Acquisition & Material Management | 376 | 289 | 4 | 2.5 | − | 0 | 0 | n/a | n/a | |
| Administration | 0 | 1,463 | n/a | 4 | | 0 | 0 | n/a | n/a | |
| Board of Contract Appeals | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Board of Veterans Appeals | 1,006 | 1,049 | 49 | 19 | − | 0 | 0 | n/a | n/a | |
| Congressional & Legislative Affairs | 0 | *(a)* | n/a | *(a)* | ~ | 0 | *(a)* | n/a | *(a)* | ~ |
| Diversity Management & Equal Employment Opportunity | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| General Counsel | 67 | 65 | 35 | 15 | − | 0 | 2 | n/a | 10 | |
| Human Resources Management | 45 | 1 | 31.5 | 4 | − | 0 | 0 | n/a | n/a | |
| Inspector General | 347 | 287 | 10 | 16 | + | 0 | 0 | n/a | n/a | |
| Information Technology Support Service | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of Management | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| National Cemetery Administration | 0 | 19 | n/a | 15 | | 16 | 0 | 18 | n/a | |
| Office of the Assistant Secretary for Human Resources & Administration | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of the Assistant Secretary for Public & Intergovernmental Affairs | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Office of the Deputy Assistant Secretary for Budget | 0 | 8 | n/a | 1 | | 16 | 0 | 1 | n/a | |
| Office of the Deputy Assistant Secretary for Intergovernmental Affairs | 0 | 10 | n/a | 1 | | 0 | 0 | n/a | n/a | |
| Office of Finance | 58 | 63 | 15 | 11.5 | − | 0 | 0 | n/a | n/a | |
| Office of Information & Technology | 53 | 72 | 11.5 | 51 | + | 0 | 0 | n/a | n/a | |

| | Complex | | | | | Expedited | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | | Days | | | No. | | Days | | |
| **Component** | **2004** | **2005** | **2004** | **2005** | **±** | **2004** | **2005** | **2004** | **2005** | **±** |
| Office of Resolution Management | 16 | 12 | 5 | 10 | + | 0 | 0 | n/a | n/a | |
| Office of Small & Disadvantaged Business Utilization | 0 | 1 | n/a | 1 | | 0 | 0 | n/a | n/a | |
| Policy and Planning | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Public Affairs | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Security & Law Enforcement | 0 | *(a)* | n/a | *(a)* | ~ | 0 | *(a)* | n/a | *(a)* | ~ |
| Office of the Secretary | 16 | 6 | 45 | 60 | + | 0 | 0 | n/a | n/a | |
| Veterans Benefits Administration | 93,296 | 83,332 | 15 | 15.5 | + | 384 | 88 | 5 | 4.5 | – |
| Veterans Canteen Service | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |
| Veterans Health Administration | 1,699,079 | 1,814,837 | 4 | 1 | – | 20,730 | 13,409 | 1 | 1 | = |
| White House Liaison | 0 | 0 | n/a | n/a | | 0 | 0 | n/a | n/a | |

+ increase

– decrease

= no change

~ other change (change in reporting, new component, etc.)

Sources: Annual FOIA report, GAO analysis.

[a] Component did not exist.

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