

**U.S. Department of Transportation (DOT)  
Freedom of Information Act (FOIA)  
2010 Annual Report**

**I. Basic Information Regarding Report**

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**C.** *Person to be contacted for a copy of the report in paper form*

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## II. MAKING A FOIA REQUEST - agency components that receive FOIA requests

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<p><b>Note:</b> <i>Up-to-date information can be found on each component’s FOIA page via <a href="http://www.dot.gov/foia">www.dot.gov/foia</a>.</i></p>	

II. 2. *A brief description of why some requests are not granted and an overview of certain general categories of the agency’s records to which the FOIA exemptions apply*

Some requested records, or portions of records, were withheld pursuant to the FOIA’s exemptions. The most frequently used exemption in DOT was Exemption 6, which protects against a clearly unwarranted invasion of personal privacy. Other reasons for not granting requests included: (a) DOT did not have the records sought; (b) the requester did not seek records; rather, he or she was seeking answers to questions; or (c) the information from the records sought was publicly available. For a detailed breakdown, see Section V, B of this report, Disposition of Initial Requests.

**III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS**

1. *Agency-specific acronyms or terms used in this Report*

<b>DOT</b>	Department of Transportation
<b>OST</b>	Office of the Secretary of Transportation
<b>OIG</b>	Office of Inspector General
<b>FAA</b>	Federal Aviation Administration
<b>FHWA</b>	Federal Highway Administration
<b>FMCSA</b>	Federal Motor Carrier Safety Administration
<b>FRA</b>	Federal Railroad Administration
<b>FTA</b>	Federal Transit Administration
<b>MARAD</b>	Maritime Administration
<b>NHTSA</b>	National Highway Traffic Safety Administration
<b>PHMSA</b>	Pipeline and Hazardous Materials Safety Administration
<b>RITA</b>	Research and Innovative Technology Administration
<b>SLSDC</b>	Saint Lawrence Seaway Development Corporation

### III. 2. *Definitions of terms used in this Report*

- a. **Administrative Appeal** – a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** – the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
- c. **Backlog** – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** – for agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** – a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** – a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a “third-party” request), or

concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “systems of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report.

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

- h. **Full Grant** – an agency decision to disclose all records in full in response to a FOIA request.
- i. **Full Denial** – an agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of another reason, such as when no records could be located.
- j. **Median Number** – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-Track Processing** – a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
  - i. **Expedited Processing** – an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
  - ii. **Simple Request** – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
  - iii. **Complex Request** – a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- l. **Partial Grant/Partial Denial** – in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
- m. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.

- n. **Perfect Request** – a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
- o. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
- p. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
- q. **Remanded Appeal** – An appeal request, particularly a “no records” appeal, sent back to the original action office or forwarded to another office when the requester provides additional information either clarifying the documents sought or providing additional search parameters. The action office considers the request as if it were a new request, responding directly to the requester. Remanded appeal responses may again be appealed; appeal rights are provided if the remanded appeal response is a denial, partial denial, or “no records” determination.
- r. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).

III. 3. *Descriptions of the nine FOIA exemptions*

<b>Exemption 1</b>	classified national defense and foreign relations information
<b>Exemption 2</b>	internal agency rules and practices
<b>Exemption 3</b>	information that is prohibited from disclosure by another Federal law
<b>Exemption 4</b>	trade secrets and other confidential business information
<b>Exemption 5</b>	inter-agency or intra-agency communications that are protected by legal privileges
<b>Exemption 6</b>	information involving matters of personal privacy
<b>Exemption 7</b>	records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual
<b>Exemption 8</b>	information relating to the supervision of financial institutions
<b>Exemption 9</b>	geological information on wells

#### IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component	Total Number of Times Relied upon by Agency
5 U.S.C. app. § 107(a)	Confidential financial disclosure reports	<u>Meyerhoff v. EPA</u> , 958 F.2d 1498, 1500-02 (9 <sup>th</sup> Cir. 1992); <u>Concepcion v. FBI</u> , 606 F. Supp. 2d 14, 33 (D.D.C. 2009)	FHWA - 1	1
5 U.S.C. § 7301 (note), § 503(e), PL 100-71	Results of drug tests of Federal employees	N/A	FMCSA – 1	1
Rule 6(e), FRCrP	Grand jury material	N/A	OIG – 2	2
41 U.S.C. § 253b(m)	Contract proposals not incorporated in contracts	<u>Hornbostel v. DOI</u> , 305 F. Supp. 2d 21, 30 (D.D.C. 2003), <u>summary affirmance granted</u> , No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004)	FHWA – 3 MARAD - 2 NHTSA – 1 PHMSA - 2	8
41 U.S.C. § 423(b) and (e)(1)	Procurement integrity information	N/A	FHWA – 1	1
49 U.S.C. § 31143(b)	IDs of motor carrier safety complainants	N/A	FMCSA – 88	88
49 U.S.C. § 40110(e)	Contract proposal not incorporated into contract	N/A	FAA - 5	5
49 U.S.C. § 40115	Information harmful to U.S. international aviation negotiation or to any U.S. international air carrier	N/A	FAA – 3	3
49 U.S.C. § 40119	Certain information obtained or developed in ensuring transportation security if disclosure of that information would: constitute an invasion of personal privacy, reveal a trade secret or confidential commercial or financial information, or be detrimental to transportation safety	<u>Pub. Citizen, Inc. v. FAA</u> , 988 F.2d 186, 194 (D.C. Cir. 1993); <u>Gordon v. FBI</u> , 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004)	FAA – 15 FMCSA - 35	50
49 U.S.C. § 40123(a)	Aviation Safety Action Program voluntarily submitted information	N/A	FAA - 23	23



## V. FOIA REQUESTS

### A. FOIA Requests -- *Received, Processed and Pending Requests*

	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
<b>FAA</b>	* 877	7,424	7,237	1,064
<b>FHWA</b>	** 48	352	341	59
<b>FMCSA</b>	107	1,087	1,029	165
<b>FRA</b>	149	352	392	109
<b>FTA</b>	9	196	196	9
<b>MARAD</b>	*** 197	156	196	157
<b>NHTSA</b>	13	281	242	52
<b>OIG</b>	21	69	71	19
<b>OST</b>	25	238	239	24
<b>PHMSA</b>	14	156	127	43
<b>RITA</b>	0	43	42	1
<b>SLSDC</b>	0	9	9	0
<b>AGENCY OVERALL</b>	**** <b>1,460</b>	<b>10,363</b>	<b>10,121</b>	<b>1,702</b>

\* This number is 22 lower than reported in last year's annual report as pending at the end of FY 2009. The adjustment primarily reflects requests where final action was taken by all appropriate FAA offices in FY 2009, but not all database closures were entered into the database until 2010. (Note: FOIA requests assigned to multiple FAA offices are not closed until the last FAA office responds to the requester.)

\*\* This number is 2 lower than reported in last year's annual report as pending at the end of FY 2009. The adjustment reflects cases that were closed in FY 2009, but not closed out in the database until FY 2010.

\*\*\* This number is 3 lower than reported in last year's annual report as pending at the end of FY 2009. The adjustment reflects cases that were closed in FY 2009, but not closed out in the database until FY 2010.

\*\*\*\* For the reasons stated above, this number is 27 lower than reported in last year's annual report as pending at the end of FY 2009.

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

	Number of Full Grants	Number of Partial Grants/ Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in chart below	
<b>FAA</b>	3,671	1,382	100	1,265	29	583	153	12	32	10	0	0	7,237
<b>FHWA</b>	161	70	6	28	1	13	3	5	1	5	13	35	341
<b>FMCSA</b>	260	599	1	102	0	40	6	4	2	7	8	0	1,029
<b>FRA</b>	161	93	1	77	3	47	0	2	2	0	6	0	392
<b>FTA</b>	60	83	4	43	0	3	0	0	0	0	0	3	196
<b>MARAD</b>	127	13	1	30	3	21	0	0	1	0	0	0	196
<b>NHTSA</b>	70	101	11	23	1	8	18	2	1	2	4	1	242
<b>OIG</b>	5	20	5	29	1	6	0	0	0	0	0	5	71
<b>OST</b>	56	56	6	27	2	5	0	0	0	8	6	73	239
<b>PHMSA</b>	59	40	0	15	0	3	3	0	0	1	1	5	127
<b>RITA</b>	19	10	2	5	2	1	0	1	0	1	0	1	42
<b>SLSDC</b>	3	0	1	5	0	0	0	0	0	0	0	0	9
<b>AGENCY OVERALL</b>	<b>4,652</b>	<b>2,467</b>	<b>138</b>	<b>1,649</b>	<b>42</b>	<b>730</b>	<b>183</b>	<b>26</b>	<b>39</b>	<b>34</b>	<b>38</b>	<b>123</b>	<b>10,121</b>

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

<b>Component</b>	<b>Description of “Other” Reasons for Denials from Chart B (1) &amp; Number of Times Those Reasons Were Relied upon</b>	<b>TOTAL</b>
<b>FAA</b>	N/A	0
<b>FHWA</b>	Request referred to another DOT component – 28 Request referred outside of DOT - 6 Records previously provided under different request - 1	35
<b>FMCSA</b>	N/A	0
<b>FRA</b>	N/A	0
<b>FTA</b>	Request referred to another DOT component – 3	3
<b>MARAD</b>	N/A	0
<b>NHTSA</b>	Request referred to another DOT component – 1	1
<b>OIG</b>	Request referred to another DOT component – 5	5
<b>OST</b>	Request referred to another DOT component – 73	73
<b>PHMSA</b>	Request referred to another DOT component – 2 Request referred outside of DOT – 3	5
<b>RITA</b>	Request referred to another DOT component – 1	1
<b>SLSDC</b>	N/A	0
<b>Agency Overall</b>		<b>123</b>

V. B. (3) Disposition of FOIA Requests – *Number of Times Exemptions Applied*

	Ex.1	Ex.2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex.8	Ex.9
FAA	1	74	45	162	577	843	94	4	20	1	0	1	0	0
FHWA	0	3	5	25	17	10	0	0	0	0	0	0	0	0
FMCSA	0	102	100	21	1	576	26	0	336	88	1	0	0	0
FRA	0	0	0	0	7	3	90	0	0	79	0	0	0	0
FTA	0	0	0	10	23	48	0	0	0	0	0	0	0	0
MARAD	2	0	2	9	3	8	0	0	0	0	0	0	0	0
NHTSA	0	1	1	23	10	49	0	0	0	0	0	0	0	0
OIG	0	5	1	4	10	18	4	0	15	3	1	0	0	0
OST	0	3	0	14	19	32	3	0	11	0	1	0	0	0
PHMSA	0	1	0	7	29	7	10	0	1	0	1	1	0	0
RITA	0	0	2	8	2	0	0	0	1	0	0	0	0	0
SLSDC	0	0	0	0	1	0	0	0	0	0	0	0	0	0
<b>AGENCY OVERALL</b>	<b>3</b>	<b>189</b>	<b>156</b>	<b>283</b>	<b>699</b>	<b>1,594</b>	<b>227</b>	<b>4</b>	<b>384</b>	<b>171</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>0</b>

## VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

### A. Received, Processed and Pending Administrative Appeals

	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
FAA	* 86	108	124	70
FHWA	11	8	7	12
FMCSA	0	10	6	4
FRA	3	1	4	0
FTA	0	1	1	0
MARAD	** 6	2	6	2
NHTSA	0	16	16	0
OIG	3	3	6	0
OST	2	6	7	1
PHMSA	0	3	3	0
RITA	0	1	0	1
SLSDC	0	0	0	0
<b>Agency Overall</b>	<b>*** 111</b>	<b>159</b>	<b>180</b>	<b>90</b>

\* The number of appeals pending as of the start of the fiscal year is 4 higher than reported in last year's annual report as pending at the end of FY 2009. The adjustment reflects appeals that were received in the previous fiscal year but not logged in until after the beginning of the new fiscal year.

\*\* The number of appeals pending as of the start of the fiscal year is 4 higher than reported in last year's annual report as pending at the end of FY 2009. The adjustment reflects a correction of an error from last year's report.

\*\*\* This number is 8 higher than reported as pending at the end of the previous fiscal year for the reasons stated above.

VI. B. Disposition of Administrative Appeals – *All Processed Appeals*

	<b>Number Affirmed on Appeal</b>	<b>Number Partially Affirmed &amp; Partially Reversed/ Remanded on Appeal</b>	<b>Number Completely Reversed/Remanded on Appeal</b>	<b>Number of Appeals Closed for Other Reasons</b>	<b>TOTAL</b>
<b>FAA</b>	46	15	16	47	124
<b>FHWA</b>	2	2	2	1	7
<b>FMCSA</b>	2	3	0	1	6
<b>FRA</b>	1	0	2	1	4
<b>FTA</b>	1	0	0	0	1
<b>MARAD</b>	6	0	0	0	6
<b>NHTSA</b>	3	7	1	5	16
<b>OIG</b>	1	2	0	3	6
<b>OST</b>	2	3	1	1	7
<b>PHMSA</b>	2	0	1	0	3
<b>RITA</b>	0	0	0	0	0
<b>SLSDC</b>	0	0	0	0	0
<b>Agency Overall</b>	<b>66</b>	<b>32</b>	<b>23</b>	<b>59</b>	<b>180</b>

VI. C. (1) Reasons for Denial on Appeal – *Number of Times Exemptions Applied*

	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
<b>FAA</b>	0	7	1	3	21	17	2	0	4	0	0	0	0	0
<b>FHWA</b>	0	0	0	0	0	2	0	0	0	0	0	0	0	0
<b>FMCSA</b>	0	1	0	0	0	3	0	0	3	0	0	0	0	0
<b>FRA</b>	0	0	0	0	0	1	1	0	1	0	0	0	0	0
<b>FTA</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>MARAD</b>	0	0	0	2	4	0	0	0	0	0	0	0	0	0
<b>NHTSA</b>	0	0	0	0	0	2	0	0	0	0	0	0	0	0
<b>OIG</b>	0	1	1	0	0	1	1	0	0	1	1	0	0	0
<b>OST</b>	0	0	0	1	1	2	0	0	0	0	0	0	0	0
<b>PHMSA</b>	0	0	0	0	2	0	0	0	0	0	0	0	0	0
<b>RITA</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>SLSDC</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Agency Overall</b>	<b>0</b>	<b>9</b>	<b>2</b>	<b>6</b>	<b>28</b>	<b>28</b>	<b>4</b>	<b>0</b>	<b>8</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
<b>FAA</b>	18	0	9	0	0	6	0	0	0	0	38
<b>FHWA</b>	1	0	2	0	0	0	0	0	0	0	0
<b>FMCSA</b>	0	0	1	0	0	0	0	0	0	0	0
<b>FRA</b>	0	0	1	0	0	0	0	0	0	0	0
<b>FTA</b>	0	0	0	0	0	0	1	0	0	0	0
<b>MARAD</b>	0	0	0	0	0	0	0	0	0	0	0
<b>NHTSA</b>	2	0	0	2	1	0	0	0	0	0	0
<b>OIG</b>	2	0	0	0	0	0	0	0	0	0	1
<b>OST</b>	1	0	0	0	0	0	0	0	0	0	0
<b>PHMSA</b>	0	0	0	0	0	0	0	0	0	0	0
<b>RITA</b>	0	0	0	0	0	0	0	0	0	0	0
<b>SLSDC</b>	0	0	0	0	0	0	0	0	0	0	0
<b>Agency Overall</b>	<b>24</b>	<b>0</b>	<b>13</b>	<b>2</b>	<b>1</b>	<b>6</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>39</b>



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

*Descriptions of the “other” reasons and the number of times each reason was relied upon*

<b>Description of “Other” Reasons for Denial on Appeal from Chart C(2)</b>	<b>Number of Times Those Reasons Were Relied Upon</b>	<b>TOTAL</b>
Remanded to Region/Center/Org Not an appeal	FAA – 32 FAA - 6	38
Moot because the requested documents were located in the investigative archive boxes, and the requested file was provided to the requester	OIG - 1	1

VI. C. (4) Response Time for Administrative Appeals

*Median, average, and range in number of days to respond to administrative appeals*

	<b>Median Number of Days</b>	<b>Average Number of Days</b>	<b>Lowest Number of Days</b>	<b>Highest Number of Days</b>
<b>FAA</b>	105	253	<1	1,636
<b>FHWA</b>	159	363	26	860
<b>FMCSA</b>	107	92	11	159
<b>FRA</b>	319	289.75	91	430
<b>FTA</b>	45	45	45	45
<b>MARAD</b>	904	736	344	942
<b>NHTSA</b>	50	66	5	214
<b>OIG</b>	118	132	32	258
<b>OST</b>	36	79	18	224
<b>PHMSA</b>	20	30	20	50
<b>RITA</b>	N/A	N/A	N/A	N/A
<b>SLSDC</b>	N/A	N/A	N/A	N/A
<b>Agency Overall</b>	<b>100</b>	<b>217.88</b>	<b>&lt;1</b>	<b>1,636</b>

VI. C. (5) Ten Oldest Pending Administrative Appeals

*Dates of receipt of the ten oldest pending administrative appeals, and the number of days pending*

	10 <sup>th</sup> Oldest Appeal	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	5 <sup>th</sup>	4 <sup>th</sup>	3 <sup>rd</sup>	2 <sup>nd</sup>	Oldest Appeal
<b>FAA</b>	2008-06-11 579 days	2008-06-11 579 days	2008-05-06 604 days	2008-04-07 622 days	2008-01-31 671 days	2007-12-31 692 days	2007-12-17 701 days	2007-11-23 727 days	2007-11-23 727 days	2007-02-28 912 days
<b>FHWA</b>	2010-06-08 80 days	2010-04-05 125 days	2010-03-12 141 days	2010-01-12 176 days	2009-10-13 237 days	2009-06-28 311 days	2009-06-18 317 days	2009-06-08 325 days	2008-04-02 625 days	2007-02-01 915 days
<b>FMCSA</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	2010-08-21 28 days	2010-08-19 29 days	2010-07-07 60 days	2010-02-16 159 days
<b>FRA</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days
<b>FTA</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days
<b>MARAD</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	2010-05-05 80 days	2010-03-05 130 days
<b>NHTSA</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days
<b>OIG</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days
<b>OST</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	2010-06-03 83 days
<b>PHMSA</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days
<b>RITA</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	2010-09-10 14 days
<b>SLSDC</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days
<b>Agency Overall</b>	2008-05-06 604 days	2008-04-07 622 days	2008-04-02 625 days	2008-01-31 671 days	2007-12-31 692 days	2007-12-17 701 days	2007-11-23 727 days	2007-11-23 726 days	2007-02-28 912 days	2007-02-01 915 days

## VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS

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

	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
<b>FAA</b>	8	19	<1	1,531	26	56	<1	1,502	19	32	<1	189
<b>FHWA</b>	12	31	<1	738	13	190	<1	1,012	28	28	25	31
<b>FMCSA</b>	35	36	<1	192	34	39	2	749	24	61	3	259
<b>FRA</b>	53	124	<1	580	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>FTA</b>	19	23	<1	110	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>MARAD</b>	6	137	3	146	77	137	47	261	N/A	N/A	N/A	N/A
<b>NHTSA</b>	N/A	N/A	N/A	N/A	21	28	<1	253	N/A	N/A	N/A	N/A
<b>OIG</b>	16	46	<1	282	229	334	1	1,131	N/A	N/A	N/A	N/A
<b>OST</b>	3	8	<1	108	18	19	<1	58	N/A	N/A	N/A	N/A
<b>PHMSA</b>	14	32	<1	434	22	44	<1	159	6	6	5	6
<b>RITA</b>	8	11	<1	68	49	49	49	49	9	9	5	13
<b>SLSDC</b>	8	8	4	14	N/A	N/A	N/A	N/A	4	4	2	5
<b>AGENCY OVERALL</b>	<b>9</b>	<b>20.98</b>	<b>&lt;1</b>	<b>1,531</b>	<b>29</b>	<b>53.75</b>	<b>&lt;1</b>	<b>1,502</b>	<b>19</b>	<b>35.56</b>	<b>&lt;1</b>	<b>259</b>

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

	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
FAA	9	15	<1	920	26	55	<1	1,502	19.5	34	<1	189
FHWA	15	32	<1	731	41	179	6	619	28	28	25	31
FMCSA	36	36	1	192	35	37	2	387	29	68	12	259
FRA	55	102	2	509	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FTA	21	26	1	110	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MARAD	16	28	1	224	77	137	47	261	N/A	N/A	N/A	N/A
NHTSA	N/A	N/A	N/A	N/A	21	30	<1	253	N/A	N/A	N/A	N/A
OIG	89	112	1	282	328	422	1	1,131	N/A	N/A	N/A	N/A
OST	18	19	<1	58	51	72	<1	582	N/A	N/A	N/A	N/A
PHMSA	12	31	<1	434	30	47	<1	159	6	6	5	6
RITA	9	12	2	68	49	49	49	49	13	13	13	13
SLSDC	5	7	5	11	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AGENCY OVERALL	<b>11</b>	<b>18.59</b>	<b>&lt;1</b>	<b>920</b>	<b>29</b>	<b>51.77</b>	<b>&lt;1</b>	<b>1,502</b>	<b>21</b>	<b>35.79</b>	<b>&lt;1</b>	<b>259</b>

VII. C. Processed Requests – *Response Time in Day Increments*

*Simple Requests*

	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
FAA	4,804	470	110	54	23	24	28	9	17	12	20	11	33	5,615
FHWA	234	52	16	3	6	3	1	1	0	1	2	0	6	325
FMCSA	45	247	93	6	4	1	0	2	3	1	0	0	0	402
FRA	94	82	33	20	14	15	18	10	13	13	19	27	34	392
FTA	109	62	15	7	1	2	0	0	0	0	0	0	0	196
MARAD	1	0	0	0	0	0	0	0	0	1	0	1	2	5
NHTSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OIG	35	9	5	3	0	1	0	0	2	2	4	0	0	61
OST	87	6	2	0	0	1	0	0	0	0	0	0	0	96
PHMSA	36	12	5	2	1	3	0	1	0	0	0	0	1	61
RITA	34	3	0	1	0	0	0	0	0	0	0	0	0	38
SLSDC	7	0	0	0	0	0	0	0	0	0	0	0	0	7
<b>AGENCY OVERALL</b>	<b>5,486</b>	<b>943</b>	<b>279</b>	<b>96</b>	<b>49</b>	<b>50</b>	<b>47</b>	<b>23</b>	<b>35</b>	<b>30</b>	<b>45</b>	<b>39</b>	<b>76</b>	<b>7,198</b>

VII. C. Processed Requests – *Response Time in Day Increments*

*Complex Requests*

	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
<b>FAA</b>	585	621	136	47	33	21	19	6	13	13	34	17	36	1,581
<b>FHWA</b>	8	1	1	0	0	0	0	0	0	0	1	0	3	14
<b>FMCSA</b>	102	343	134	16	6	3	5	2	0	0	3	1	2	617
<b>FRA</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>FTA</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>MARAD</b>	35	14	7	6	4	5	5	2	2	3	4	1	103	191
<b>NHTSA</b>	116	92	22	3	4	0	3	2	0	0	0	0	0	242
<b>OIG</b>	1	0	1	0	0	0	1	0	0	1	2	2	2	10
<b>OST</b>	47	26	18	14	9	9	5	1	1	3	8	1	1	143
<b>PHMSA</b>	29	12	6	4	2	1	9	1	0	0	0	0	0	64
<b>RITA</b>	0	0	1	0	0	0	0	0	0	0	0	0	0	1
<b>SLSDC</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>AGENCY OVERALL</b>	<b>923</b>	<b>1,109</b>	<b>326</b>	<b>90</b>	<b>58</b>	<b>39</b>	<b>47</b>	<b>14</b>	<b>16</b>	<b>20</b>	<b>52</b>	<b>22</b>	<b>147</b>	<b>2,863</b>

VII. C. Processed Requests – *Response Time in Day Increments*

*Requests Granted Expedited Processing*

	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
FAA	21	9	5	3	0	1	0	0	1	1	0	0	0	41
FHWA	0	2	0	0	0	0	0	0	0	0	0	0	0	2
FMCSA	5	1	0	1	2	0	0	0	0	0	1	0	0	10
FRA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FTA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARAD	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NHTSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OST	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PHMSA	2	0	0	0	0	0	0	0	0	0	0	0	0	2
RITA	0	2	0	0	0	0	0	0	0	0	0	0	0	2
SLSDC	2	0	0	0	0	0	0	0	0	0	0	0	0	2
AGENCY OVERALL	30	14	5	4	2	1	0	0	1	1	1	0	0	59



VII. D. Pending Requests – All Pending Perfected Requests

	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
<b>FAA</b>	846	37	145	148	41	91	11	21	24
<b>FHWA</b>	55	122	142	4	43	84	0	N/A	N/A
<b>FMCSA</b>	78	20	20	89	22	27	0	N/A	N/A
<b>FRA</b>	109	70	107	0	N/A	N/A	0	N/A	N/A
<b>FTA</b>	8	8	9	0	N/A	N/A	0	N/A	N/A
<b>MARAD</b>	0	N/A	N/A	157	735	47	0	N/A	N/A
<b>NHTSA</b>	0	N/A	N/A	52	34	70	0	N/A	N/A
<b>OIG</b>	19	33	49	0	N/A	N/A	0	N/A	N/A
<b>OST</b>	1	18	18	23	34	98	0	N/A	N/A
<b>PHMSA</b>	1	45	45	42	27	45	0	N/A	N/A
<b>RITA</b>	1	22	22	0	N/A	N/A	1	173	173
<b>SLSDC</b>	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
<b>AGENCY OVERALL</b>	<b>1,118</b>	<b>54</b>	<b>141.49</b>	<b>515</b>	<b>54</b>	<b>141.65</b>	<b>12</b>	<b>22</b>	<b>30.12</b>

VII. E. Pending Requests – Ten Oldest Pending Perfected Requests

*Dates of receipt of the ten oldest perfected requests pending as of end of the fiscal year, and the number of days those requests had been pending*

	10 <sup>th</sup> Oldest Request and Number of Days Pending	9 <sup>th</sup>	8 <sup>th</sup>	7 <sup>th</sup>	6 <sup>th</sup>	5 <sup>th</sup>	4 <sup>th</sup>	3 <sup>rd</sup>	2 <sup>nd</sup>	Oldest Request and Number of Days Pending
<b>FAA</b>	2006-08-31 1,033 days	2006-07-21 1,062 days	2006-07-12 1,069 days	2006-05-30 1,102 days	2006-03-06 1,162 days	2005-12-02 1,224 days	2005-09-13 1,279 days	2005-08-29 1,289 days	2005-08-29 1,289 days	2005-04-26 1,376 days
<b>FHWA</b>	2009-08-27 268 days	2009-06-30 309 days	2009-06-12 321 days	2009-06-12 321 days	2009-06-11 322 days	2009-05-21 336 days	2009-05-20 337 days	2009-05-18 339 days	2009-05-08 345 days	2009-04-14 363 days
<b>FMCSA</b>	2010-08-20 28 days	2010-08-19 30 days	2010-08-17 31 days	2010-08-16 32 days	2010-08-06 38 days	2010-05-06 102 days	2010-04-23 111 days	2010-04-02 121 days	2010-02-12 160 days	2009-12-21 192 days
<b>FRA</b>	2009-07-10 304 days	2009-07-09 305 days	2009-06-23 316 days	2009-06-10 325 days	2009-03-30 376 days	2009-03-30 376 days	2009-03-25 397 days	2009-02-23 401 days	2009-02-19 403 days	2009-01-21 423 days
<b>FTA</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	2010-09-29 1 day	2010-09-11 14 days	2010-09-10 14 days
<b>MARAD</b>	2008-04-04 632 days	2008-03-31 636 days	2008-03-19 644 days	2008-02-06 673 days	2008-01-28 680 days	2008-01-28 680 days	2007-12-14 707 days	2007-11-02 735 days	2007-10-18 746 days	2007-07-03 820 days
<b>NHTSA</b>	2010-03-19 136 days	2010-03-01 150 days	2010-03-01 150 days	2009-11-20 212 days	2009-11-02 225 days	2009-09-29 248 days	2009-09-22 253 days	2009-09-15 258 days	2009-09-14 259 days	2009-09-08 263 days
<b>OIG</b>	2010-08-13 33 days	2010-08-13 33 days	2010-08-09 37 days	2010-08-06 38 days	2010-07-27 46 days	2010-07-27 46 days	2010-07-20 51 days	2010-03-24 133 days	2010-02-26 139 days	2009-11-06 221 days
<b>OST</b>	2010-05-10 100 days	2010-05-06 102 days	2010-05-04 104 days	2010-04-09 121 days	2010-03-09 144 days	2010-03-09 144 days	2009-12-04 203 days	2009-12-03 204 days	2009-04-10 367 days	2008-08-25 523 days
<b>PHMSA</b>	2010-07-06 55 days	2010-06-21 71 days	2010-06-17 73 days	2010-06-15 75 days	2010-05-20 92 days	2010-05-13 97 days	2010-05-13 97 days	2010-05-04 104 days	2010-03-23 105 days	2009-05-29 297 days
<b>RITA</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	2010-01-26 173 days
<b>SLSDC</b>	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days	N/A 0 days
<b>Agency Overall</b>	2006-08-31 1,033 days	2006-07-21 1,062 days	2006-07-12 1,069 days	2006-05-30 1,102 days	2006-03-06 1,162 days	2005-12-02 1,224 days	2005-09-13 1,279 days	2005-08-29 1,289 days	2005-08-29 1,289 days	2005-04-26 1,376 days

## VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

### A. *Requests for Expedited Processing*

	<b>Number Granted</b>	<b>Number Denied</b>	<b>Median Number of Days to Adjudicate</b>	<b>Average Number of Days to Adjudicate</b>	<b>Number Adjudicated Within Ten Calendar Days</b>
<b>FAA</b>	49	180	1	7	207
<b>FHWA</b>	1	1	6	6	1
<b>FMCSA</b>	8	2	1	3	9
<b>FRA</b>	0	0	N/A	N/A	N/A
<b>FTA</b>	0	0	N/A	N/A	N/A
<b>MARAD</b>	0	0	N/A	N/A	N/A
<b>NHTSA</b>	0	3	35	41	1
<b>OIG</b>	0	2	13	13	0
<b>OST</b>	0	0	N/A	N/A	N/A
<b>PHMSA</b>	2	2	10	10	2
<b>RITA</b>	3	0	2	3	3
<b>SLSDC</b>	0	0	N/A	N/A	N/A
<b>AGENCY OVERALL</b>	<b>63</b>	<b>190</b>	<b>1</b>	<b>9.52</b>	<b>221</b>

VIII. B. *Requests for Fee Waiver*

	<b>Number Granted</b>	<b>Number Denied</b>	<b>Median Number of Days to Adjudicate</b>	<b>Average Number of Days to Adjudicate</b>
<b>FAA</b>	84	44	1	12
<b>FHWA</b>	13	1	5	16
<b>FMCSA</b>	1	1	1	1
<b>FRA</b>	0	0	N/A	N/A
<b>FTA</b>	0	0	N/A	N/A
<b>MARAD</b>	0	0	N/A	N/A
<b>NHTSA</b>	1	9	20	17
<b>OIG</b>	1	0	7	7
<b>OST</b>	2	0	1	1
<b>PHMSA</b>	8	1	13	15
<b>RITA</b>	1	1	2	2
<b>SLSDC</b>	0	0	N/A	N/A
<b>AGENCY OVERALL</b>	<b>111</b>	<b>57</b>	<b>1</b>	<b>9.52</b>

**IX. FOIA PERSONNEL AND COSTS**

	PERSONNEL			COSTS		
	Number of “Full-Time FOIA Employees”	Number of “Equivalent Full-Time FOIA Employees”	Total Number of “Full-Time FOIA Staff”	Processing Costs  (At initial request and appeal levels)	Litigation- Related Costs	Total Costs
<b>FAA</b>	18	36.87	54.87	\$6,995,932.00	\$6,289.35	\$7,002,171.35
<b>FHWA</b>	0	3.5	3.5	\$377,058.50	\$14,764.65	\$391,823.15
<b>FMCSA</b>	6	1	7	\$727,095.50	0	\$727,095.50
<b>FRA</b>	1	1.75	2.75	\$255,018.00	0	\$255,018.00
<b>FTA</b>	0	1.66	1.66	\$177,420.00	0	\$177,420.00
<b>MARAD</b>	1	2	3	\$299,144.00	\$10,800.00	\$309,944.00
<b>NHTSA</b>	1	2.23	3.23	\$373,167.98	0	\$373,167.98
<b>OIG</b>	2	.82	2.82	\$298,034.00	0	\$298,034.00
<b>OST</b>	3	.98	3.98	\$472,787.00	0	\$472,787.00
<b>PHMSA</b>	0	1.4	1.4	\$145,898.00	0	\$145,898.00
<b>RITA</b>	1	3.5	4.5	\$357,516.00	0	\$357,516.00
<b>SLSDC</b>	0	.08	.08	\$8,895.00	0	\$8,895.00
<b>AGENCY OVERALL</b>	<b>33</b>	<b>55.79</b>	<b>88.79</b>	<b>\$10,487,965.98</b>	<b>\$31,854.00</b>	<b>\$10,519,819.98</b>

**X. FEES COLLECTED FOR PROCESSING REQUESTS**

	<b>Total Amount of Fees Collected</b>	<b>Percentage of Total Costs</b>
<b>FAA</b>	\$167,401.62	2.39%
<b>FHWA</b>	\$10,396.88	2.76%
<b>FMCSA</b>	\$18,869.50	2.60%
<b>FRA</b>	\$1,348.10	0.60%
<b>FTA</b>	0	0
<b>MARAD</b>	\$1,226.50	0.41%
<b>NHTSA</b>	\$3,918.80	1.05%
<b>OIG</b>	0	0
<b>OST</b>	\$2,243.00	0.47%
<b>PHMSA</b>	\$4,106.00	2.81%
<b>RITA</b>	0	0
<b>SLSDC</b>	0	0
<b>AGENCY OVERALL</b>	<b>\$209,510.40</b>	<b>2.00%</b>

## XI. FOIA REGULATIONS

[www.dot.gov/foia](http://www.dot.gov/foia)

## XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

### A. *Backlogs of FOIA Requests and Administrative Appeals*

	<b>Number of Backlogged Requests as of End of Fiscal Year</b>	<b>Number of Backlogged Appeals as of End of Fiscal Year</b>
<b>FAA</b>	347	66
<b>FHWA</b>	42	11
<b>FMCSA</b>	91	4
<b>FRA</b>	72	0
<b>FTA</b>	0	0
<b>MARAD</b>	151	2
<b>NHTSA</b>	35	0
<b>OIG</b>	12	0
<b>OST</b>	13	1
<b>PHMSA</b>	23	0
<b>RITA</b>	1	0
<b>SLSDC</b>	0	0
<b>AGENCY OVERALL</b>	<b>787</b>	<b>84</b>

XII. B. *Consultations on FOIA Requests*

	<b>Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of <u>Start</u> of the Fiscal Year</b>	<b>Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year</b>	<b>Number of Consultations Received from Other Agencies that Were <u>Processed</u> by Your Agency During the Fiscal Year</b>	<b>Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of <u>End</u> of the Fiscal Year</b>
<b>FAA</b>	1	0	0	1
<b>FHWA</b>	0	1	1	0
<b>FMCSA</b>	0	0	0	0
<b>FRA</b>	0	0	0	0
<b>FTA</b>	0	0	0	0
<b>MARAD</b>	0	0	0	0
<b>NHTSA</b>	0	0	0	0
<b>OIG</b>	0	0	0	0
<b>OST</b>	0	4	4	0
<b>PHMSA</b>	0	0	0	0
<b>RITA</b>	0	0	0	0
<b>SLSDC</b>	0	0	0	0
<b>AGENCY OVERALL</b>	<b>1</b>	<b>5</b>	<b>5</b>	<b>1</b>



XII. C. *Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at DOT*

	<b>10<sup>th</sup> Oldest Consultation and Number of Days Pending</b>	<b>9<sup>th</sup></b>	<b>8<sup>th</sup></b>	<b>7<sup>th</sup></b>	<b>6<sup>th</sup></b>	<b>5<sup>th</sup></b>	<b>4<sup>th</sup></b>	<b>3<sup>rd</sup></b>	<b>2<sup>nd</sup></b>	<b>Oldest Consultation and Number of Days Pending</b>
<b>FAA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2009-09-03 265 days
<b>FHWA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>FMCSA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>FRA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>FTA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>MARAD</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>NHTSA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>OIG</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>OST</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>PHMSA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>RITA</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>SLSDC</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Agency Overall</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>2009-09-03</b> <b>265 days</b>

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

	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
<b>FAA</b>	6,169	7,424	6,294	7,237
<b>FHWA</b>	433	352	431	341
<b>FMCSA</b>	932	1,087	974	1,029
<b>FRA</b>	373	352	351	392
<b>FTA</b>	201	196	219	196
<b>MARAD</b>	109	156	79	196
<b>NHTSA</b>	267	281	276	242
<b>OIG</b>	88	69	139	71
<b>OST</b>	294	238	334	239
<b>PHMSA</b>	100	156	132	127
<b>RITA</b>	47	43	48	42
<b>SLSDC</b>	5	9	5	9
<b>AGENCY OVERALL</b>	<b>9,018</b>	<b>10,363</b>	<b>9,282</b>	<b>10,121</b>

XII. D. (2) *Number of backlogged requests as of the end of the fiscal year from the previous Annual Report and the number of backlogged requests as of the end of the fiscal year from the current Annual Report*

	<b>Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report</b>	<b>Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report</b>
<b>FAA</b>	857	347
<b>FHWA</b>	29	42
<b>FMCSA</b>	38	91
<b>FRA</b>	126	72
<b>FTA</b>	3	0
<b>MARAD</b>	194	151
<b>NHTSA</b>	3	35
<b>OIG</b>	15	12
<b>OST</b>	15	13
<b>PHMSA</b>	4	23
<b>RITA</b>	0	1
<b>SLSDC</b>	0	0
<b>AGENCY OVERALL</b>	<b>1,284</b>	<b>787</b>

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

	<b>NUMBER OF APPEALS <u>RECEIVED</u></b>		<b>NUMBER OF APPEALS <u>PROCESSED</u></b>	
	<b>Number Received During Fiscal Year from Last Year's Annual Report</b>	<b>Number Received During Fiscal Year from Current Annual Report</b>	<b>Number Processed During Fiscal Year from Last Year's Annual Report</b>	<b>Number Processed During Fiscal Year from Current Annual Report</b>
<b>FAA</b>	115	108	110	124
<b>FHWA</b>	20	8	20	7
<b>FMCSA</b>	2	10	8	6
<b>FRA</b>	6	1	4	4
<b>FTA</b>	0	1	2	1
<b>MARAD</b>	5	2	3	6
<b>NHTSA</b>	7	16	8	16
<b>OIG</b>	12	3	10	6
<b>OST</b>	3	6	1	7
<b>PHMSA</b>	1	3	3	3
<b>RITA</b>	3	1	3	0
<b>SLSDC</b>	0	0	0	0
<b>AGENCY OVERALL</b>	<b>174</b>	<b>159</b>	<b>172</b>	<b>180</b>

XII. E. (2) *Number of backlogged administrative appeals*

	<b>Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report</b>	<b>Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report</b>
<b>FAA</b>	77	66
<b>FHWA</b>	10	11
<b>FMCSA</b>	0	4
<b>FRA</b>	3	0
<b>FTA</b>	0	0
<b>MARAD</b>	2	2
<b>NHTSA</b>	0	0
<b>OIG</b>	3	0
<b>OST</b>	1	1
<b>PHMSA</b>	0	0
<b>RITA</b>	0	0
<b>SLSDC</b>	0	0
<b>AGENCY OVERALL</b>	<b>96</b>	<b>84</b>

F. *Discussion of Other FOIA Activities (Optional)*

Information regarding the Department of Transportation's efforts to improve FOIA administration will be included in the upcoming (March 2011) Chief FOIA Officer's report.