

U.S. Department of Transportation (DOT)
Freedom of Information Act (FOIA)
FY 2020 Annual Report

I. Basic Information Regarding the Report

A. *Person to be contacted with questions about the report*

Michael C. Bell, Departmental FOIA Officer
U.S. Department of Transportation
Office of General Counsel (Suite W94-122)
1200 New Jersey Avenue, SE
Washington, DC 20590
(202) 366-5546
michael.bell1@dot.gov

B. *Electronic address for report on the World Wide Web*

<https://www.transportation.gov/foia>

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

Darlene Wallace, FOIA Program Assistant
U.S. Department of Transportation
Office of General Counsel (Suite W94-122)
1200 New Jersey Avenue, SE
Washington, DC 20590
(202) 366-4245
ost.foia@dot.gov

II. Making a FOIA Request

A. Agency components that receive FOIA requests

Michael C. Bell, Departmental FOIA Officer Office of the Secretary (Suite W94-122) 1200 New Jersey Avenue, SE Washington, DC 20590 Tel (202) 366-5546 Fax (202) 366-8536 ost.foia@dot.gov	Barbara Hines, Attorney-Advisor/Acting FOIA Officer Office of Inspector General (J-L) 1200 New Jersey Avenue, SE, Room W73-425 Washington, DC 20590 Tel (202) 366-6131 Fax (202) 366-1975 oigfoia1@oig.dot.gov
Andrea Griswold, Volpe FOIA Officer Office of the Secretary (OST-R) 55 Broadway, Room 1274, RTV-1B Cambridge, MA 02142 Tel (617) 494-2718 Fax (617) 494-3005 andrea.griswold@dot.gov	Jennifer Weatherly, FOIA Officer Federal Motor Carrier Safety Administration 1200 New Jersey Avenue, SE, W64-304 Washington, DC 20590 Tel (202) 366-2960 Fax (202) 366-3518 foia2@dot.gov
William Brown, FOIA Officer (RCC-20) Federal Railroad Administration 1200 New Jersey Avenue, SE, Room W33-437 Washington, DC 20590 Tel (202) 493-6039 Fax (202) 493-6068 frafoia@dot.gov	Nancy Sipes (TAD-10) Federal Transit Administration 1200 New Jersey Avenue, SE, Room E42-3145 Washington, DC 20590 Tel (202) 366-2496 Fax (202) 366-7164 fta.foia@dot.gov
Kimberly Stillson, Office of Administration (HAD) Federal Highway Administration 1200 New Jersey Avenue, SE, Room E66-324 Washington, DC 20590 Tel (202) 366-8078 Fax 202-366-3705 foia.officer@fhwa.dot.gov	T. Mitchell Hudson, FOIA Officer (MAR-225) Maritime Administration 1200 New Jersey Avenue, SE, Room W24-220 Washington, DC 20590 Tel (202) 366-5320 Fax (202) 366-7485 foia.marad@dot.gov
Madeline Van Nostrand, FOIA Officer Pipeline & Hazardous Materials Safety Administration 1200 New Jersey Avenue, SE, Room E26-205 Washington, DC 20590 Tel (202) 366-4400 Fax (202) 366-7041 PHMSA.FOIA@dot.gov	Executive Secretariat National Highway Traffic Safety Administration 1200 New Jersey Avenue, SE, Room W41-304 Washington, DC 20590 Tel (202) 366-1834 Fax (202) 493-2929 webmaster@nhtsa.dot.gov
Kevin O'Malley, FOIA/Privacy Act Contact (Acting) Saint Lawrence Seaway Development Corporation 1200 New Jersey Avenue, SE Washington, DC 20590 Tel (202) 366-8982 Fax (202) 366-6448 kevin.o'malley@dot.gov	

Federal Aviation Administration:	
Susan McLean, FOIA Coordinator FOIA Program Management Branch (AFN-400) Federal Aviation Administration 800 Independence Avenue, SW Washington, DC 20591 Tel (202) 267-0983 Fax (202) 267-6514 7-AWA-ARC-FOIA@faa.gov	Melanie Yohe FAA Air Traffic Organization JI172 800 Independence Avenue, SW Washington, DC 20591 Tel (202) 267-1698 Fax (202) 267-9151 Melanie.yohe@faa.gov
Annjanette Cummins, FOIA Coordinator, AFN-400W FAA Northwest Mountain Region, 9-ANM-FOIA@faa.gov FAA Alaskan Region, 9-AAL-FOIA@faa.gov FAA Western Pacific Region, 9-AWP-FOIA@faa.gov 1601 Lind Avenue SW Renton, WA 98057 Tel (425) 227-2929 Fax (425) 227-1041	Stacy Thomas, FOIA Coordinator, ESJA001 FAA Air Traffic Organization – Eastern Service Area 1701 Columbia Avenue PO Box 20636 Atlanta, GA 30337 Tel (404) 305-5549 Fax (404) 305-6626 9-ATOE-ESA-FOIA@faa.gov
Judy A. Shipp, FOIA Coordinator, AFN-400C FAA Southwest Region (9-ASW-FOIA@faa.gov) FAA Great Lakes Region (9-ASW-FOIA@faa.gov) FAA Central Region (9-ACE-FOIA@faa.gov) 2601 Meacham Boulevard Fort Worth, TX 76137 Tel (817) 222-5059 Fax (817) 222-5042	Shelly Boggs, FOIA Coordinator FAA Regulatory Support Division, AFS-600 6500 S. MacArthur PO Box 25082 Oklahoma City, OK 73125 Tel (405) 954-6501 Fax (405) 954-4655 9-AMC-AFS620-FOIA@faa.gov
Linda Chatman, FOIA Coordinator, AFN-400E FAA Southern Region, 9-ASO-FOIA@faa.gov FAA New England Region, 9-ANE-ARC-FOIA@faa.gov FAA Eastern Region, 9-AEA-FOIA@faa.gov 1701 Columbia Avenue, PO Box 20636 Atlanta, GA 30320 Tel (404) 305-5904 Fax (404) 305-5938	Connie Toby, FOIA Coordinator FAA Civil Aerospace Medical Institute, AM003 6500 S. MacArthur, PO Box 25082 Oklahoma City, OK 73125 Tel (405) 954-1004 Fax (405) 954-1010 9-AMC-AAM003-FOIA@faa.gov
Tina Leal, FOIA Coordinator FAA Air Traffic Organization – Western Service Area FAA ATO-WSA, Mailcode: AJV-W52 1601 Lind Avenue, SW Renton, WA 98057 Tel (425) 203-4199 Fax (425) 203-4134 9-ATO-WSA-FOIA@faa.gov	Carrie LaFollette, FOIA Coordinator FAA Civil Aviation Registry, AFS-700 6500 S. MacArthur, PO Box 25082 Oklahoma City, OK 73125 Tel (405) 954-4331 Fax (405) 954-5759 9-AMC-AFS700-FOIA@faa.gov
Fabiola Mendiaz, FOIA Coordinator FAA Air Traffic Organization – Central Service Area 10101 Hillwood Parkway Fort Worth, TX 76177 Tel (817) 222-5511 Fax (817) 222-4963 9-ATO-CSA-AdminSvc-FOIA@faa.gov	Edward Drake, FOIA Coordinator FAA Aeronautical Center, MC003 6500 S. MacArthur, PO Box 25082 Oklahoma City, OK 73125 Tel (405) 954-7327 Fax (405) 954-9964 9-AMC-FOIA-Request@faa.gov

Note: Up-to-date information can be found on each component's FOIA page via <https://www.transportation.gov/foia>

3. Agency Component Abbreviations

Component Abbreviation	Component Name
FAA	Federal Aviation Administration
FHWA	Federal Highway Administration
FMCSA	Federal Motor Carrier Safety Administration
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
MARAD	Maritime Administration
NHTSA	National Highway Traffic Safety Administration
OIG	Office of the Inspector General
OST	Office of the Secretary
PHMSA	Pipeline and Hazardous Materials Safety Administration
SLSDC	Saint Lawrence Seaway Development Corporation

IV. Exemption 3 Statutes

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
49 U.S.C. § 60138	Certain information contained in pipeline facility response plans	N/A	PHMSA	1	1
18 U.S.C. § 3509(d) (Federal Victims' Protection and Rights Act)	Certain records containing identifying information pertaining to children involved in criminal proceedings	Davis v. U.S. Postal Inspection Serv., 75 F. Supp. 3d 425, 430-31 (D.D.C. 2014).	OIG	1	1
5 U.S.C. app. 3 § 7	Identities of employees that have submitted complaints and or provided information during the course of an OIG investigation	N/A	OIG	1	1

Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, §2, 91 Stat. 319	Certain records that would reveal some secret aspect pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Sorin v. DOJ, No. 18-99, 2018 WL 6431027 (2d Cir. Dec. 6, 2018) (per curium); Widi v. McNeil, No. 12-CV-00188, 2016 WL 4394724, at *23 (D. Me. Aug 16, 2016); Durham v. U.S. Att'y Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	OIG	1	1
41 U.S.C. § 4702 (formerly at 41 U.S.C. § 253b(m)(1))	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-	FHWA	1	3
			MARAD	1	
			FRA	1	

	reference into contracts	CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).			
31 U.S.C. § 3729(c)	Certain false claims investigation information	N/A	FHWA	1	1
54 U.S.C. § 307103	Information about the location, character or ownership of a historic resource	N/A	MARAD	1	1
41 U.S.C. § 2102 (amending 41 U.S.C. § 423(a)(1)) (Procurement Integrity Act)	Contractor bid or proposal information; source selection information	Legal & Safety Emp. Rsch., Inc. v. U.S. Dep't of the Army, No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal.	MARAD	1	2
			NHTSA	1	

		May 4, 2001) (dictum).			
49 U.S.C. § 114(r) (formerly at 49 U.S.C. § 114(s))	Information obtained or developed in carrying out security under the authority of the Aviation and Transportation Security Act or under chapter 449 of this title	Skurrow v. DHS, 892 F. Supp. 2d 319, 329-30 (D.D.C. 2012); Gordon v. FBI, 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	MARAD	1	122
			FTA	1	
			FAA	17	
			FMCSA	103	
49 U.S.C. § 31143(b)	Identities of motor carrier safety complainants	N/A	FMCSA	458	458
49 U.S.C. § 46102(c)	Aviation safety, when required for national defense	N/A	FAA	1	1
49 U.S.C. § 1114(f)	Any information relating to Board participation in foreign aircraft accidents, where the country conducting the investigation has not issued its report or two years have not elapsed from the	N/A	FAA	2	2

	date of the accident				
49 U.S.C. § 40110(e)	Contract proposal not incorporated into contract	N/A	FAA	10	10
49 U.S.C. § 40123(a)	Aviation Safety Action Program voluntarily submitted information	N/A	FAA	17	17
10 U.S.C. § 130e	Critical infrastructure information	N/A	FAA	4	4
49 U.S.C. § 30305(c)	National Driver Register information on certain individuals	N/A	NHTSA	6	6

V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
FAA	3472	8486	10056	1902
FHWA	52	302	277	77
FMCSA	1698	4174	3513	2359
FRA	216	278	330	164
FTA	34	264	274	24
MARAD	36	90	87	39
NHTSA	169	286	214	241
OIG	9	132	121	20
OST	588	338	263	663
PHMSA	94	277	293	78
SLSDC	0	5	5	0
AGENCY OVERALL	6368	14632	15433	5567

After reviewing its database, DOT adjusted the number of requests pending as of the start of the Fiscal Year for the following components: FAA, FHWA, FRA, MARAD, NHTSA, OST and PHMSA.

V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS

Agency / Component	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	
FAA	4542	1453	143	1817	144	918	662	117	214	46	0	0	10056
FHWA	90	63	0	91	1	8	11	5	4	1	3	0	277
FMCSA	340	2783	12	103	1	196	0	0	2	1	37	38	3513
FRA	114	122	2	68	4	17	0	0	0	0	3	0	330
FTA	109	55	0	95	0	9	0	2	0	0	3	1	274
MARAD	26	34	0	20	1	5	0	0	0	0	1	0	87
NHTSA	45	55	3	68	10	19	3	1	0	1	8	1	214
OIG	6	46	16	38	1	6	0	0	4	1	3	0	121
OST	71	73	4	80	9	14	0	1	1	0	10	0	263
PHMSA	132	29	6	54	1	37	22	5	0	3	4	0	293
SLSDC	2	2	0	0	0	1	0	0	0	0	0	0	5
AGENCY OVERALL	5477	4715	186	2434	172	1230	698	131	225	53	72	40	15433

V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS BASED ON REASONS OTHER THAN EXEMPTIONS"

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
FAA	N/A	0	0
FHWA	N/A	0	0
FMCSA	Unable to Locate or Contact Requester	37	38
	Directed Requester to Publicly Available Information	1	
FRA	N/A	0	0
FTA	Unable to Locate or Contact Requester	1	1
MARAD	N/A	0	0
NHTSA	Request Opened in Error	1	1
OIG	N/A	0	0
OST	N/A	0	0
PHMSA	N/A	0	0
SLSDC	N/A	0	0
AGENCY OVERALL			40

V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
FAA	0	14	51	107	488	1060	89	1	69	1	11	4	0	0
FHWA	0	2	2	25	32	48	0	0	1	0	0	0	0	0
FMCSA	0	0	507	55	3	2781	8	0	1515	471	0	0	0	0
FRA	0	0	1	15	33	115	1	0	64	0	0	0	0	0
FTA	0	0	1	3	10	45	0	0	0	0	0	0	0	0
MARAD	0	0	2	12	10	26	0	0	0	0	0	0	0	0
NHTSA	0	0	8	17	14	47	0	0	0	0	0	0	0	0
OIG	0	0	3	1	20	44	17	0	35	6	9	0	0	0
OST	0	0	0	13	33	57	4	0	5	3	0	0	0	0
PHMSA	0	0	1	4	5	22	0	0	0	0	0	11	0	0
SLSDC	0	0	0	0	0	2	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	16	576	252	648	4247	119	1	1689	481	20	15	0	0

VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS

Agency / Component	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	84	68	41	111
FHWA	0	5	4	1
FMCSA	0	6	1	5
FRA	3	2	2	3
FTA	2	5	4	3
MARAD	1	6	6	1
NHTSA	6	14	14	6
OIG	1	4	5	0
OST	2	8	7	3
PHMSA	0	1	1	0
SLSDC	0	0	0	0
AGENCY OVERALL	99	119	85	133

After reviewing its database, DOT updated the number of appeals pending at the start of the Fiscal Year for the following components: FAA and FTA.

VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS

Agency / Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
FAA	7	1	15	18	41
FHWA	0	2	1	1	4
FMCSA	0	0	1	0	1
FRA	0	1	0	1	2
FTA	1	3	0	0	4
MARAD	2	2	1	1	6
NHTSA	3	0	9	2	14
OIG	1	2	0	2	5
OST	0	1	3	3	7
PHMSA	0	0	0	1	1
SLSDC	0	0	0	0	0
AGENCY OVERALL	14	12	30	29	85

VI.C.(1). REASONS FOR DENIAL ON APPEAL -- NUMBER OF TIMES EXEMPTIONS APPLIED

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
FAA	0	0	1	5	7	10	5	0	1	0	0	0	0	0
FHWA	0	0	0	1	1	2	0	0	0	0	0	0	0	0
FMCSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FRA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FTA	0	0	1	0	1	0	0	0	0	0	0	0	0	0
MARAD	0	0	1	4	0	1	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	2	0	0	3	1	1	0	0	0
OST	0	0	0	0	1	0	0	0	0	0	0	0	0	0
PHMSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SLSDC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	3	10	10	15	5	0	4	1	1	0	0	0

VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee- Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
FAA	2	0	15	0	0	1	0	0	0	0	0
FHWA	0	0	1	0	0	0	0	0	0	0	0
FMCSA	0	0	0	0	0	0	0	0	0	0	0
FRA	0	0	1	0	0	0	0	0	0	0	0
FTA	1	0	0	0	0	0	0	0	0	0	0
MARAD	0	0	1	0	0	0	0	0	0	0	0
NHTSA	0	0	0	0	0	0	0	0	0	1	1
OIG	0	0	2	0	0	0	0	0	0	0	0
OST	0	0	0	0	0	0	0	0	0	3	0
PHMSA	0	0	1	0	0	0	0	0	0	0	0
SLSDC	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	3	0	21	0	0	1	0	0	0	4	1

VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
FAA	N/A	0	0
FHWA	N/A	0	0
FMCSA	N/A	0	0
FRA	N/A	0	0
FTA	N/A	0	0
MARAD	N/A	0	0
NHTSA	Appeal Opened in Error	1	1
OIG	N/A	0	0
OST	N/A	0	0
PHMSA	N/A	0	0
SLSDC	N/A	0	0
AGENCY OVERALL			1

VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
FAA	1	97	<1	1081
FHWA	16.5	28	<1	80
FMCSA	13	13	13	13
FRA	338	338	267	409
FTA	154	159	112	216
MARAD	36	34	17	52
NHTSA	39	57.5	9	336
OIG	28	24	6	39
OST	37	69	24	250
PHMSA	7	7	7	7
SLSDC	N/A	N/A	N/A	N/A
AGENCY OVERALL	20	82.83	<1	1081

VI.C.(5). TEN OLDEST PENDING ADMINISTRATIVE APPEALS

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
FAA	Date of Appeal	2016-08-23	2016-08-23	2016-08-23	2016-08-23	2016-08-17	2015-11-24	2015-11-19	2015-11-19	2015-09-18	2015-07-17
	Number of Days Pending	1029	1029	1029	1029	1033	1217	1220	1220	1262	1306
FHWA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-02
	Number of Days Pending	0	0	0	0	0	0	0	0	0	19
FMCSA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	2020-08-19	2020-05-27	2020-03-13	2020-03-10	2020-02-18
	Number of Days Pending	0	0	0	0	0	29	88	141	143	158
FRA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-08-11	2020-03-11	2020-12-07
	Number of Days Pending	0	0	0	0	0	0	0	35	141	451
FTA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-20	2020-07-03	2020-04-10

SLSDC	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date of Appeal	2016-08-23	2016-08-23	2016-08-23	2016-08-23	2016-08-17	2015-11-24	2015-11-19	2015-11-19	2015-09-08	2015-07-17
	Number of Days Pending	1029	1029	1029	1029	1033	1217	1220	1220	1262	1306

VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Agency / Component	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	14	32	<1	2172	42	149	<1	2359	3	68	1	264
FHWA	15	31	<1	372	37	67	6	277	N/A	N/A	N/A	N/A
FMCSA	114	98	1	411	241	220	1	837	N/A	N/A	N/A	N/A
FRA	N/A	N/A	N/A	N/A	139	245	1	1100	N/A	N/A	N/A	N/A
FTA	20.5	34	<1	671	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MARAD	8	8.3	<1	21	59.5	74.7	14	228	N/A	N/A	N/A	N/A
NHTSA	34	54	<1	490	237	458	25	1470	N/A	N/A	N/A	N/A
OIG	17	25	<1	131	64	88	7	374	N/A	N/A	N/A	N/A
OST	25	45	<1	175	69	148	1	853	N/A	N/A	N/A	N/A
PHMSA	5	20	1	444	180	345	1	1616	N/A	N/A	N/A	N/A
SLSDC	N/A	N/A	N/A	N/A	9	19	4	40	N/A	N/A	N/A	N/A
AGENCY OVERALL	16	50.65	<1	2172	71	175.43	<1	2359	3	67.75	1	264

VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED

Agency / Component	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	15	25	<1	1608	43	143	1	2359	2.5	3	1	4
FHWA	19	38	<1	274	44	63	6	219	N/A	N/A	N/A	N/A
FMCSA	117	100	1	394	179	191	1	544	N/A	N/A	N/A	N/A
FRA	N/A	N/A	N/A	N/A	221	282	1	1100	N/A	N/A	N/A	N/A
FTA	26	41	<1	514	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MARAD	8	9.2	<1	21	63.5	80.3	21	228	N/A	N/A	N/A	N/A
NHTSA	47	71	5	490	585	602	25	1470	N/A	N/A	N/A	N/A
OIG	33.5	40	3	131	62.5	105	7	374	N/A	N/A	N/A	N/A
OST	36.5	56	6	175	97	163	2	853	N/A	N/A	N/A	N/A
PHMSA	7	26	1	336	329	469	1	1616	N/A	N/A	N/A	N/A
SLSDC	N/A	N/A	N/A	N/A	8.5	15	4	40	N/A	N/A	N/A	N/A
AGENCY OVERALL	17	53.4	<1	1608	61	162.75	1	2359	2.5	2.5	1	4

VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1- 20 Days	21- 40 Days	41- 60 Days	61- 80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
FAA	7117	680	179	86	58	55	40	20	23	13	71	32	120	8494
FHWA	143	21	15	7	3	6	3	0	3	1	3	1	0	206
FMCSA	742	85	48	39	362	368	567	537	213	40	51	14	2	3068
FRA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FTA	136	71	31	15	8	3	2	0	1	0	2	0	3	272
MARAD	46	1	0	0	0	0	0	0	0	0	0	0	0	47
NHTSA	69	45	25	22	10	8	3	5	5	0	4	2	1	199
OIG	61	23	6	11	2	0	1	0	0	0	0	0	0	104
OST	9	4	3	0	2	2	1	0	1	0	0	0	0	22
PHMSA	167	17	13	5	2	2	4	2	0	0	1	1	1	215
SLSDC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	8490	947	320	185	447	444	621	564	246	54	132	50	127	12627

VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1- 20 Days	21- 40 Days	41- 60 Days	61- 80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
FAA	315	316	140	79	54	34	32	25	17	14	44	29	128	1227
FHWA	21	12	8	1	5	5	2	0	0	2	6	0	0	62
FMCSA	56	23	22	13	12	13	16	18	11	8	79	131	41	443
FRA	64	30	11	18	13	13	18	3	7	5	26	26	96	330
FTA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARAD	1	14	6	5	4	3	2	1	1	1	2	0	0	40
NHTSA	0	1	1	0	2	0	0	0	0	2	1	1	5	13
OIG	3	1	1	2	3	1	0	1	0	0	0	1	0	13
OST	65	33	14	15	10	6	15	6	5	6	25	12	27	239
PHMSA	21	6	2	0	2	1	1	2	2	1	5	6	24	73
SLSDC	3	2	0	0	0	0	0	0	0	0	0	0	0	5
AGENCY OVERALL	549	438	205	133	105	76	86	56	43	39	188	206	321	2445

VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1- 20 Days	21- 40 Days	41- 60 Days	61- 80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
FAA	3	0	0	0	0	0	0	0	0	0	1	0	0	4
FHWA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FMCSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SLSDC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	3	0	0	0	0	0	0	0	0	0	1	0	0	4

VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS

Agency / Component	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
FAA	1364	211	425	538	247	440	0	N/A	N/A
FHWA	59	69	86	16	81	132	2	231	231
FMCSA	1297	58	69	1062	172	189	0	N/A	N/A
FRA	0	N/A	N/A	164	177	278	0	N/A	N/A
FTA	24	133	246	0	N/A	N/A	0	N/A	N/A
MARAD	35	229	240	4	212	243	0	N/A	N/A
NHTSA	195	180	203	46	492	559	0	N/A	N/A
OIG	13	36	50	7	142	139	0	N/A	N/A
OST	12	410	413	641	394	422	10	116	200
PHMSA	48	124	197	27	410	403	3	13	10
SLSDC	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
AGENCY OVERALL	3047	80	248.52	2505	281	399.6	15	106	166.2

VII.E. PENDING REQUESTS -- TEN OLDEST PENDING PERFECTED REQUESTS

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
FAA	Date of Receipt	2013-09-17	2013-09-05	2013-08-30	2013-07-29	2013-07-22	2013-06-17	2013-05-28	2013-04-24	2013-03-13	2012-06-21
	Number of Days Pending	1765	1773	1776	1800	1805	1829	1843	1866	1896	2075
FHWA	Date of Receipt	2019-11-26	2019-11-12	2019-10-09	2019-10-15	2019-10-02	2019-08-23	2019-08-23	2019-08-23	2019-08-23	2019-08-26
	Number of Days Pending	212	222	240	241	249	274	274	274	274	275
FMCSA	Date of Receipt	2018-06-14	2018-06-11	2018-06-04	2018-05-31	2018-05-30	2018-05-10	2018-05-01	2018-04-03	2017-04-12	2016-11-14
	Number of Days Pending	574	577	582	584	585	598	605	625	869	971
FRA	Date of Receipt	2018-02-07	2018-02-06	2018-02-06	2018-02-06	2018-02-06	2017-12-28	2017-09-08	2017-06-27	2017-06-27	2016-04-04
	Number of Days Pending	661	662	662	662	662	698	763	817	817	1129
FTA	Date of Receipt	2020-02-18	2020-01-24	2019-04-16	2018-10-03	2018-05-30	2018-02-07	2018-01-30	2018-01-30	2018-01-30	2017-09-14

	Number of Days Pending	158	174	367	497	585	663	669	669	669	761
MARAD	Date of Receipt	2019-03-15	2019-03-12	2019-02-07	2018-11-28	2018-11-28	2018-11-28	2018-11-28	2018-11-28	2018-11-28	2018-11-28
	Number of Days Pending	390	393	415	463	463	463	463	463	463	463
NHTSA	Date of Receipt	2017-08-17	2017-07-19	2017-05-25	2017-04-25	2016-07-19	2015-12-01	2015-01-30	2014-12-06	2014-07-22	2014-05-27
	Number of Days Pending	783	804	841	863	1055	1214	1424	1460	1555	1594
OIG	Date of Receipt	2020-06-17	2020-06-16	2020-05-18	2020-05-12	2020-05-08	2020-04-14	2020-03-11	2019-12-27	2019-12-10	2019-09-24
	Number of Days Pending	73	74	94	98	100	118	142	187	203	255
OST	Date of Receipt	2017-03-27	2017-03-24	2017-03-01	2017-02-23	2017-02-21	2017-02-17	2017-02-06	2017-02-06	2017-02-03	2017-02-01
	Number of Days Pending	881	882	899	903	905	906	915	915	916	918
PHMSA	Date of Receipt	2018-06-06	2018-04-09	2018-04-03	2018-03-09	2018-02-16	2018-02-14	2017-09-25	2017-09-12	2017-07-31	2017-03-13
	Number of Days Pending	580	621	625	642	647	658	730	763	786	891

SLSDC	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date of Receipt	2013-09-17	2013-09-05	2013-08-30	2013-07-29	2013-07-22	2013-06-17	2013-05-28	2013-04-24	2013-03-13	2012-06-21
	Number of Days Pending	1765	1773	1776	1800	1805	1829	1843	1866	1896	2075

VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
FAA	3	273	<1	1	269
FHWA	0	1	<1	<1	1
FMCSA	0	0	N/A	N/A	N/A
FRA	0	12	1	1	12
FTA	0	0	N/A	N/A	N/A
MARAD	0	0	N/A	N/A	N/A
NHTSA	0	5	7	8	4
OIG	0	7	2	0	7
OST	0	3	17	22	1
PHMSA	0	6	5.5	10	2
SLSDC	0	0	N/A	N/A	N/A
AGENCY OVERALL	3	307	<1	1.52	296

VIII.B. Requests for Fee Waiver

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
FAA	17	67	<1	4
FHWA	36	3	<1	6
FMCSA	0	0	N/A	N/A
FRA	0	16	1	1
FTA	0	1	3	3
MARAD	8	0	<1	<1
NHTSA	0	2	3.5	3.5
OIG	16	6	<1	<1
OST	4	0	<1	4
PHMSA	0	1	1	1
SLSDC	0	0	N/A	N/A
AGENCY OVERALL	81	96	<1	3.91

IX. FOIA Personnel and Costs

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
FAA	24	177.00	201.00	7407497.00	49942.00	7457439.00
FHWA	0	5.71	5.71	893340.00	568.00	893908.00
FMCSA	9	3.00	12.00	1300255.80	0.00	1300255.80
FRA	3	3.00	6.00	1073068.00	794.53	1073862.53
FTA	0	1.60	1.60	195231.00	0.00	195231.00
MARAD	2	0.50	2.50	276756.22	0.00	276756.22
NHTSA	3	8.00	11.00	871830.00	49942.00	921772.00
OIG	2	0.90	2.90	331598.00	0.00	331598.00
OST	5	0.00	5.00	743556.00	29511.04	773067.04
PHMSA	3	1.42	4.42	584238.00	0.00	584238.00
SLSDC	0	0.02	0.02	2404.00	0.00	2404.00
AGENCY OVERALL	51	201.15	252.15	13679774.02	130757.57	13810531.59

FHWA - costs include \$197,532.00 for maintenance of FOIA database used by several DOT components.

X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
FAA	225968.05	3.0500
FHWA	30057.04	3.3600
FMCSA	0.00	0.0000
FRA	0.00	0.0000
FTA	0.00	0.0000
MARAD	4490.50	1.6200
NHTSA	262.00	0.0300
OIG	0.00	0.0000
OST	21.00	0.0000
PHMSA	1923.61	0.3300
SLSDC	0.00	0.0000
AGENCY OVERALL	262722.20	1.9200

XI.A. Number of Times Subsection (C) Used

Agency / Component	Number of Times Subsection Used
FAA	0
FHWA	0
FMCSA	0
FRA	0
FTA	0
MARAD	0
NHTSA	0
OIG	0
OST	0
PHMSA	0
SLSDC	0
AGENCY OVERALL	0

XI.B. Number of Subsection (A)(2) Postings

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
FAA	41	0
FHWA	1	0
FMCSA	3	985
FRA	0	0
FTA	0	98
MARAD	1	2000
NHTSA	0	0
OIG	0	204
OST	22	0
PHMSA	5	390
SLSDC	0	0
AGENCY OVERALL	73	3677

XII.A. Backlogs of FOIA Requests and Administrative Appeals

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
FAA	1027	106
FHWA	61	0
FMCSA	2033	5
FRA	163	3
FTA	15	3
MARAD	36	1
NHTSA	216	5
OIG	14	0
OST	649	3
PHMSA	58	0
SLSDC	0	0
AGENCY OVERALL	4272	126

XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
FAA	16	16	4	28
FHWA	0	0	0	0
FMCSA	0	0	0	0
FRA	0	4	3	1
FTA	0	0	0	0
MARAD	1	2	3	0
NHTSA	0	4	1	3
OIG	2	8	9	1
OST	6	18	24	0
PHMSA	0	3	3	0
SLSDC	0	0	0	0
AGENCY OVERALL	25	55	47	33

After reviewing its database, DOT updated the number of consultations pending at the start of the Fiscal Year for the following components: FAA and OST.

NHTSA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-05-12	2020-04-30	2020-04-14
	Number of Days	0	0	0	0	0	0	0	98	106	118
OIG	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2020-09-28
	Number of Days	0	0	0	0	0	0	0	0	0	2
OST	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
PHMSA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
SLSDC	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date	2018-11-15	2018-11-07	2018-05-16	2016-12-07	2016-09-20	2016-09-15	2015-10-27	2015-09-28	2014-09-08	2014-09-08
	Number of Days	470	475	596	957	1010	1013	1236	1256	1521	1521

XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED

Agency / Component	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
FAA	11263	8486	10586	10056
FHWA	349	302	318	277
FMCSA	3094	4174	1972	3513
FRA	306	278	530	330
FTA	291	264	305	274
MARAD	115	90	84	87
NHTSA	333	286	272	214
OIG	116	132	113	121
OST	445	338	176	263
PHMSA	248	277	254	293
SLSDC	11	5	11	5
AGENCY OVERALL	16571	14632	14621	15433

XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
FAA	1140	1027
FHWA	30	61
FMCSA	1423	2033
FRA	192	163
FTA	19	15
MARAD	30	36
NHTSA	126	216
OIG	5	14
OST	542	649
PHMSA	71	58
SLSDC	0	0
AGENCY OVERALL	3578	4272

XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <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
FAA	57	68	60	41
FHWA	5	5	6	4
FMCSA	3	6	3	1
FRA	3	2	3	2
FTA	4	5	1	4
MARAD	2	6	2	6
NHTSA	9	14	9	14
OIG	2	4	2	5
OST	4	8	4	7
PHMSA	2	1	2	1
SLSDC	0	0	0	0
AGENCY OVERALL	91	119	92	85

XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
FAA	84	106
FHWA	0	0
FMCSA	0	5
FRA	3	3
FTA	3	3
MARAD	1	1
NHTSA	6	5
OIG	1	0
OST	2	3
PHMSA	0	0
SLSDC	0	0
AGENCY OVERALL	100	126

