

U.S. Department of Transportation (DOT)

Freedom of Information Act (FOIA)

FY 2023 Annual Report

I. Basic Information Regarding the Report

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3. Agency Component Abbreviations

Component Abbreviation	Component Name
OST	Office of the Secretary
OIG	Office of Inspector General
FAA	Federal Aviation Administration
FHWA	Federal Highway Administration
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FMCSA	Federal Motor Carrier Safety Administration
NHTSA	National Highway Traffic Safety Administration
MARAD	Maritime Administration
PHMSA	Pipeline and Hazardous Materials Safety Administration
GLS	Great Lakes St. 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
41 U.S.C. § 2102(a) (amending 41 U.S.C. § 423(a)(1))	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. May 4, 2001) (dictum).	FHWA	2	7
			FRA	2	
			OST	1	
			FAA	2	
49 U.S.C. § 31143 (b)	Identities of motor carrier safety complainants	N/A	FMCSA	704	704
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.	Longas-Palacio v. USCIS, No. 21-2661, 2023 WL 2277128 (S.D. Tex. Feb. 28, 2023); Magassa v. TSA, No. 19-01953, 2022 WL 971207, at *5 (D.D.C Mar. 31, 2022); Skurow v.	FMCSA	162	172
			FAA	10	

		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).			
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 reference into contracts	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09- 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).	FRA	1	3
			OST	2	
49 U.S.C. § 30305(c)	National Driver Register information on certain individuals	N/A	NHTSA	8	8

49 U.S.C. § 60138	Certain information contained in pipeline facility response plans	N/A	PHMSA	2	2
5 U.S.C. § 407 (formerly at 5 U.S.C. app. 3 § 7(b))	Names of employees who provide information or complaints to the Inspector General	Wash. Post Co. v. Special Inspector Gen. for Afg. Reconstr., 486 F. Supp. 3d 141, 166 (D.D.C. 2020).	FAA	1	1
46 U.S.C. § 70103(d) (formerly 33 U.S.C. § 1226)	Maritime information security plans	N/A	FAA	1	1
18 U.S.C. § 208(d)(1)	Providing that “a copy of any determination granting an exemption under subsection (b)(1) or (b)(3) [from application of penalties for acts affecting personal financial interests determined to constitute bribery, graft, or conflicts of interest] shall be made available to the public,” but	Seife v. NIH, 874 F. Supp. 2d 248, 256 (S.D.N.Y. 2012).	FAA	1	1

	exempting from this disclosure requirement "any information contained in the determination that would be exempt from disclosure under section 552 of title 5"				
19 U.S.C. § 2155(g)	Certain information in connection with trade negotiations that is "submitted in confidence."	Intell. Prop. Watch v. U.S. Trade Representative, 205 F. Supp. 3d 334, 345-46 (S.D.N.Y. 2016).	FAA	1	1
49 U.S.C. § 46102(c)	Recordings and proceedings before the Secretary, Administrator of the Transportation Security Administration, and Administrator of the Federal Aviation Administration requiring secrecy because of national defense	N/A	FAA	1	1

49 U.S.C. § 40110(e)	Contractor proposal not incorporated into the contract	N/A	FAA	1	1
49 U.S.C. § 40123(a)	Aviation Safety Action Program voluntarily submitted information	N/A	FAA	27	27
10 U.S.C. § 130(e)	Certain “technical data with military or space application in the possession of, or under the control of, the Department of Defense”	Newport Aeronautical Sales v. Dep’t of the Air Force, 684 F.3d 160, 167-68 (D.C. Cir. 2012); Chenkin v. Dep’t of the Army, No. 93-494, 1994 U.S. Dist. LEXIS 20907, at *8 (M.D. Pa. Jan. 14, 1994), aff’d, 61 F.3d 894 (3d Cir. 1995) (unpublished table decision).	FAA	15	15

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
FHWA	70	263	212	121
FMCSA	2711	5918	5644	2985
FRA	153	399	507	45
FTA	90	260	194	156
GLS	3	16	6	13
MARAD	40	142	142	40
NHTSA	488	378	236	630
OST	792	639	557	874
PHMSA	120	253	219	154
OIG	29	98	95	32
FAA	2161	8770	8646	2285
AGENCY OVERALL	6657	17136	16458	7335

After reviewing its database, DOT updated the number of requests pending at the start of the Fiscal Year for the following components: FHWA, FMCSA, FRA, FTA, NHTSA, OST, PHMSA, OIG, FAA.

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	
FHWA	81	47	10	44	3	3	3	2	11	4	4	0	212
FMCSA	385	4786	2	133	5	210	0	1	7	2	113	0	5644
FRA	134	184	11	101	8	35	0	12	0	4	18	0	507
FTA	94	36	1	51	1	7	0	1	0	2	1	0	194
GLS	3	0	0	1	0	1	0	1	0	0	0	0	6
MARAD	47	40	1	45	3	2	0	0	1	0	3	0	142
NHTSA	80	35	8	51	34	22	0	5	0	0	1	0	236
OST	64	78	7	205	28	106	0	4	3	42	20	0	557
PHMSA	79	31	1	36	5	57	2	1	4	2	1	0	219
OIG	5	22	4	41	15	2	0	3	1	0	1	1	95
FAA	5471	1211	79	1164	19	416	38	34	19	14	84	97	8646
AGENCY OVERALL	6443	6470	124	1872	121	861	43	64	46	70	246	98	16458

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
FHWA	N/A	0	0
FMCSA	N/A	0	0
FRA	N/A	0	0
FTA	N/A	0	0
GLS	N/A	0	0
MARAD	N/A	0	0
NHTSA	N/A	0	0
OIG	N/A	0	0
OST	N/A	0	0
PHMSA	N/A	0	0
FAA	Directed Requester to Another Entity Subject to the FOIA	72	97
	Referred Not Responsive	15	
	Directed Requester to Publicly Available Information	10	
AGENCY OVERALL			97

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
FHWA	0	0	2	13	30	37	1	0	0	0	0	0	0	0
FMCSA	0	0	756	276	13	4767	11	8	2847	657	0	0	0	0
FRA	0	0	2	32	43	178	0	0	120	0	0	0	0	0
FTA	0	0	0	0	5	34	0	0	0	0	0	0	0	0
GLS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARAD	0	0	0	22	16	29	0	0	1	0	0	0	0	0
NHTSA	0	0	8	6	6	34	1	0	0	0	0	0	1	0
OST	0	0	2	15	38	74	1	0	8	0	1	10	0	0
PHMSA	0	0	2	12	2	12	0	0	0	0	0	11	0	0
OIG	0	2	1	0	8	23	6	0	18	1	3	1	0	0
FAA	2	17	63	64	428	1007	120	0	27	2	11	3	0	0
AGENCY OVERALL	2	19	836	440	589	6195	140	8	3021	660	15	25	1	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
FHWA	0	0	0	0
FMCSA	4	5	5	4
FRA	1	6	7	0
FTA	5	4	6	3
GLS	0	0	0	0
MARAD	2	8	7	3
NHTSA	18	3	20	1
OST	3	4	2	5
PHMSA	3	3	1	5
OIG	3	1	4	0
FAA	195	44	26	213
AGENCY OVERALL	234	78	78	234

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

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
FHWA	0	0	0	0	0
FMCSA	0	0	1	4	5
FRA	0	0	6	1	7
FTA	2	2	1	1	6
GLS	0	0	0	0	0
MARAD	3	4	0	0	7
NHTSA	10	0	7	3	20
OST	2	0	0	0	2
PHMSA	1	0	0	0	1
OIG	2	2	0	0	4
FAA	6	3	13	4	26
AGENCY OVERALL	26	11	28	13	78

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
FHWA	0	0	0	0	2	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	0	0	2	2	0	0	0	0	0	0	0	0
GLS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARAD	0	0	0	1	5	1	0	0	0	0	0	0	0	0
NHTSA	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	1	0	0	0	0	0	0	0	0
OIG	0	0	0	0	3	3	0	0	2	0	0	0	0	0
FAA	0	0	0	1	3	5	1	0	4	0	1	0	0	0
AGENCY OVERALL	0	0	0	2	15	14	1	0	6	0	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
FHWA	0	0	0	0	0	0	0	0	0	0	0
FMCSA	0	0	1	0	1	2	0	0	0	0	0
FRA	0	0	1	0	0	0	0	0	0	0	0
FTA	2	0	1	0	0	0	0	0	0	0	0
GLS	0	0	0	0	0	0	0	0	0	0	0
MARAD	0	0	0	0	0	0	0	0	0	0	0
NHTSA	0	0	1	0	0	1	0	0	0	0	1
OST	0	0	0	0	0	0	0	0	0	0	0
PHMSA	0	0	0	0	0	0	0	0	0	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0
FAA	1	0	0	0	0	0	0	0	0	0	4
AGENCY OVERALL	3	0	4	0	1	3	0	0	0	0	5

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
FHWA	N/A	0	0
FMCSA	N/A	0	0
FRA	N/A	0	0
FTA	N/A	0	0
GLS	N/A	0	0
MARAD	N/A	0	0
NHTSA	Request opened in error	1	1
OST	N/A	0	0
PHMSA	N/A	0	0
OIG	N/A	0	0
FAA	Request opened in error	1	4
	Moot	3	
AGENCY OVERALL			5

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
FHWA	<1	<1	<1	<1
FMCSA	81.00	59.60	16	81
FRA	24.00	118.57	16	693
FTA	189	262	46	597
GLS	<1	<1	<1	<1
MARAD	70.00	98.57	20	350
NHTSA	80.00	103.40	17	651
OST	93.00	93.00	26	160
PHMSA	38.00	38.00	38	38
OIG	187.00	255.75	15	634
FAA	340.50	354.42	<1	1132
AGENCY OVERALL	90.00	199.28	<1	1132

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

[illegible]

FAA	Date of Appeal	2016-08-24	2016-08-24	2016-08-23	2016-08-23	2016-08-23	2016-08-23	2016-08-17	2015-11-24	2015-11-19	2015-11-19
	Number of Days Pending	1780	1780	1781	1781	1781	1781	1785	1969	1972	1972
AGENCY OVERALL	Date of Appeal	2016-08-24	2016-08-24	2016-08-23	2016-08-23	2016-08-23	2016-08-23	2016-08-17	2015-11-24	2015-11-19	2015-11-19
	Number of Days Pending	1780	1780	1781	1781	1781	1781	1785	1969	1972	1972

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
FHWA	20.00	59.79	<1	974	165.00	197.15	14	489	7.00	7.00	7	7
FMCSA	75.00	110.06	<1	924	183.00	247.77	<1	1099	5.00	4.00	2	5
FRA	27.00	67.27	<1	482	73.00	108.29	<1	1081	N/A	N/A	N/A	N/A
FTA	20.00	47.52	<1	308	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
GLS	19.00	20.00	7	47	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MARAD	8.00	9.88	<1	41	57.00	113.92	21	349	N/A	N/A	N/A	N/A
NHTSA	58.50	132.11	<1	1072	192.00	286.64	65	985	N/A	N/A	N/A	N/A
OST	1.00	11.59	<1	827	245.00	551.86	<1	1632	4.00	4.00	4	4
PHMSA	6.50	97.84	<1	843	26.50	264.63	<1	1386	N/A	N/A	N/A	N/A
OIG	8.00	44.82	<1	721	497.00	434.27	3	742	N/A	N/A	N/A	N/A
FAA	17.00	33.11	1	2434	38.00	78.25	1	2155	614.00	697.14	12	1852
AGENCY OVERALL	19.00	64.55	<1	2434	116.00	272.98	<1	2155	373.50	600.43	2	1852

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
FHWA	24.50	79.60	<1	974	226.00	229.73	50	489	7.00	7.00	7	7
FMCSA	80.00	110.69	<1	924	99.00	223.78	<1	1099	5.00	4.00	2	5
FRA	32.00	71.60	<1	366	83.00	114.02	2	1081	N/A	N/A	N/A	N/A
FTA	20.50	44.34	1	308	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
GLS	19.00	28.33	19	47	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MARAD	8.00	8.51	<1	26	58.50	116.57	21	349	N/A	N/A	N/A	N/A
NHTSA	106.00	156.07	5	668	176.50	261.88	65	984	N/A	N/A	N/A	N/A
OST	12.00	65.87	1	827	139.00	371.55	2	1510	N/A	N/A	N/A	N/A
PHMSA	14.00	100.52	<1	716	44.00	277.45	<1	1386	N/A	N/A	N/A	N/A
OIG	38.00	132.74	1	721	497.50	470.62	210	687	N/A	N/A	N/A	N/A
FAA	17.00	23.02	1	2434	38.50	61.13	4	294	363.00	360.86	12	873
AGENCY OVERALL	19.00	58.62	<1	2434	89.50	217.38	<1	1510	12.00	196.38	2	873

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
FHWA	96	36	10	10	7	5	1	3	0	3	5	5	4	185
FMCSA	1293	568	237	182	329	371	246	149	131	126	449	237	146	4464
FRA	153	40	21	16	21	9	18	9	11	14	25	3	1	341
FTA	100	36	11	7	10	6	5	2	0	5	10	1	0	193
GLS	4	0	1	0	0	0	0	0	0	0	0	0	0	5
MARAD	73	6	1	0	0	0	0	0	0	0	0	0	0	80
NHTSA	47	34	23	11	11	11	10	7	6	4	12	12	18	206
OST	201	15	7	1	2	0	1	0	0	0	1	0	1	229
PHMSA	64	8	5	2	5	2	1	1	1	0	0	0	13	102
OIG	58	9	3	1	2	1	1	0	0	0	1	1	3	80
FAA	6575	1079	247	137	88	49	45	26	28	22	46	19	89	8450
AGENCY OVERALL	8664	1831	566	367	475	454	328	197	177	174	549	278	275	14335

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
FHWA	1	1	1	0	1	1	1	0	1	0	3	2	1	13
FMCSA	304	93	62	33	29	14	20	9	19	25	79	114	366	1167
FRA	26	22	21	12	8	16	15	6	2	2	18	1	5	154
FTA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GLS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARAD	0	23	9	1	4	1	5	3	0	1	9	5	0	61
NHTSA	0	0	0	2	4	2	2	1	1	1	3	3	6	25
OST	60	20	16	15	10	9	8	6	3	3	14	9	147	320
PHMSA	54	5	4	4	2	3	2	3	0	1	0	1	33	112
OIG	1	0	0	0	0	0	0	0	0	0	3	1	6	11
FAA	20	50	18	10	6	5	6	1	0	1	7	1	1	126
AGENCY OVERALL	466	214	131	77	64	51	59	29	26	34	136	137	565	1989

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
FHWA	1	0	0	0	0	0	0	0	0	0	0	0	0	1
FMCSA	5	0	0	0	0	0	0	0	0	0	0	0	0	5
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
GLS	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
OST	1	0	0	0	0	0	0	0	0	0	0	0	0	1
PHMSA	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
FAA	2	3	0	0	0	0	0	0	0	0	0	5	11	21
AGENCY OVERALL	9	3	0	0	0	0	0	0	0	0	0	5	11	28

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
FHWA	99	79	140.08	17	273	262.06	0	N/A	N/A
FMCSA	2147	80	116.98	831	217	288.79	1	58	58
FRA	24	7.5	23.42	19	146	149.16	0	N/A	N/A
FTA	156	120	222.26	0	N/A	N/A	0	N/A	N/A
GLS	13	76	58	0	N/A	N/A	0	N/A	N/A
MARAD	35	150	189.34	5	10	103.4	0	N/A	N/A
NHTSA	394	291	370.92	216	711	718.32	0	N/A	N/A
OST	63	232	344.87	779	489	641.32	30	651	580.47
PHMSA	3	211	162.67	150	156	243.18	0	N/A	N/A
OIG	19	103	145.42	13	231	303.31	0	N/A	N/A
FAA	2050	136	401.7	67	143	147.31	97	983	1067.55
AGENCY OVERALL	5003	99.00	265.09	2097	302.00	455.62	128	926.00	925.69

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
FHWA	Date of Receipt	2022-01-24	2021-11-12	2021-10-19	2021-09-30	2021-08-09	2021-07-09	2021-06-14	2021-04-08	2021-01-27	2020-07-01
	Number of Days Pending	424	471	488	500	537	558	576	622	672	801
FMCSA	Date of Receipt	2019-02-22	2019-02-19	2019-02-11	2018-12-17	2018-12-10	2018-10-25	2018-08-10	2018-04-03	2017-04-12	2016-11-14
	Number of Days Pending	1156	1159	1164	1201	1206	1236	1288	1379	1623	1725
FRA	Date of Receipt	2023-03-02	2023-02-28	2023-02-27	2023-02-21	2023-02-21	2023-02-21	2023-02-15	2022-12-19	2022-07-28	2022-03-16
	Number of Days Pending	147	149	150	154	154	154	157	196	294	388
FTA	Date of Receipt	2021-06-14	2020-05-27	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	576	839	1119	1251	1339	1417	1423	1423	1423	1515
GLS	Date of Receipt	2023-09-15	2023-09-15	2023-09-15	2023-06-12	2023-06-08	2023-05-26	2023-05-03	2023-04-25	2023-04-25	2023-03-09

	Number of Days Pending	10	10	10	76	78	86	103	109	109	142
MARAD	Date of Receipt	2022-12-15	2022-04-19	2022-04-05	2022-03-02	2021-11-30	2021-11-03	2021-11-03	2021-11-03	2021-11-03	2019-04-11
	Number of Days Pending	198	364	374	398	460	477	477	477	477	1122
NHTSA	Date of Receipt	2017-12-11	2017-08-17	2017-11-01	2017-07-19	2017-05-25	2016-07-19	2015-12-01	2015-01-30	2014-07-22	2014-05-27
	Number of Days Pending	1456	1476	1482	1555	1592	1806	1965	2175	2306	2345
OST	Date of Receipt	2017-04-28	2017-04-28	2017-04-25	2017-03-27	2017-03-27	2017-03-24	2017-02-23	2017-02-06	2017-02-06	2017-02-03
	Number of Days Pending	1611	1611	1614	1635	1635	1636	1657	1669	1669	1670
PHMSA	Date of Receipt	2020-09-04	2020-08-26	2020-07-24	2020-07-22	2020-04-01	2020-03-23	2020-01-31	2019-12-13	2019-09-25	2019-07-02
	Number of Days Pending	768	775	798	800	878	885	920	952	1006	1065
OIG	Date of Receipt	2022-09-21	2022-08-30	2022-06-27	2022-06-08	2022-02-15	2021-10-14	2021-06-11	2021-05-27	2021-03-31	2021-03-04
	Number of Days Pending	256	271	316	329	408	492	578	588	629	648

FAA	Date of Receipt	2015-03-11	2015-02-19	2015-02-18	2015-02-05	2015-01-24	2014-12-16	2014-12-05	2014-12-04	2014-11-21	2014-11-21
	Number of Days Pending	2148	2162	2163	2171	2179	2205	2212	2213	2221	2221
AGENCY OVERALL	Date of Receipt	2015-02-05	2015-01-30	2015-01-24	2014-12-16	2014-12-05	2014-12-04	2014-11-21	2014-11-21	2014-07-22	2014-05-27
	Number of Days Pending	2171	2175	2179	2205	2212	2213	2221	2221	2306	2345

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
FHWA	2	1	9	10.33	2
FMCSA	5	5	7	65.5	7
FRA	0	2	87	87	0
FTA	0	0	N/A	N/A	0
GLS	1	0	8	8	1
MARAD	0	0	N/A	N/A	0
NHTSA	7	1	116	115.12	1
OST	8	16	8.5	8.17	21
PHMSA	0	6	4	7.5	5
OIG	0	4	6	5.25	4
FAA	4	252	1	6.93	249
AGENCY OVERALL	27	287	1	12.18	290

VIII.B. Requests for Fee Waiver

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
FHWA	17	1	17.5	69.78
FMCSA	4	4	5	56.25
FRA	0	2	9.5	9.5
FTA	0	0	N/A	N/A
GLS	1	0	7	7
MARAD	0	0	N/A	N/A
NHTSA	0	0	N/A	N/A
OST	2	0	29	29
PHMSA	0	0	N/A	N/A
OIG	14	0	5	4.57
FAA	88	75	1	2.34
AGENCY OVERALL	126	82	1	10.75

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
FHWA	2	5.13	7.13	1018743.00	0.00	1018743.00
FMCSA	15	0.43	15.43	2074790.00	0.00	2074790.00
FRA	3	0.95	3.95	523012.00	3870.00	526882.00
FTA	0	1.60	1.60	230090.00	0.00	230090.00
GLS	0	0.20	0.20	2743.00	0.00	2743.00
MARAD	1	1.10	2.10	343048.00	12474.00	355522.00
NHTSA	2	6.78	8.78	1219990.00	12474.00	1232464.00
OST	6	0.24	6.24	947174.00	26006.00	973180.00
PHMSA	4	0.00	4.00	591991.00	0.00	591991.00
OIG	3	0.90	3.90	381475.00	1786.00	383261.00
FAA	27	37.06	64.06	10620375.00	662354.00	11282729.00
AGENCY OVERALL	63	54.39	117.39	17953431.00	718964.00	18672395.00

X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
FHWA	1286.40	0.1300
FMCSA	0.00	0.0000
FRA	0.00	0.0000
FTA	0.00	0.0000
GLS	0.00	0.0000
MARAD	0.00	0.0000
NHTSA	0.00	0.0000
OST	0.00	0.0000
PHMSA	0.00	0.0000
OIG	0.00	0.0000
FAA	192452.45	1.8100
AGENCY OVERALL	193738.85	1.0800

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

Agency / Component	Number of Times Subsection Used
FHWA	0
FMCSA	0
FRA	0
FTA	0
GLS	0
MARAD	0
NHTSA	0
OST	0
PHMSA	0
OIG	0
FAA	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
FHWA	29	0
FMCSA	2	850
FRA	2	0
FTA	3	10
GLS	0	0
MARAD	33	0
NHTSA	2	0
OST	22	0
PHMSA	25	0
OIG	0	0
FAA	0	0
AGENCY OVERALL	118	860

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
FHWA	100	0
FMCSA	2534	3
FRA	24	0
FTA	125	3
GLS	7	0
MARAD	28	3
NHTSA	590	1
OST	842	5
PHMSA	120	5
OIG	24	0
FAA	1519	209
AGENCY OVERALL	5913	229

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
FHWA	0	2	2	0
FMCSA	3	3	3	3
FRA	0	0	0	0
FTA	0	0	0	0
GLS	0	0	0	0
MARAD	0	9	9	0
NHTSA	3	0	0	3
OST	6	56	54	8
PHMSA	0	0	0	0
OIG	2	11	11	2
FAA	28	15	10	33
AGENCY OVERALL	42	96	89	49

After reviewing its database, DOT adjusted the number of consults pending as of the start of the Fiscal Year for the following components: FAA.

XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY

Agency / Component		10th Oldest Consultation	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation
FHWA	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
FMCSA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2022-06-30	2022-05-03	2022-03-04
	Number of Days	0	0	0	0	0	0	0	313	354	396
FRA	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
FTA	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
GLS	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
MARAD	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
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	849	857	869
OST	Date	N/A	N/A	2023-09-20	2023-08-02	2023-07-12	2023-06-20	2023-06-05	2023-05-23	2023-02-03	2022-11-16
	Number of Days	0	0	7	41	56	71	81	89	165	218
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
OIG	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2023-09-13	2023-09-13
	Number of Days	0	0	0	0	0	0	0	0	12	12
FAA	Date	2019-10-09	2019-10-09	2019-03-28	2017-06-30	2016-12-07	2016-09-15	2016-06-28	2016-06-28	2015-09-28	2014-09-08
	Number of Days	996	996	1132	1567	1709	1765	1820	1820	2008	2273
AGENCY OVERALL	Date	2019-10-09	2019-10-09	2019-03-28	2017-06-30	2016-12-07	2016-09-15	2016-06-28	2016-06-28	2015-09-28	2014-09-08
	Number of Days	996	996	1132	1567	1709	1765	1820	1820	2008	2273

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
FHWA	198	263	171	212
FMCSA	5325	5918	5827	5644
FRA	260	399	281	507
FTA	284	260	222	194
GLS	11	16	8	6
MARAD	124	142	104	142
NHTSA	334	378	190	236
OST	558	639	452	557
PHMSA	184	253	192	219
OIG	110	98	109	95
FAA	11702	8770	11402	8646
AGENCY OVERALL	19090	17136	18958	16458

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
FHWA	54	100
FMCSA	2397	2534
FRA	137	24
FTA	62	125
GLS	0	7
MARAD	31	28
NHTSA	474	590
OST	759	842
PHMSA	99	120
OIG	22	24
FAA	1327	1519
AGENCY OVERALL	5362	5913

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
FHWA	4	0	4	0
FMCSA	18	5	15	5
FRA	2	6	2	7
FTA	0	4	0	6
GLS	0	0	0	0
MARAD	8	8	6	7
NHTSA	19	3	1	20
OST	5	4	1	2
PHMSA	0	3	0	1
OIG	2	1	1	4
FAA	42	44	11	26
AGENCY OVERALL	100	78	41	78

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
FHWA	0	0
FMCSA	2	3
FRA	1	0
FTA	0	3
GLS	0	0
MARAD	2	3
NHTSA	19	1
OST	3	5
PHMSA	3	5
OIG	2	0
FAA	190	209
AGENCY OVERALL	222	229