

U.S. Department of Transportation (DOT)
Freedom of Information Act (FOIA)
FY 2016 Annual Report

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I. Basic Information Regarding the Report

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www.transportation.gov/foia

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

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II. Making a FOIA Request

A. Agency components that receive FOIA requests

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

B. *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 for FY 2016 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 FOIA Requests).

III. 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 of Transportation
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. § 40115	Information harmful to US position in international aviation negotiations, or harmful to any US international air carrier	N/A	FAA	1	3
			OST	2	
49 U.S.C. § 40119(b)	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	Pub. Citizen, Inc. v. FAA, 988 F.2d 186, 194 (D.C. Cir. 1993); Gordon v. FBI, 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	FAA	28	76
			FMCSA	46	
			OIG	1	
			FHWA	1	
5 U.S.C. app. § 107(a) (Ethics in Government Act of 1978)	Financial disclosure information pertaining to certain government officials	Meyerhoff v. EPA, 958 F.2d 1498, 1500-02 (9th Cir. 1992); Seife v. NIH, 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012); Concepcion v. FBI, 606 F. Supp. 2d 14, 33 (D.D.C. 2009), renewed motion for summary judgment granted in part on other grounds, 699 F. Supp. 2d 106 (D.D.C. 2010); Glascoe v. DOJ, No. 04-0486, 2005 WL 1139269, at *1 (D.D.C. May 15, 2005).	FAA	1	1
49 U.S.C. § 40110(e)	Contract bid or proposal information submitted to the FAA that are not incorporated into the contract	N/A	FAA	3	3
49 U.S.C. § 40123(a)	Aviation Safety Action Program voluntarily submitted information	N/A	FAA	14	14
41 U.S.C. § 2102 (amending 41 U.S.C. 423(a)(1))* (Procurement	Contract bid or proposal information; source selection information	Legal & Safety Employer Research, Inc., v. U.S. Dep't of the Army, No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal. May 2, 2001)	MARAD	1	1

Integrity Act)		(dictum).			
49 U.S.C. § 31143(b)	Identities of motor carrier safety complainants	N/A	FMCSA	19	19
49 U.S.C. § 31105(h)(1)	Names of certain motor carrier employees	N/A	FMCSA	49	49
41 U.S.C. § 253b(m)(1) (currently at 41 U.S.C. 4702)	Contract 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. 10-855, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-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).	MARAD	1	7
			NHTSA	1	
			OST	2	
			FHWA	3	
49 U.S.C. § 30305(c)(1)	National Driver Register Information on certain individuals	N/A	NHTSA	3	3
44 U.S.C. § 3501 (note)	Confidential respondent data to Bureau of Transportation Statistics Survey	N/A	OST	1	1
49 U.S.C. § 60138(a)(2)	Certain information contained in pipeline facility response plans	N/A	PHMSA	3	3

V. FOIA Requests

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	1,695	9,582	9,131	2,146
FHWA	17	356	350	23
FMCSA	707	2,307	1,012	2,002
FRA	296	413	315	394
FTA	18	250	253	15
MARAD	17	100	104	13
NHTSA	89	253	229	113
OIG	14	93	103	4
OST	91	266	287	70
PHMSA	112	176	141	147
SLSDC	0	4	4	0
AGENCY OVERALL	3,056	13,800	11,929	4,927

The Agency Overall number of requests pending as of the start of the fiscal year is 126 less than reported as pending at the end of the previous fiscal year. The following components completed action on FOIA requests in the previous fiscal year, but did not formally close them out in their tracking systems before the end of the fiscal year: FAA (98), FMCSA (26), FRA (2), FTA (1), and NHTSA (1). In addition, PHMSA received 2 requests during the previous fiscal year that were not logged in until the next fiscal year. This explains the 126 Agency Overall difference.

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	5,435	1,748	77	1,220	4	566	30	11	20	20	0	0	9,131
FHWA	150	59	11	74	1	8	5	9	2	2	18	11	350
FMCSA	270	437	1	81	0	190	3	0	3	2	25	0	1,012
FRA	182	46	3	59	1	7	0	1	0	2	14	0	315
FTA	97	74	0	78	0	2	0	0	0	0	0	2	253
MARAD	40	29	0	26	0	5	1	0	0	2	1	0	104
NHTSA	81	27	3	45	0	42	6	4	2	0	7	12	229
OIG	9	53	12	19	0	1	0	0	1	0	2	6	103
OST	103	73	14	62	2	10	3	1	0	5	4	10	287
PHMSA	60	24	3	29	0	8	9	0	1	1	5	1	141
SLSDC	2	0	0	2	0	0	0	0	0	0	0	0	4
AGENCY OVERALL	6,429	2,570	124	1,695	8	839	57	26	29	34	76	42	11,929

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	Request Opened in Error	11	11
FMCSA	N/A	0	0
FTA	Request Opened in Error	2	2
NHTSA	Request Opened in Error	12	12
OIG	Request Opened in Error	6	6
OST	Request Opened in Error	10	10
PHMSA	Request Opened in Error	1	1
FAA	N/A	0	0
SLSDC	N/A	0	0
FRA	N/A	0	0
MARAD	N/A	0	0
AGENCY OVERALL			42

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	3	9	47	103	394	708	92	0	17	2	15	4	0	0
FHWA	0	0	4	21	38	22	5	0	0	0	1	0	0	0
FMCSA	0	0	92	13	1	428	0	0	278	68	0	0	0	0
FRA	0	0	0	8	5	46	3	0	39	0	0	0	0	0
FTA	0	0	0	14	10	47	0	0	0	0	0	1	0	0
MARAD	0	0	2	15	21	22	0	0	0	0	0	0	0	0
NHTSA	0	0	4	8	2	22	2	0	1	0	0	0	0	0
OIG	0	0	1	5	19	50	13	0	40	1	2	0	0	0
OST	0	0	5	18	31	56	0	0	0	0	0	0	0	0
PHMSA	0	0	3	1	1	7	1	0	0	0	0	17	0	0
SLSDC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	3	9	158	206	522	1,408	116	0	375	71	18	22	0	0

VI. Administrative Appeals of Initial Determinations of Requests

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	25	101	57	69
FHWA	0	7	7	0
FMCSA	2	3	5	0
FRA	6	5	4	7
FTA	4	5	8	1
MARAD	1	0	1	0
NHTSA	0	6	6	0
OIG	1	3	4	0
OST	0	12	11	1
PHMSA	0	4	4	0
SLSDC	0	0	0	0
AGENCY OVERALL	39	146	107	78

The Agency Overall number of appeals pending at the start of the fiscal year is one higher than reported as pending at the end of the previous fiscal year. NHTSA completed action on its appeal that was shown pending at the end of FY 2015, but the appeal was not closed out in the FOIA database until FY 2016. FAA and FMCSA each received one appeal during FY 2015 that was not logged into the FOIA database until FY 2016. For these reasons, the number of Agency Overall requests pending at the start of the fiscal year is one higher than reported as pending at the end of the previous fiscal year.

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	23	2	32	0	57
FHWA	3	4	0	0	7
FMCSA	0	2	0	3	5
FRA	3	0	1	0	4
FTA	3	4	1	0	8
MARAD	0	1	0	0	1
NHTSA	2	1	2	1	6
OIG	0	3	0	1	4
OST	5	4	2	0	11
PHMSA	1	3	0	0	4
SLSDC	0	0	0	0	0
AGENCY OVERALL	40	24	38	5	107

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	1	1	0	5	6	1	0	1	0	1	0	0	0
FHWA	0	0	0	1	1	1	0	0	0	0	0	0	0	0
FMCSA	0	0	0	0	0	2	0	0	0	0	0	0	0	0
FRA	0	0	0	0	1	2	1	0	0	0	0	0	0	0
FTA	0	0	0	0	1	3	0	0	0	0	0	0	0	0
MARAD	0	0	0	1	1	1	0	0	0	0	0	0	0	0
NHTSA	0	0	0	1	1	1	0	0	0	0	0	0	0	0
OIG	0	0	0	0	0	1	1	0	1	0	0	0	0	0
OST	0	0	2	3	1	2	0	0	0	0	0	0	0	0
PHMSA	0	0	0	0	0	1	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	1	3	6	11	20	3	0	2	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
FAA	8	0	3	0	0	8	0	0	0	2	0
FHWA	0	0	1	0	0	0	0	0	0	0	0
FMCSA	0	0	1	0	0	1	0	1	0	0	0
FRA	1	0	0	0	0	0	0	0	0	0	0
FTA	3	0	0	0	0	0	0	0	0	0	0
MARAD	0	0	0	0	0	0	0	0	0	0	0
NHTSA	0	1	1	0	0	0	0	0	0	0	0
OIG	1	0	1	0	0	0	0	0	0	0	0
OST	1	0	0	0	0	0	1	0	0	0	0
PHMSA	0	0	1	0	0	0	0	1	0	0	0
SLSDC	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	14	1	8	0	0	9	1	2	0	2	0

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	N/A	0	0
OIG	N/A	0	0
OST	N/A	0	0
PHMSA	N/A	0	0
SLSDC	N/A	0	0
AGENCY OVERALL			0

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	11.00	28.00	<1	197.00
FHWA	17.00	14.00	<1	19.00
FMCSA	41.00	201.00	8.00	531.00
FRA	301.00	307.00	207.00	413.00
FTA	98.00	118.75	25.00	244.00
MARAD	211.00	211.00	211.00	211.00
NHTSA	21.00	43.33	8.00	160.00
OIG	14.50	44.00	4.00	144.00
OST	21.00	37.00	15.00	197.00
PHMSA	7.50	8.00	<1	18.00
SLSDC	0.00	0.00	0.00	0.00
AGENCY OVERALL	17.50	53.56	<1	531.00

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	2015-09-28	2015-09-21	2015-09-18	2015-09-18	2015-07-29	2015-07-17	2015-07-17	2015-07-17	2014-08-11	2014-04-02
	Number of Days Pending	254	259	260	260	296	304	304	304	538	629
FHWA	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
FMCSA	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
FRA	Date of Appeal	N/A	N/A	N/A	2016-09-07	2016-03-16	2016-01-11	2015-07-09	2015-07-09	2015-07-09	2015-07-09
	Number of Days Pending	0	0	0	18	140	185	311	311	311	311
FTA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2016-07-29
	Number of Days Pending	0	0	0	0	0	0	0	0	0	35
MARAD	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
NHTSA	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
OIG	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
OST	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2016-09-14
	Number of Days Pending	0	0	0	0	0	0	0	0	0	12
PHMSA	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
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	2015-07-29	2015-07-17	2015-07-17	2015-07-17	2015-07-09	2015-07-09	2015-07-09	2015-07-09	2014-08-11	2014-04-02
	Number of Days Pending	296	304	304	304	311	311	311	311	538	629

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

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	15	26	<1	1056	35	90	<1	1136	18	19	3	49
FHWA	14	14	<1	98	18	19	<1	88	5	7	<1	21
FMCSA	107	102	2	787	128.5	155	8	594	26.5	39	9	95
FRA	N/A	N/A	N/A	N/A	87	113	1	763	2	2	2	2
FTA	19	21	<1	407	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MARAD	5	10.42	1	56	65	93.96	9	617	N/A	N/A	N/A	N/A
NHTSA	20	49.73	<1	297	352	359.85	214	633	<1	<1	<1	<1
OIG	6	17	<1	171	42	67	1	250	N/A	N/A	N/A	N/A
OST	9.5	86	<1	769	50	110	<1	905	N/A	N/A	N/A	N/A
PHMSA	16	54	<1	723	173.5	344	7	1000	N/A	N/A	N/A	N/A
SLSDC	15	14.75	12	17	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AGENCY OVERALL	14	39.81	<1	1056	22	102.104	<1	1136	8.5	19.42	<1	95

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	22	<1	1056	34	83	<1	1136	18	22	4	49
FHWA	17	17	<1	74	19.5	21	<1	88	2	8	<1	21
FMCSA	108	102	2	787	150.5	169	10	594	26.5	39	9	95
FRA	N/A	N/A	N/A	N/A	97	124	1	763	2	2	2	2
FTA	19.5	23	<1	407	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MARAD	4	10.19	1	56	70	106	14	617	N/A	N/A	N/A	N/A
NHTSA	21	45.75	1	249	386.5	398.67	215	633	<1	<1	<1	<1
OIG	13.4	26	<1	171	84	97	14	250	N/A	N/A	N/A	N/A
OST	32.5	105	<1	769	62.5	127	1	905	N/A	N/A	N/A	N/A
PHMSA	29	69	<1	723	523	447	52	1000	N/A	N/A	N/A	N/A
SLSDC	17	17	17	17	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AGENCY OVERALL	15	25.03	<1	1056	34	84.94	<1	1136	17	21.14	<1	95

VII.C. (1). 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	6,789	541	113	62	85	35	27	17	8	11	33	23	85	7,829
FHWA	178	34	6	1	1	0	0	0	0	0	0	0	0	220
FMCSA	114	138	71	10	32	117	81	35	45	49	86	2	5	785
FRA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FTA	155	78	11	4	3	0	0	0	1	0	0	0	1	253
MARAD	52	4	3	0	0	0	0	0	0	0	0	0	0	59
NHTSA	105	29	17	8	7	3	3	4	1	1	18	0	0	196
OIG	4	64	7	3	2	3	2	0	1	0	0	0	0	86
OST	24	6	3	3	0	0	0	1	0	0	2	1	1	41
PHMSA	70	13	13	6	4	4	1	1	4	1	5	1	3	126
SLSDC	4	0	0	0	0	0	0	0	0	0	0	0	0	4
AGENCY OVERALL	7,495	907	244	97	134	162	114	58	60	62	144	27	95	9,599

VII.C. (2). 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	386	395	146	73	51	33	13	13	11	11	33	23	60	1,248
FHWA	78	20	12	0	1	0	0	0	0	0	0	0	0	111
FMCSA	9	18	5	9	14	47	19	17	14	7	44	12	5	220
FRA	50	36	28	33	29	29	26	17	12	2	28	13	10	313
FTA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARAD	2	14	5	8	4	2	2	4	1	0	1	0	2	45
NHTSA	0	0	0	0	0	0	0	0	0	0	9	9	9	27
OIG	0	6	2	1	3	0	2	1	0	0	1	0	0	16
OST	68	39	27	18	8	11	6	8	9	6	23	7	15	245
PHMSA	1	2	2	0	0	1	1	0	0	0	1	0	6	14
SLSDC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	594	530	227	142	110	123	69	60	47	26	140	64	107	2,239

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	1618	163	217	523	154	265	5	579	754
FHWA	18	10	10	2	66.5	66	3	4	5
FMCSA	1201	155	179	800	210	228	1	751	751
FRA	0	N/A	N/A	394	216	239	0	N/A	N/A
FTA	15	17	101	0	N/A	N/A	0	N/A	N/A
MARAD	9	15	24	4	41.5	44	0	N/A	N/A
NHTSA	94	96.5	131	13	552	540	0	N/A	N/A
OIG	2	7.5	8	2	54	54	0	N/A	N/A
OST	1	616	616	69	154	277	0	N/A	N/A
PHMSA	111	288	336	33	843	780	2	1143.5	1144
SLSDC	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
AGENCY OVERALL	3069	127	182.033	1840	233	279.378	11	578	534.181

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	2012-01-11	2012-01-11	2012-01-11	2012-01-11	2012-01-10	2011-12-30	2011-12-21	2011-12-15	2011-10-07	2011-09-06
	Number of Days Pending	1186	1186	1186	1186	1187	1193	1199	1203	1249	1272
FHWA	Date of Receipt	2016-09-20	2016-09-20	2016-09-16	2016-09-16	2016-09-16	2016-09-13	2016-08-24	2016-09-09	2016-07-15	2016-08-05
	Number of Days Pending	8	8	10	10	10	13	14	15	18	25
FMCSA	Date of Receipt	2014-02-28	2014-02-28	2014-02-27	2014-02-14	2014-02-13	2014-01-14	2014-01-14	2014-01-14	2014-01-13	2014-01-09
	Number of Days Pending	652	652	653	661	662	683	683	683	684	686
FRA	Date of Receipt	2014-04-24	2014-04-22	2014-04-09	2014-04-09	2014-04-08	2014-04-07	2014-03-10	2014-02-26	2013-12-12	2013-09-09
	Number of Days Pending	612	614	623	623	624	625	644	651	699	764
FTA	Date of Receipt	2016-09-14	2016-09-14	2016-09-13	2016-09-08	2016-09-07	2016-08-08	2016-09-06	2016-08-08	2016-08-04	2013-05-22
	Number of Days Pending	12	12	13	16	17	17	18	30	40	844
MARAD	Date of Receipt	2016-09-14	2016-09-14	2016-09-09	2016-08-12	2016-08-05	2016-08-05	2016-07-29	2016-07-29	2016-07-15	2016-05-13
	Number of Days Pending	12	12	15	34	39	39	44	44	54	86
NHTSA	Date of Receipt	2014-11-17	2014-11-17	2014-11-17	2014-07-22	2014-07-15	2014-05-27	2014-02-26	2014-02-24	2014-01-28	2014-01-17
	Number of Days Pending	471	471	471	552	557	591	654	656	674	680
OIG	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	2016-09-29	2016-09-16	2016-08-19	2016-07-26
	Number of Days Pending	0	0	0	0	0	0	1	10	29	47
OST	Date of Receipt	2015-02-18	2015-01-23	2015-01-20	2014-05-27	2014-05-01	2014-05-01	2014-04-15	2014-04-01	2014-01-15	2013-03-01
	Number of Days Pending	408	426	429	590	607	607	619	629	681	901
PHMSA	Date of Receipt	2013-10-28	2013-09-30	2013-09-30	2013-08-21	2013-08-06	2013-07-23	2013-07-08	2013-05-15	2013-04-17	2013-04-15
	Number of Days Pending	735	754	761	781	792	802	813	849	869	871
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	2012-01-11	2012-01-11	2012-01-11	2012-01-11	2012-01-10	2011-12-30	2011-12-21	2011-12-15	2011-10-07	2011-09-06
	Number of Days Pending	1186	1186	1186	1186	1187	1193	1199	1203	1249	1272

VIII. Requests for Expedited Processing and Requests for Fee Waivers

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	5	201	1	1	202
FHWA	5	1	1	1	6
FMCSA	4	0	1	1	3
FRA	1	0	2	2	2
FTA	0	0	N/A	N/A	N/A
MARAD	0	0	N/A	N/A	N/A
NHTSA	0	2	6	6	2
OIG	0	4	2	1	4
OST	0	1	1	1	0
PHMSA	0	6	11	10	2
SLSDC	0	0	N/A	N/A	N/A
AGENCY OVERALL	15	215	1	3.97	221

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	8	82	1	2
FHWA	15	3	1	4
FMCSA	0	0	N/A	N/A
FRA	0	0	N/A	N/A
FTA	0	0	N/A	N/A
MARAD	11	1	46	127.92
NHTSA	0	0	N/A	N/A
OIG	8	3	1	1
OST	0	0	N/A	N/A
PHMSA	0	0	N/A	N/A
SLSDC	0	0	N/A	N/A
AGENCY OVERALL	42	89	1	6.3157

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	21	53.64	74.64	\$8,360,746.32	\$109,099.60	\$8,469,845.92
FHWA	1	4.13	5.13	\$835,009.00	\$79,053.00	\$914,062.00
FMCSA	2	2.916	4.916	\$537,672.25	\$0.00	\$537,672.25
FRA	1	2.83	3.83	\$405,153.00	\$0.00	\$405,153.00
FTA	0	1.4	1.4	\$153,971.00	\$0.00	\$153,971.00
MARAD	1	1.5	2.5	\$263,189.50	\$31,999.98	\$295,189.48
NHTSA	3	3	6	\$539,344.00	\$5,711.00	\$545,055.00
OIG	1	0.9	1.9	\$316,432.00	\$0.00	\$316,432.00
OST	6	0.75	6.75	\$837,034.00	\$12,225.00	\$849,259.00
PHMSA	0	2.89	2.89	\$395,301.00	\$57,923.51	\$453,224.51
SLSDC	0	0.015	0.015	\$1,998.00	\$0.00	\$1,998.00
AGENCY OVERALL	36	73.971	109.971	\$12,645,850.07	\$296,012.09	\$12,941,862.16

X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
FAA	\$279,126.44	3.34%
FHWA	\$23,564.40	2.82%
FMCSA	\$4,077.90	0.76%
FRA	\$0.00	0.00%
FTA	\$8,010.00	5.20%
MARAD	\$5,025.90	1.91%
NHTSA	\$682.00	0.13%
OIG	\$0.00	0.00%
OST	\$6,707.00	0.80%
PHMSA	\$380.01	0.10%
SLSDC	\$0.00	0.00%
AGENCY OVERALL	\$327,573.65	2.59%

XI. Number of Times Subsection (c) Used and Number of Subsection (a)(2) Postings

XI. A. NUMBER OF TIMES SUBSECTION (c) USED

Agency / Component	Number of Times Subsection (C) 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 (a)(2) Records Posted by the FOIA Office	Number of (a)(2) Records Posted by Program Offices
FAA	68,046	364
FHWA	1	60
FMCSA	2	0
FRA	2	368
FTA	278	9
MARAD	238	0
NHTSA	3	21
OIG	0	135
OST	10	0
PHMSA	5	189
SLSDC	10	0
AGENCY OVERALL	68,595	1,146

XII. Backlogs, Consultations, and Comparisons

XII.B. 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	1,121	53
FHWA	1	0
FMCSA	1,810	0
FRA	361	6
FTA	3	1
MARAD	7	0
NHTSA	95	0
OIG	2	0
OST	56	0
PHMSA	137	0
SLSDC	0	0
AGENCY OVERALL	3,593	60

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	1	9	7	3
FHWA	0	0	0	0
FMCSA	0	4	4	0
FRA	0	1	1	0
FTA	0	0	0	0
MARAD	0	3	3	0
NHTSA	0	0	0	0
OIG	0	2	2	0
OST	0	17	17	0
PHMSA	1	2	2	1
SLSDC	0	0	0	0
AGENCY OVERALL	2	38	36	4

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
FAA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2016-09-15	2015-10-27	2015-07-22
	Number of Days	0	0	0	0	0	0	0	11	234	301
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	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
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
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	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	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
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	2015-10-15
	Number of Days	0	0	0	0	0	0	0	0	0	242
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	N/A	N/A	N/A	N/A	N/A	N/A	2016-09-15	2015-10-27	2015-10-15	2015-07-22
	Number of Days	0	0	0	0	0	0	11	234	242	301

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

Agency / Component	NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
	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	9,636	9,582	9,088	9,131
FHWA	361	356	368	350
FMCSA	1,510	2,307	1,538	1,012
FRA	535	413	355	315
FTA	281	250	273	253
MARAD	105	100	124	104
NHTSA	262	253	249	229
OIG	103	93	119	103
OST	366	266	380	287
PHMSA	187	176	159	141
SLSDC	28	4	28	4
AGENCY OVERALL	13,374	13,800	12,681	11,929

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	761	1,121
FHWA	0	1
FMCSA	584	1,810
FRA	240	361
FTA	3	3
MARAD	14	7
NHTSA	73	95
OIG	13	2
OST	78	56
PHMSA	99	137
SLSDC	0	0
AGENCY OVERALL	1,865	3,593

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	102	101	101	57
FHWA	15	7	17	7
FMCSA	1	3	0	5
FRA	7	5	2	4
FTA	6	5	3	8
MARAD	3	0	3	1
NHTSA	12	6	11	6
OIG	5	3	5	4
OST	5	12	5	11
PHMSA	8	4	8	4
SLSDC	0	0	0	0
AGENCY OVERALL	164	146	155	107

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	8	53
FHWA	0	0
FMCSA	1	0
FRA	6	6
FTA	4	1
MARAD	1	0
NHTSA	1	0
OIG	1	0
OST	0	0
PHMSA	0	0
SLSDC	0	0
AGENCY OVERALL	22	60