



## **SUMMARY OF ANNUAL FOIA REPORTS FOR FISCAL YEAR 2015**

Every year, the Office of Information Policy (OIP) compiles a summary of the information contained in the Annual FOIA Reports that are prepared by each of the federal agencies subject to the FOIA. The Annual FOIA Reports contain detailed statistics on agencies' FOIA activities, including the number of FOIA requests and appeals received, processed, and pending. These reports are required to be submitted to the Attorney General each year by no later than February 1st.<sup>1</sup> For Fiscal Year (FY) 2015, there were one-hundred agencies subject to the FOIA.<sup>2</sup>

As in past years, in addition to preparing this summary OIP has uploaded all of the data from agencies' FY 2015 Annual FOIA Reports to [FOIA.gov](http://FOIA.gov) where it can easily be viewed online, compared with data from previous fiscal years, as well as across different agencies, and downloaded in an open (CSV) format. The purpose of this summary is to provide an overall picture of FOIA activities across the government.

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<sup>1</sup> See [5 U.S.C. § 552\(e\)\(1\) \(2012\)](#)

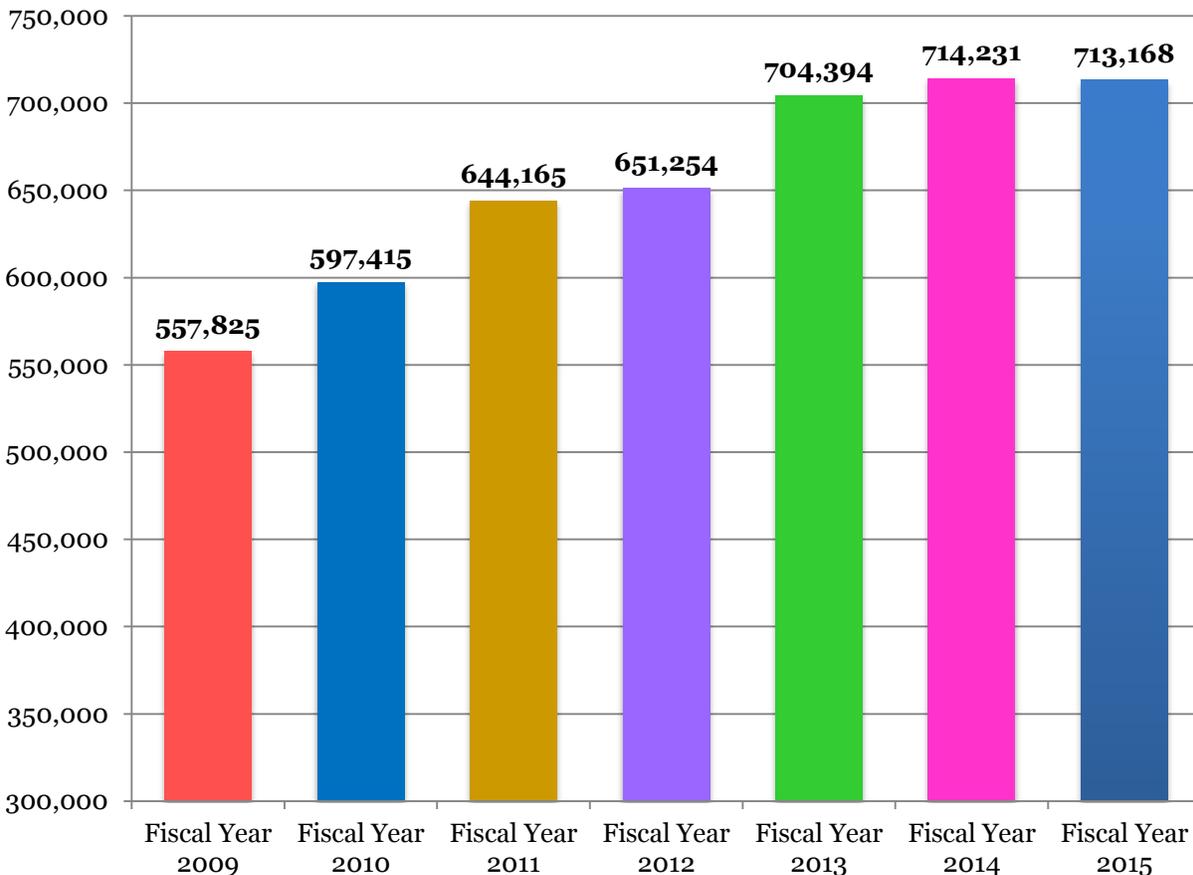
<sup>2</sup> The United States Access Board began reporting as an independent agency in FY 2015. The Recovery Accountability and Transparency Board ceased operations at the end of FY 2015 and did not submit a FY 2015 Annual FOIA Report.

## FOIA REQUESTS

### Number of Requests Received

In FY 2015, the federal government overall received 713,168 FOIA requests. This slight decrease of 1,063 requests is one-tenth of a percent less than the record high 714,231 requests received during FY 2014.

## Total Number of Requests Received



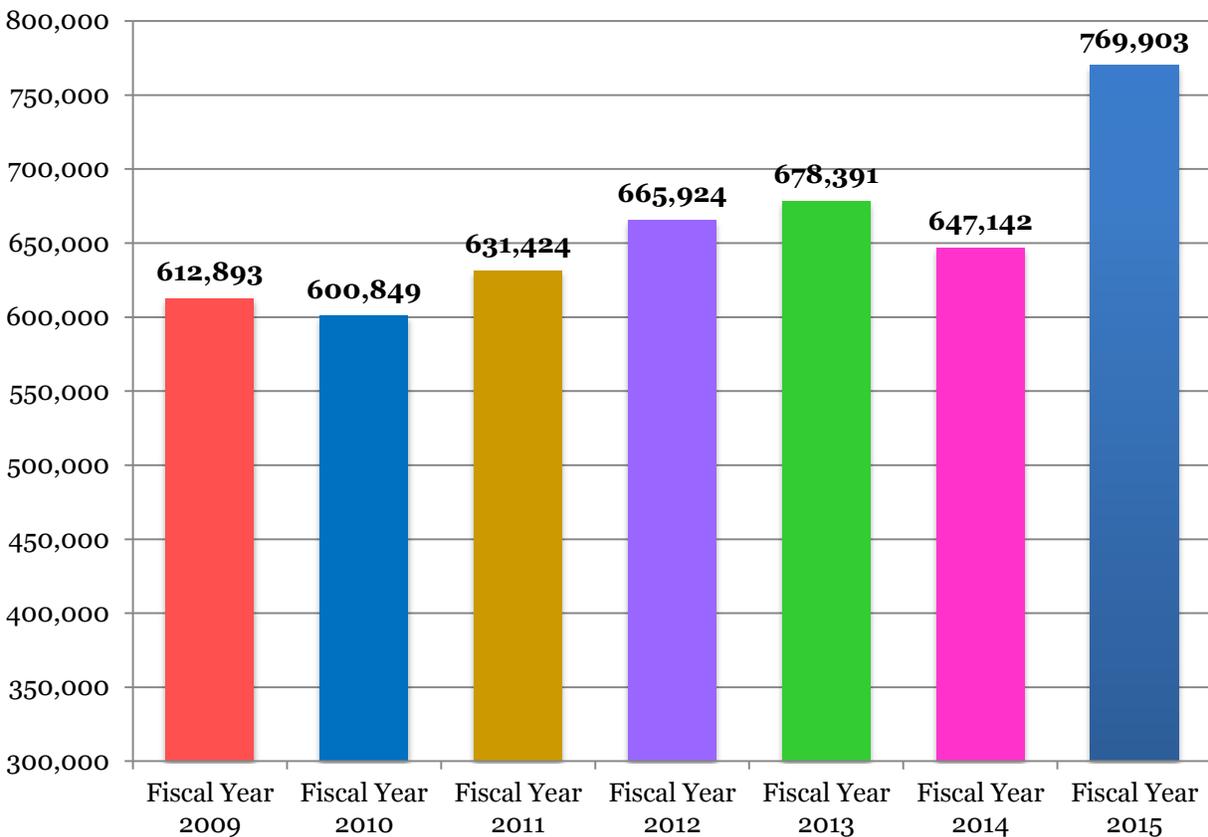
For the seventh consecutive year, the Department of Homeland Security (DHS) received the most requests, with a total of 281,138 requests received in FY 2015. This is a 3.5% decrease in the total number of requests received by DHS as compared with FY 2014 where the total was 291,242 requests received. The Departments of Justice (DOJ), Defense (DOD), Health and Human Services (HHS), and Veterans Affairs (VA) received the second through fifth most requests during the fiscal year, receiving 67,783, 57,498, 43,085, and 29,716, respectively. These are the same five agencies in the same order that received the most requests in FY 2014. Combined, these five agencies received 479,220 requests, which accounts for over 67% of all requests received across the government during the fiscal year. Of the remaining federal agencies, the Department of State (State), the Social Security Administration (SSA), the National Archives and Records Administration (NARA), and the

Department of Agriculture (USDA) received more than 20,000 requests with 24,837, 23,208, 22,555, and 20,132, respectively. Seventeen agencies received between 1,000 and 20,000 requests during FY 2015, with another twenty-eight receiving between 100 and 955 requests. Forty-six agencies received less than 100 requests.

Number of Requests Processed

Collectively, the one-hundred agencies subject to the FOIA in FY 2015 processed a record high 769,903 requests, which is a substantial increase of 19% from FY 2014.<sup>3</sup> This figure breaks the previous record set in FY 2013 of 678,391 requests processed and is also the first time that agencies have processed more than 700,000 requests in a fiscal year.

## Total Number of Requests Processed



The five agencies that received the most requests in FY 2015 also processed the most requests: DHS (348,878), DOJ (67,825), DOD (56,507), HHS (45,186), and VA (30,436). These five agencies processed 548,832 requests, representing just over 71% of the requests

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<sup>3</sup> In accordance with the [2008 Guidelines for Agency Preparation of Annual FOIA Reports](#), in order to provide a clear report of agency FOIA activities, beginning in Fiscal Year 2009 agencies were instructed not to include Privacy Act requests in their Annual FOIA Reports unless the FOIA was utilized in any way to process the request. Accordingly, Fiscal Year 2009 marks the beginning point for the comparisons noted in this summary.

processed by the government in FY 2015. Notably, DHS processed 110,847 more requests in FY 2015 than in the prior fiscal year. Of the remaining ninety-five agencies, eleven -- the Office of Personnel Management (OPM), the Environmental Protection Agency (EPA), the Department of Transportation (DOT), the Department of the Treasury (Treasury), State, the Securities and Exchange Commission the Department of Labor (DOL), the Equal Employment Opportunity Commission, USDA, SSA, and NARA -- processed between 10,000 and 24,000 requests. An additional ten agencies processed between 1,000 and 7,000 requests, with seventy-four agencies processing between two and 975 requests. Fifteen of these agencies processed twenty or fewer requests during FY 2015.

### *Disposition of Requests*

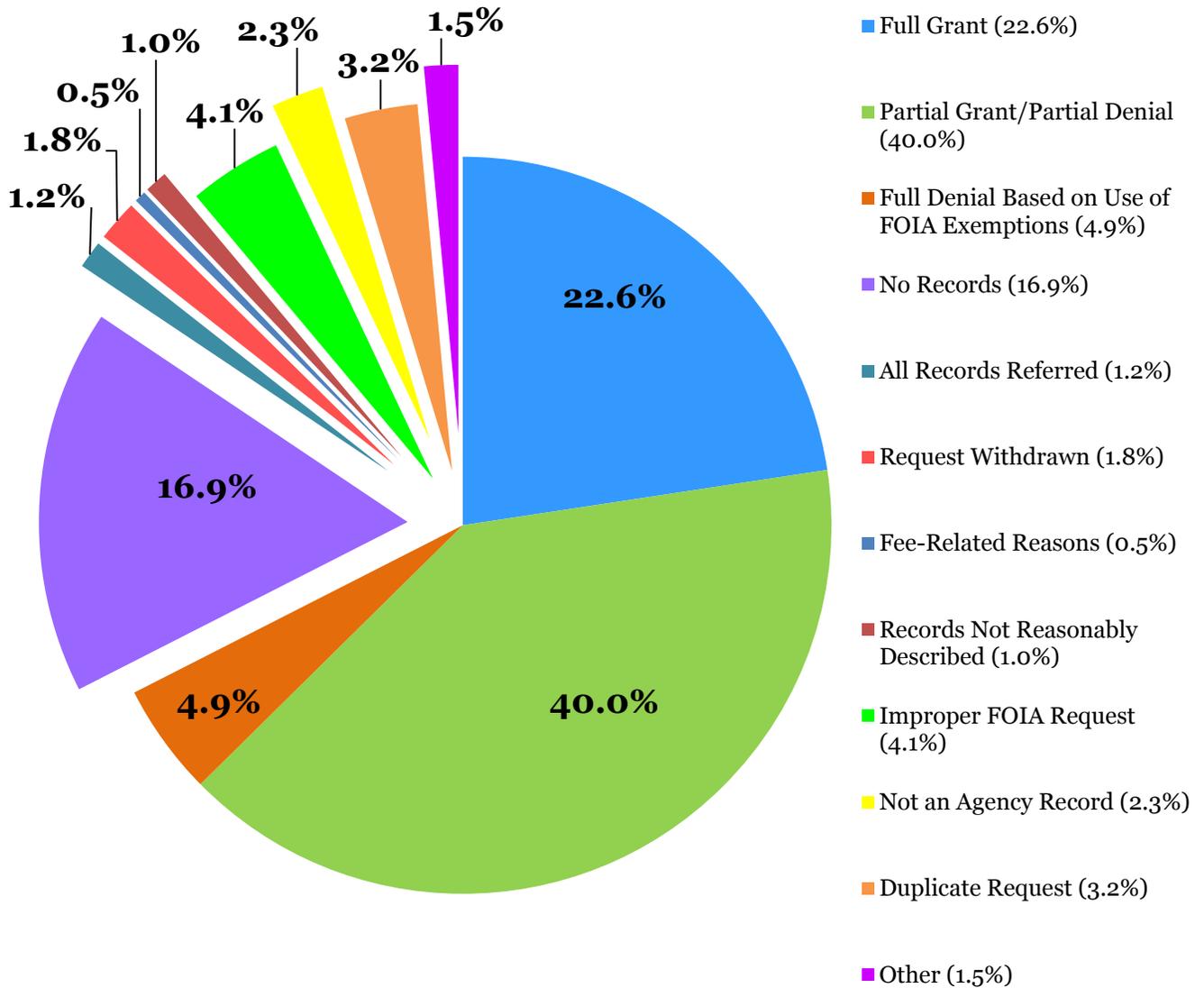
Pursuant to the [2008 guidance on the content of agency Annual FOIA Reports](#), DOJ instructed agencies to include in their reports a complete breakdown of the disposition of each request processed. All requests processed by an agency fall into two overarching categories:

- 1) Requests that are closed after being substantively processed with decisions made to release or withhold information based upon the FOIA's exemptions, and
- 2) Requests that are closed for administrative or procedural reasons, such as when no records are located or when all the responsive records are referred to another agency for handling.

In FY 2015 the government processed 769,903 requests, and of those, 519,879 (67.5%) requests fell into the first category and were reviewed by agency FOIA professionals to determine if information could be disclosed. It is important to note that it is only in response to these requests that agencies are in a position to determine whether to release or withhold information and so they form the universe of requests used to calculate the "release rate" discussed below.

As shown in the chart below, of the remaining requests processed by agencies during FY 2015, 250,024 or 32.5% were closed for procedural or administrative reasons. This includes requests where no records were located, which accounted for 16.9% of all processed requests. Less than 2% of all requests processed were withdrawn by the requester, and less than 1% of requests were closed for fee related reasons, such as when a requester declined to pay estimated fees that were assessed under the FOIA's fee provisions.

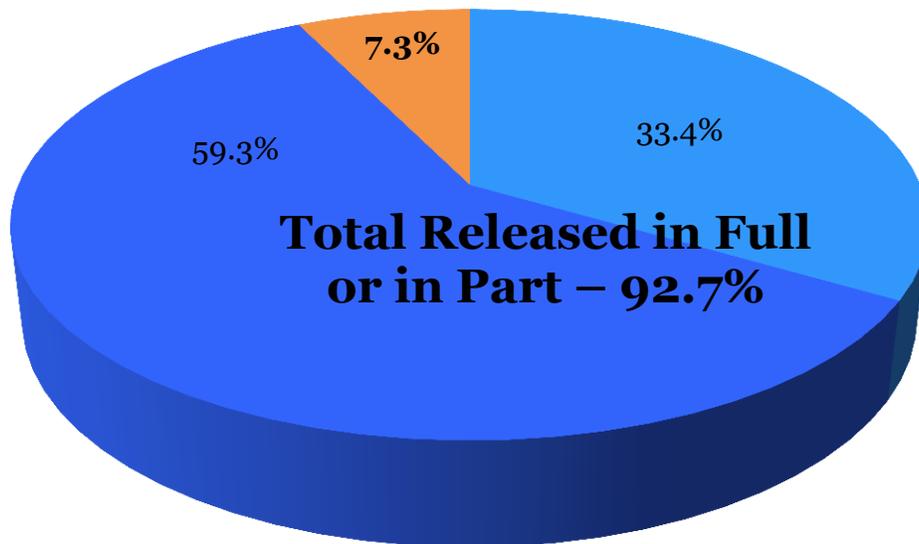
## Disposition of All Processed FOIA Requests



### Release Rate

For FY 2015, the government overall had a release rate of 92.7%, which marks the seventh year in a row that the number of responses to FOIA requests where agencies provided a release of information either in full or in part exceeded 91% of the requests processed for a disclosure determination. As noted above, 519,879 requests were processed for a disclosure determination in FY 2015. In response to those requests, agencies released records in full 33.4% of the time (173,808), and released records in part 59.3% of the time (308,211). Only 7.3% (37,860) of requests processed for a disclosure determination resulted in a full denial.

## Disposition of Fiscal Year 2015 Requests Based on Exemption Applicability



■ Released in Full (33.4%) ■ Released in Part (59.3%) ■ Denied in Full Based on FOIA Exemptions (7.3%)

Sixty-nine agencies, including nine of the fifteen departments – DOT (98.6%), USDA (98.3%), Department of Energy (DOE) (98.0%), DHS (97.2%), Department of the Interior (DOI) (96.0%), Treasury (94.8%), DOD (93.5%), the Department of Housing and Urban Development (HUD) (93.4%), and DOJ (93.4%) -- released records in full or in part in response to 90% or more of the requests that they processed for exemption applicability. Another eighteen agencies, including the Department of Education (ED) (88.9%), Department of Commerce (DOC) (88.5%), DOL (82.7%), and VA (82.0%) made either a full or partial release of information in response to 80% or more of such requests.

Notably, twenty-five agencies, including USDA and DOT, released records in full with no information withheld in response to over 69% of requests processed for exemption applicability. Eleven additional agencies, including DOJ, released records in full in response to over 60% of these requests.

Five agencies -- the Inter-American Foundation, the National Capital Planning Commission the Postal Regulatory Commission, the Selective Service System, and the U.S. African Development Foundation -- released records in full in response to 100% of the requests that they processed for exemption applicability. In total, twenty-four agencies were able to release records in full or in part in response to 100% of such requests.

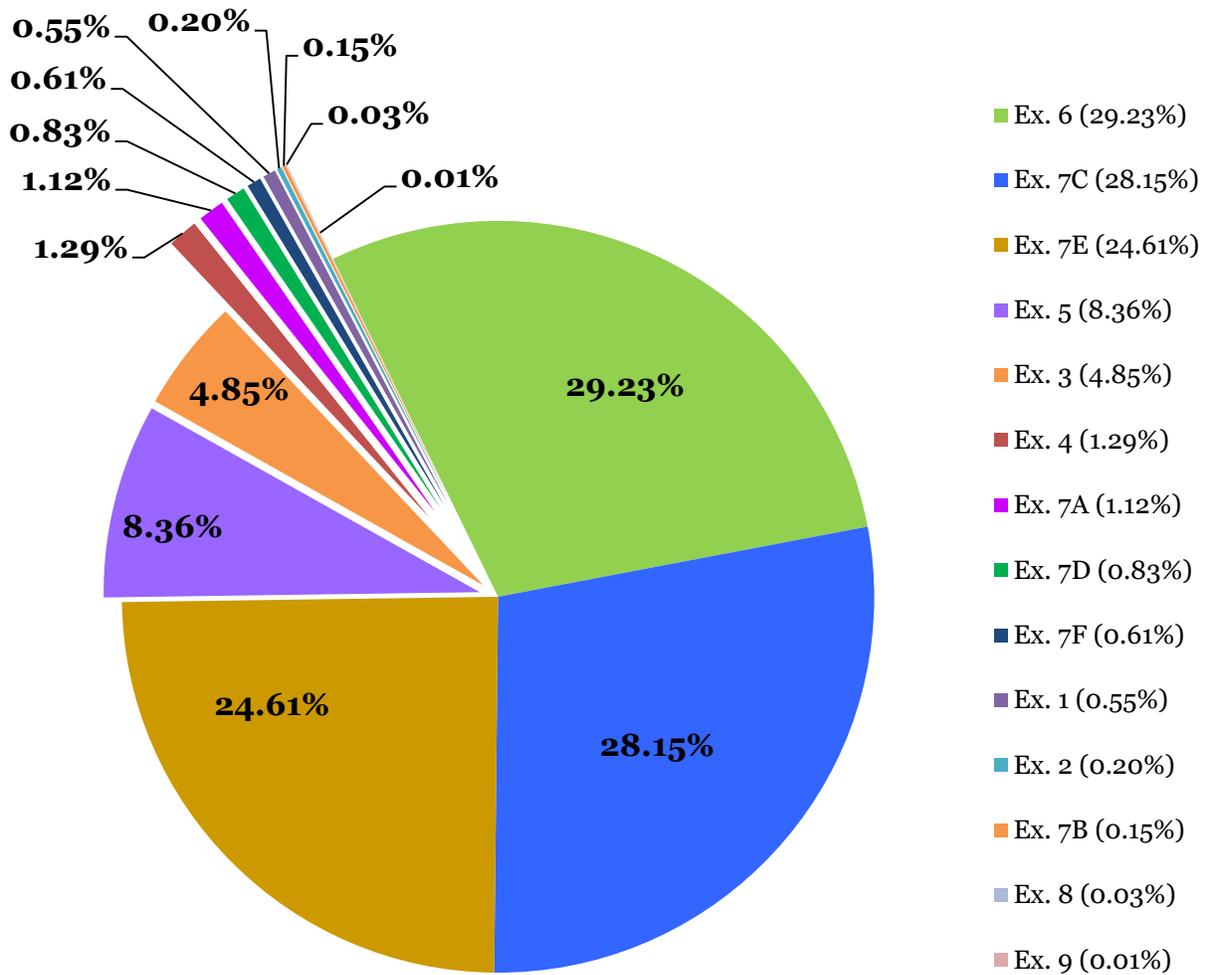
### Use of Exemptions

The Department of Justice's 2009 [FOIA Guidelines](#) noted that "the disclosure obligation under the FOIA is not absolute." The statute includes nine exemptions from

disclosure that protect important interests such as national security, personal privacy, and certain law enforcement interests.

As has been the case for many years, the FOIA's privacy exemptions, Exemption 6 (29.23%) and 7(C) (28.15%), were the most cited FOIA exemptions used in FY 2015. Over half of the exemptions cited by agencies were those two exemptions that protect individual personal privacy. Exemption 7(E) (24.61%), which protects law enforcement techniques, procedures, and guidelines, was the third most used exemption. Exemption 5, which protects inter- or intra-agency privileged material was used only 8.36% of the time when exemptions were cited in FY 2015.

## Total Exemption Usage



The least cited FOIA exemption in FY 2015 was Exemption 9 (0.01%), which is used to protect geological and geophysical information concerning wells. Five agencies – EPA, DOD, USDA, DOI, and DOJ -- asserted Exemption 9 in their processing of requests during FY 2015. Exemption 8 (0.03%) which concerns information on the supervision of financial institutions, was the second least cited exemption in FY 2015.

Exemption use fluctuates from year to year depending on the types of records that are requested and the numbers of requests that are processed. Further, when examining this data it is important to keep in mind that the number of times an agency uses exemptions in responding to a request does not correspond with the volume of information withheld.<sup>4</sup> In FY 2015 when comparing each exemption separately the government collectively reported a decrease in the number of times it cited to Exemptions 1, 5, and 8. Notably, the government's use of Exemption 1 decreased significantly by 24%.

Exemption 3 incorporates into the FOIA the nondisclosure provisions of other statutes passed by Congress. As an aid for agencies in properly applying this exemption as well as to aid requesters in understanding the scope of the material covered, for the past few years OIP has posted a [chart](#) of all the Exemption 3 statutes agencies reported citing in their Annual FOIA Reports. Additionally, in an effort to make this information more useful and accessible, OIP has also posted these charts in both portable document (PDF) and open (CSV) formats. OIP will once again post the chart of all the Exemption 3 statutes that were cited during FY 2015 on the [FOIA Resources](#) page of its website.

### *Backlogged Requests*

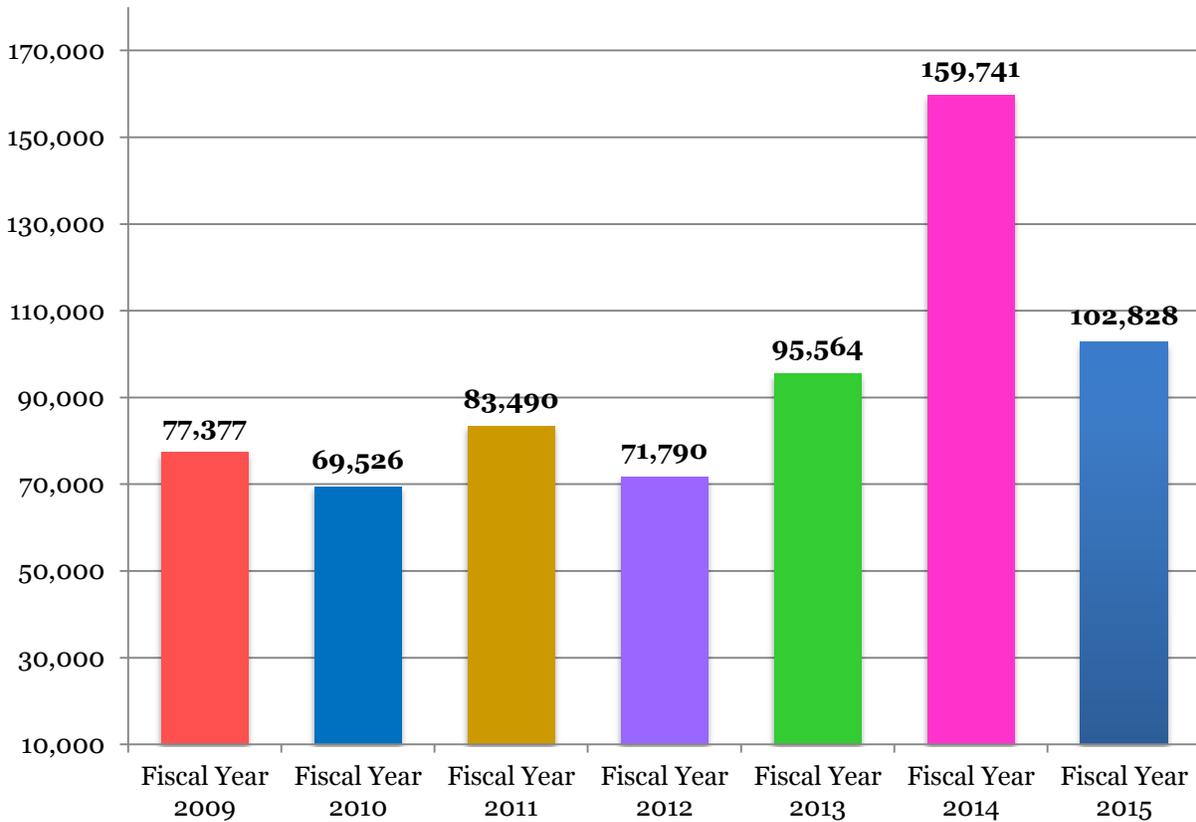
The total number of backlogged requests across the government at the end of FY 2015 was 102,828, which is a 35.6% decrease from the number of backlogged requests reported at the end of FY 2014.<sup>5</sup>

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<sup>4</sup> For example, it is sometimes necessary for agencies to use multiple exemptions to protect various interests connected to one piece of information that appears in the responsive records. In such a case, even though the agency might be releasing hundreds of pages of records to the requester and withholding only a small portion, if that small portion was protected under multiple exemptions, the agency would have to report asserting those multiple exemptions for the request. That number of exemptions asserted would not itself reveal that it covered only the small piece of information withheld and it would not show how much information had been released. For that reason, we calculate release rates which show the percentage of requests where records are released in full, released in part, or withheld in full based upon FOIA's exemptions.

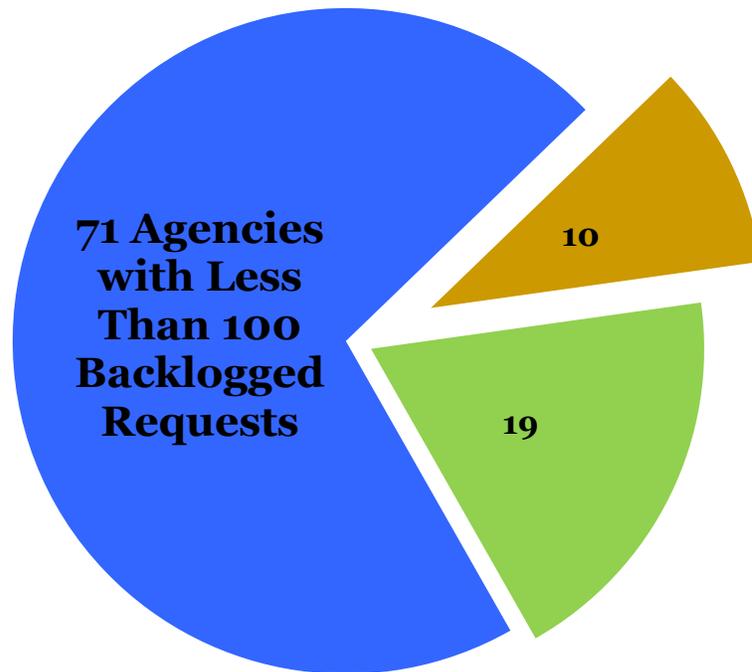
<sup>5</sup> A request is reported as “backlogged” when it has been pending at an agency longer than the statutory time period of twenty working-days, or if unusual circumstances are present, up to thirty working-days.

## Number of Backlogged Requests



The vast majority of agencies (seventy-one) reported low backlogs of fewer than 100 requests. Notably, fifty-seven agencies reported a request backlog of below twenty requests, and twenty-nine reported that they did not have any backlog of requests. Moreover, a total of thirty-one agencies including eight departments -- DHS, HHS, VA, USDA, DOE, DOC, ED, and DOI -- reported reducing their request backlogs from the numbers reported at the end of FY 2014. DHS (68,106 request decrease), HHS (1,450 request decrease), and NARA (1,036 request decrease) reported the largest reductions of backlog. Following them, VA, EPA and USDA reduced their request backlogs by 411, 333, and 166 requests, respectively.

## Number of Backlogged Requests in FY 2015



■ 1,000+ Requests (10 agencies) ■ 100 to 999 Requests (19 agencies) ■ 0 to 99 Requests (71 agencies)

While DHS reported the highest number of backlogged requests (35,374), it is notable that DHS continued to receive the most requests across the government, and that it substantially reduced its backlog from the prior fiscal year by 66%. The next highest number of backlogged requests were reported by the following agencies: State (20,626), DOJ (9,744), DOD (9,493), NARA (8,325), and HHS (5,745). The collective backlog of pending requests at these six agencies (89,307) accounts for nearly 87% of the total pending request backlog across the entire government.

Emphasizing the importance of agencies' efforts to reduce backlogs and improve timeliness, for the 2015 Chief FOIA Officer Reports OIP required those agencies that had a request backlog of over 1,000, and that did not reduce that backlog, to provide a plan for achieving backlog reduction in the year ahead. For the 2016 Chief FOIA Officer Reports, OIP followed-up this effort by asking those agencies that were required to provide plans in 2015 to report on the progress made in implementing those plans. Agencies that continued to have a backlog of over 1,000 requests at the end of FY 2015 were also directed to provide a plan for backlog reduction in their 2016 Chief FOIA Officer Reports. These plans and further discussion on the causes that contributed to the increase of backlogs at some agencies can be found in the 2015 and 2016 agency Chief FOIA Officer Reports located on the [Reports](#) page of OIP's website.

*Ten Oldest Pending Requests*

A distinct aspect of backlog reduction involves the closing of the oldest pending requests at an agency. After reviewing agencies' [2012](#), [2013](#), and [2015](#) Chief FOIA Officer Reports, OIP issued [agency-wide guidance](#) that called attention to the importance of agencies closing their ten oldest pending requests each year. Every year OIP also scores agencies on their efforts to close their ten oldest pending requests in the Department's annual assessment of agencies implementation of the Department of Justice's 2009 FOIA Guidelines. At the end of FY 2015, the ten oldest pending requests across the government dated between 1993 and 1997, and were all pending at NARA.<sup>6</sup> Eighteen agencies reported having no pending requests at the end of FY 2015; therefore, these eighteen agencies did not have any "10 oldest" pending requests to report. Of the agencies that did have pending requests to report, twenty-three had less than ten to report.

“Our sustained efforts to close these requests . . . every year is essential to reducing the age of the government’s backlogs and resolving those cases that have been lingering for years.”

*OIP Guidance for Further Improvement*  
August 13, 2013

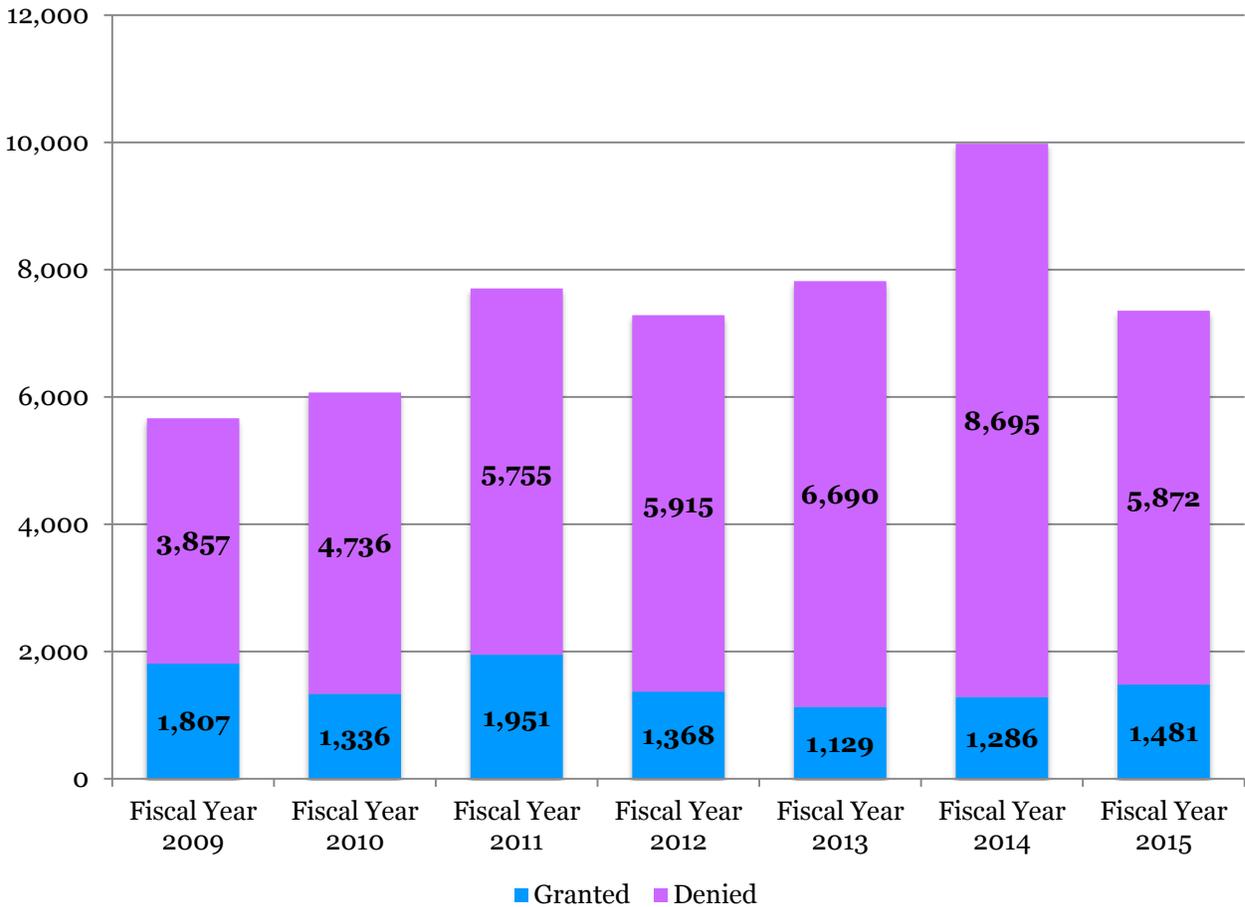
*Requests for Expedited Processing*

In FY 2015, the government overall made a decision to grant or deny 7,353 requests for expedited processing. This is a 26.3% decrease from the total number of expedited processing determinations made during FY 2014 (9,981).

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<sup>6</sup> The oldest pending requests are calculated by the number of days the requests have been pending.

## Requests for Expedited Processing



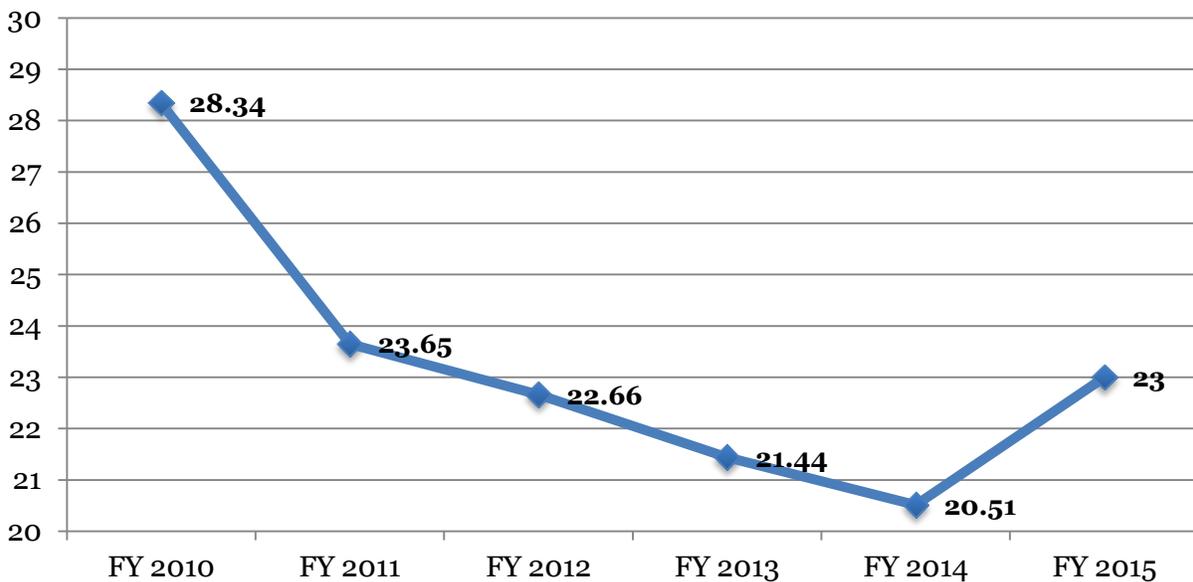
In making these determinations, agencies overall granted 1,481 requests for expedited processing, which is a 15.2% increase from the 1,286 requests for expedited processing granted in FY 2014. During FY 2015, agencies collectively denied 5,872 requests for expedited processing, which is a 32.5% decrease from the 8,695 denials reported at the end of FY 2014.

Across the government, agencies averaged 10.63 days to adjudicate requests for expedited processing. This is 35.6% decrease from the average time agencies took to adjudicate requests for expedited processing in FY 2014 (16.49 days). Sixty-six of the one-hundred agencies reported adjudicating requests for expedited processing during FY 2015, and of those, forty-eight reported that they were able to adjudicate these requests within an average of ten calendar days or less. In total, agencies adjudicated 82.7% (6,084) of all requests for expedited processing made during FY 2015 within ten calendar days.

Average Processing Time for Simple Requests

The average processing time for simple track requests for agencies that reported data in this field in their FY 2015 Annual FOIA Report was 23 days.<sup>7</sup> This is an increase of over 12% from the average of 20.51 days that was reported in FY 2014. Fifty-six agencies, including six departments -- DOI, USDA, ED, Treasury, HHS, and DOD -- reported processing their simple track requests within an average of twenty days or less. Twenty-two agencies, including VA, DHS, DOL, DOE, and DOJ reported processing these requests between an average of 20.5 days and thirty days. A total of eighteen agencies reported an average processing time for simple track requests that was above thirty days.

### Average Processing Time for Simple Track Requests (in days)



The Administrative Conference of the United States (1.60 days) and the Office of Navajo and Hopi Indian Relocation (2.13 days) reported the lowest average processing times for simple requests.

Because of the strong correlation between the type of request that is made and the ability of the agency to respond to that request more quickly, in 2012 OIP established a milestone for agencies that addresses whether the agency overall responded to requests in

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<sup>7</sup> For purposes of the Annual FOIA Report, agencies were instructed to break down their response times by three processing tracks: Simple, Complex and Expedited. Agencies that did not have multi-track processing, reported all of their non-expedited requests as either simple or complex, whichever best characterized the majority of the requests they processed that year. Similarly, agencies that had more than three tracks (including the expedited track), categorized their non-expedited requests as either simple or complex, whichever best characterized the majority of the requests they processed that year.

its simple track within an average of twenty working days or less. Agencies were once again required to report on this metric in their 2016 Chief FOIA Officer Reports, and they will be scored on their success in this area in OIP's upcoming 2016 Assessment of Agency Progress in Implementing the [President's FOIA Memorandum](#) and the [Department of Justice's 2009 FOIA Guidelines](#).

#### *Average Processing Time for Complex Requests*

Complex requests typically seek a high volume of material or require additional steps to process such as the need to search for records in multiple locations. Complex requests necessarily take longer to process than more targeted “simple” requests. The average processing time for complex track requests for agencies that reported data in this field in their Annual FOIA Reports was 121.80 days. This is an increase of 3.06 days from the average processing time reported in FY 2014. A total of five agencies reported processing their complex track requests in an average of twenty working days or less. Another nine agencies processed their complex track requests between an average of twenty days and thirty days. Forty-one agencies, including eleven departments -- DOL, Treasury, DOI, VA, USDA, HUD, ED, HHS, DHS, DOT, and DOC -- processed their complex track requests between an average of thirty-one days and 150 days.

#### *Average Processing Time for Expedited Requests*

Due to the nature of expedited track requests, which can either be simple or complex in their scope, comparisons of average processing times are necessarily imperfect. For those agencies that reported data for this field, however, the average processing time for expedited requests in FY 2015 was 54.50 days. This is a decrease of nearly 50 days from the average of 104.02 days reported for FY 2014. Fourteen agencies reported processing their expedited requests within an average of twenty days or less. Seven other agencies, including the General Services Administration (20.14 days), ED (22.5 days), and OPM (twenty-five days), reported processing their expedited requests under an average of thirty days. Of the forty-four agencies that reported data in this field for FY 2015, all but nine processed such requests within an average of 100 days or less.

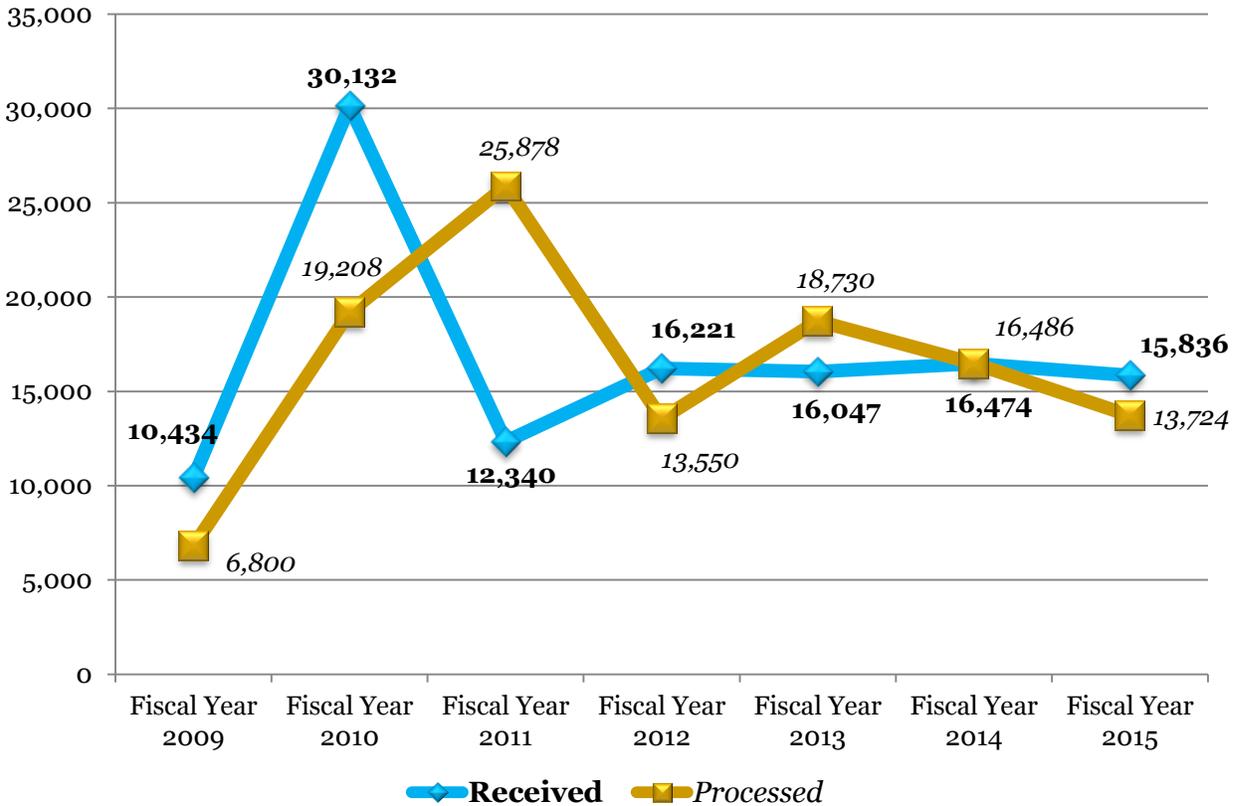
### **CONSULTATIONS ON FOIA REQUESTS**

#### *Consultations Received, Processed, and Pending*

During FY 2015, forty-seven of the one-hundred agencies subject to the FOIA received documents on consultation from another agency. Agencies in receipt of such consultations are asked to provide their views on the disclosability of records that are being processed by another agency. A total of 15,836 consultations were received by agencies in FY 2015, a 3.9% decrease from the total received in FY 2014 (16,474). For the sixth consecutive year, State received the most consultations across the government with 10,043. For the fourth year in a row, DOD (2,210) and the Central Intelligence Agency (CIA) (1,155) received the second and third most consultations across the government, and along with State, were the only agencies to receive more than 1,000 consultations during the fiscal year. Collectively, these three agencies accounted for over 84% (13,408) of all consultations received by the government in FY 2015. Only four other agencies – DOJ (826), DHS (404),

DOE (295), and Treasury (207) -- received more than 100 consultations during FY 2015. Together, these seven agencies received just over 95% of all consultations across the government.

## Consultations



During FY 2015, agencies collectively processed 13,724 consultations, which is a 16.8% decrease from the 16,486 consultations processed in FY 2014. As with the number of consultations received, State processed the most consultations during the fiscal year. The 8,269 consultations processed by State amounts to just over 60% of the total number of consultations processed by the entire government in FY 2015. After State, DOD (2,033) and CIA (1,021) were the only two agencies to process more than 900 consultations. Together, these three agencies processed nearly 83% of all consultations across the government. As with the number of consultations received, DOJ (834), DHS (379), DOE (287), and Treasury (237) were the only other agencies to have processed more than 100 consultations in FY 2015. These seven agencies together processed just over 95% of all the consultations processed by the government. Out of these seven agencies, only DOJ and Treasury were able to process more consultations than they received.

The overall number of pending consultations for the government increased by 61.4% from 3,448 to 5,566. As with the last four fiscal years, State (3,256) and DOD (1,289) reported having the highest number of pending consultations at the end of the fiscal year.

These two agencies together accounted for nearly 82% of all pending consultations at the end of FY 2015. Of the remaining twenty-six agencies, only four -- CIA (339), DOJ (198), DHS (187), and DOE (134) -- had more than 100 consultations pending at the end of the fiscal year. DOC (forty-nine) and Treasury (thirty-five) are the only other agencies that had more than twenty consultations pending at the end of the fiscal year, with the remaining twenty agencies reporting having between one and sixteen.

### *Ten Oldest Pending Consultations*

OIP issued [guidance](#) in 2012 stressing the importance of agencies closing their ten oldest consultations, and calling on agencies to "assess the steps needed to respond on any pending consultations, identify any barriers to doing so, and devise strategies that will allow for the consultations to be finished prior to the close of the fiscal year." OIP continued to issue [guidance](#) related to this topic in [2014](#) and [2015](#).

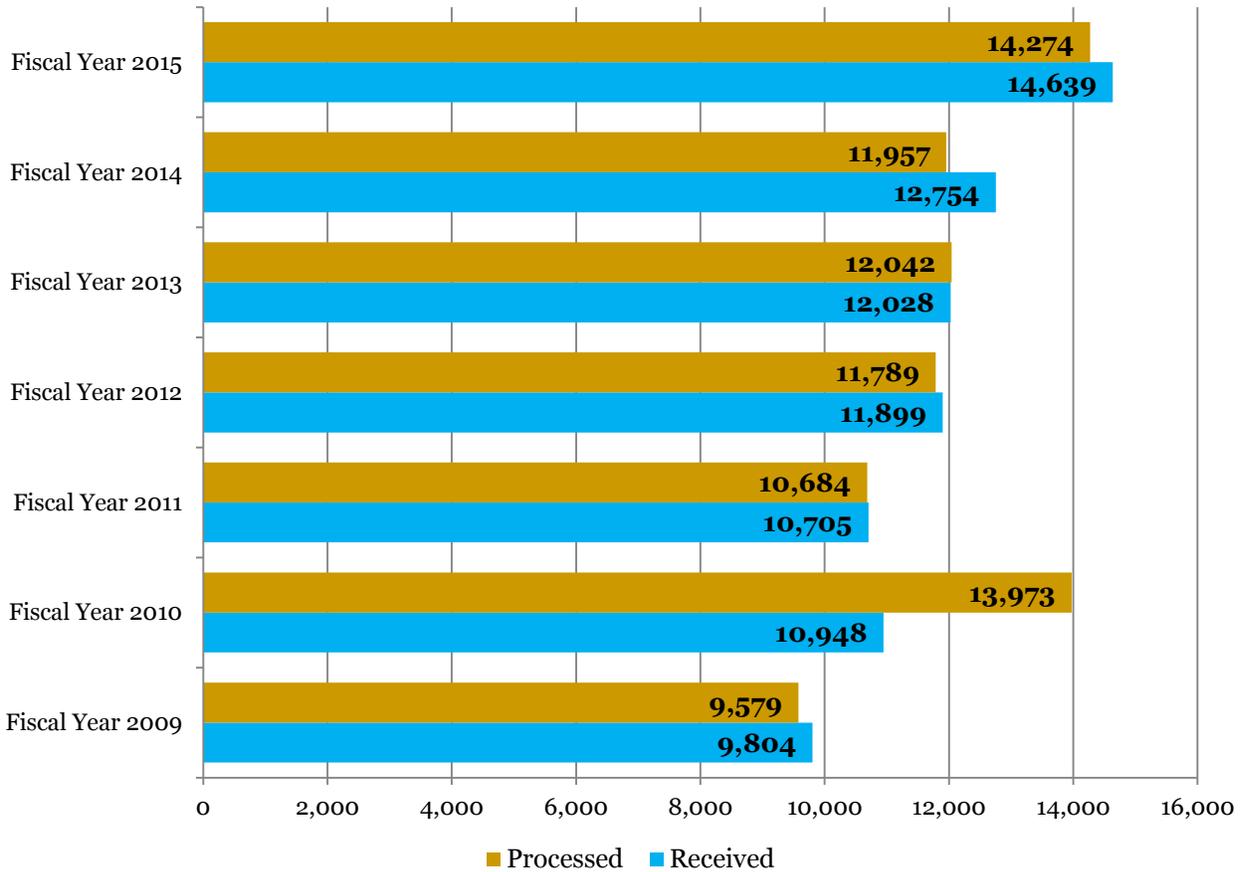
Thirteen of the twenty-eight agencies that had pending consultations at the end of FY 2015 reported that their oldest pending consultation was dated during calendar years 2014 or 2015. The government's overall ten oldest pending consultations at the end of FY 2015 are dated between 2007 and 2008 and are all pending at CIA and DOD.

## **ADMINISTRATIVE APPEALS**

### *Number of Administrative Appeals Received and Processed*

In FY 2015, the government overall received 14,639 appeals, which is 14.8% more than the 12,754 appeals received in FY 2014. For the second consecutive year, DHS received the highest number of appeals across the government. During FY 2015, DHS received 4,679 appeals, which accounts for nearly 32% of all the appeals received government-wide. DOJ (3,926) and DOD (1,083) received the second and third highest number of appeals. These three agencies were the only agencies to receive more than 500 appeals in the fiscal year and collectively they accounted just over 66% of all appeals received by the government. Sixteen agencies, including nine departments -- DOC, DOT, DOI, State, USDA, HHS, Treasury, VA, and DOL -- received between eighty-five and 495 appeals during FY 2015, with another fifty-four agencies receiving between one and eighty appeals. Twenty-seven agencies received no appeals during the fiscal year.

## Administrative Appeals

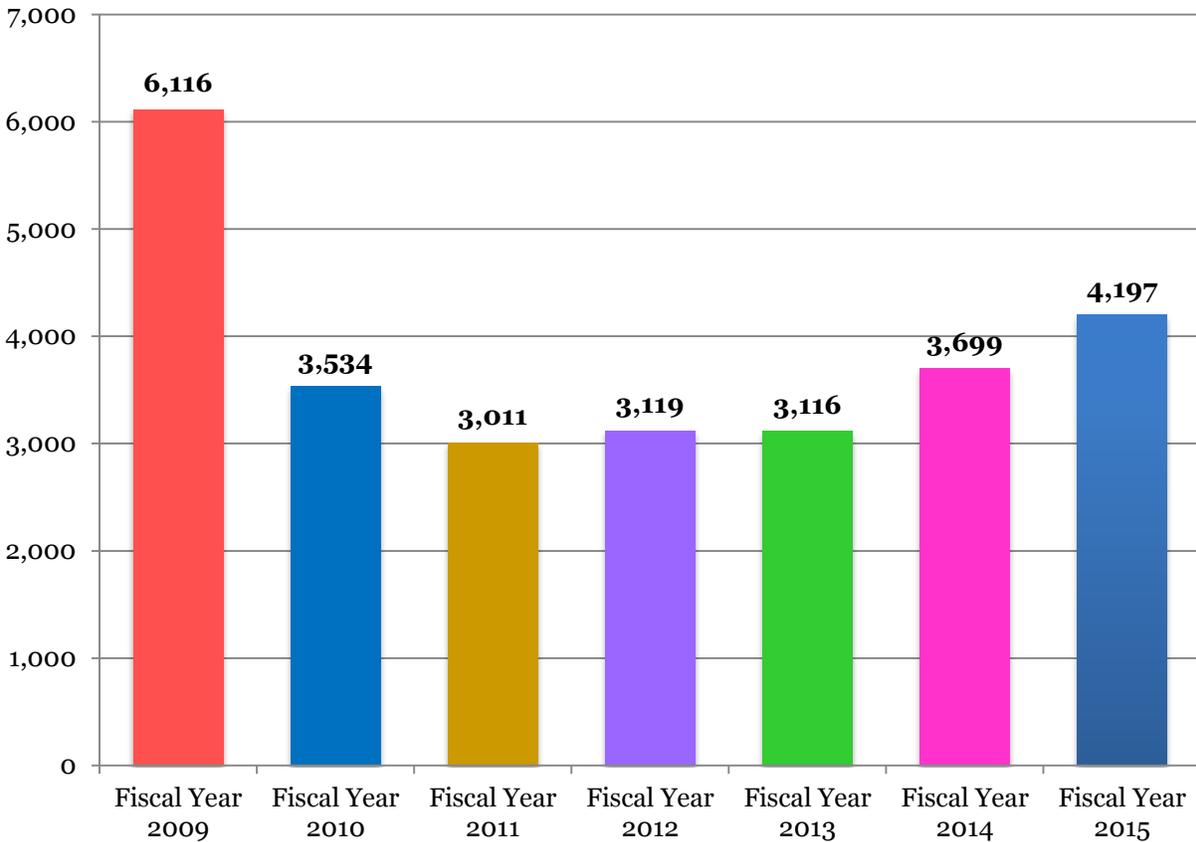


The government overall processed a record high 14,274 appeals during FY 2015, which is an increase of over 19% from the 11,957 processed during FY 2014 and the first time that over 14,000 appeals have been processed. The three agencies that received the most appeals also processed the most appeals: DHS (4,634), DOJ (4,109), and DOD (1,003). These three agencies together processed 68% of the total number of appeals processed by the entire government in FY 2015. Fourteen agencies processed between 118 and 505 appeals, and another twenty-one agencies processed between ten and seventy-five. Sixty-two agencies processed less than ten appeals, and of those, twenty-six processed none.

### Backlogged Administrative Appeals

The overall backlog of administrative appeals increased from 3,699 at the end of FY 2014 to 4,197 at the end of FY 2015.

## Number of Backlogged Administrative Appeals



DOD reported the highest number of backlogged appeals with 797, and was followed by HHS (437) and DOL (405). Twenty-three agencies overall reduced their backlog of appeals at the end of FY 2015. Sixty-three of the one-hundred agencies subject to the FOIA closed FY 2015 with no pending appeals in their backlog.

### Ten Oldest Pending Administrative Appeals

The oldest pending administrative appeal across the government is pending at CIA. The remaining nine oldest appeals are pending at the CIA, DOD, and Treasury.

As noted above, sixty-three agencies reported having no pending administrative appeals at the end of the fiscal year. Of the remaining agencies, nineteen had less than ten pending appeals and eight only had one or two appeals to list as their oldest. Seven agencies reported that their oldest appeal had been pending for twenty days or less.

Processing Time for Administrative Appeals

The average processing time for adjudicating appeals for those agencies that reported data in this field of their FY 2015 Annual FOIA Report is 78.83 days. This is an improvement of over 2.5 days from the average of 81.35 days reported in FY 2014. The average processing time for the agencies that processed the most appeals were 19.37 (DHS), 61.61 (DOJ), and 146.47 (DOD). DHS decreased its processing time significantly by over 82% from the 111.54 days reported in FY 2014. The Office of the Director of National Intelligence had the highest overall processing time for appeals with an average of 459.57 days, and was followed by the HHS at 385.59 days, and ED at 365.02 days. The Office of Special Counsel reported the fourth highest average processing time of 356 days, followed by DOI with 344 days. Along with these five agencies, three additional agencies reported an average processing time above 200 days. Eight agencies, including four departments -- DOD, DOL, VA, and USDA -- reported an average processing time for appeals between 100 and 199 days. Twenty-four agencies, including DHS, reported their average processing time for appeals in FY 2015 was twenty days or fewer.

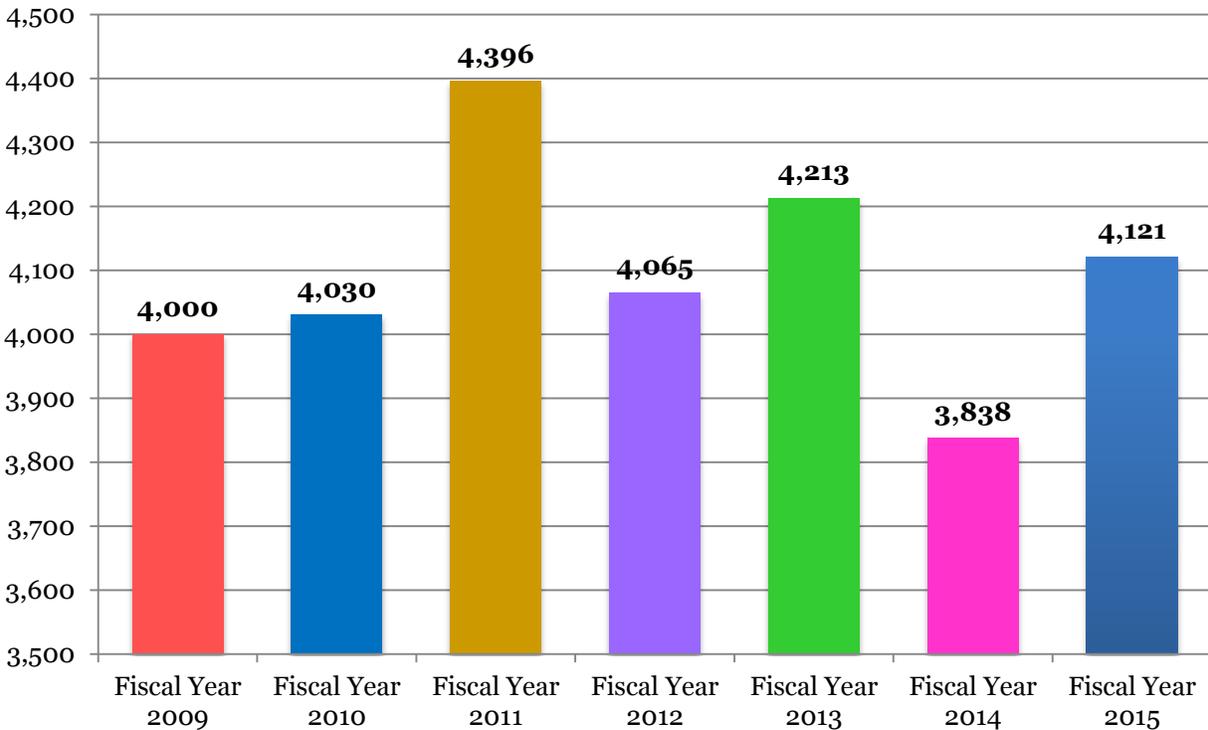
**STAFFING LEVELS**

During FY 2015, 4,121.59 “full-time FOIA staff” were devoted to the administration of the FOIA throughout the government.<sup>8</sup> This is an increase of 7.4% from the 3,838.61 “full-time FOIA staff” reported in FY 2014. For the fifth year in a row DOD reported the highest number of “full-time FOIA staff,” although decreasing from 754 during FY 2014 to 724.36 in FY 2015. DHS (597.57) moved from reporting the third highest number of “full-time FOIA staff” in FY 2014 to the second highest, followed by DOJ which reported 498.66 “full-time FOIA staff.” DOD, DHS, and DOJ were the only agencies in FY 2015 to report a total “full-time FOIA staff” above 400. HHS (306.85) and the VA (206.70) were the only other agencies to report over 200 “full-time FOIA staff.” In addition to these agencies, the following agencies reported over 100 “full-time FOIA staff”: DOL(194.3), USDA (173.64), State (169.75), Treasury (146.63), and DOI (129.71).

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<sup>8</sup> This includes both full-time FOIA professionals and the cumulative percentages of the time spent on FOIA by personnel who work on FOIA as a part of their duties.

## Number of "Full-Time FOIA Staff" Across the Government

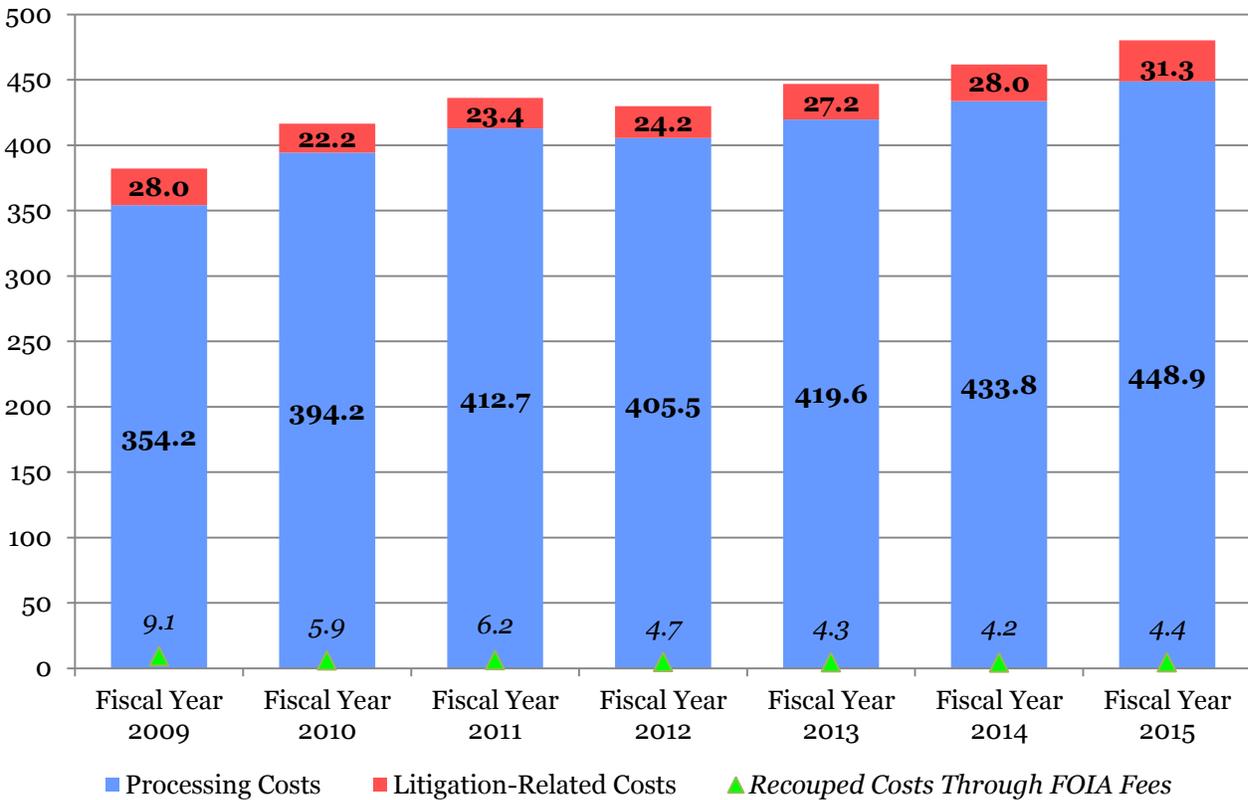


A total of twenty-seven agencies reported having less than one "full-time FOIA staff" at the end of FY 2015. Forty-nine agencies had between one and nineteen "full-time FOIA staff" at the end of FY 2015. The remaining fourteen agencies reported a range between twenty-three and ninety-four "full-time FOIA staff."

### COSTS

The total estimated cost of all FOIA related activities across the government during FY 2015 was \$480,235,967.62, which is a 4% increase from FY 2014. For the fifth year in a row, nearly 94% (\$448,982,683.71) of the total costs was attributed to the processing of requests and appeals by agencies. Roughly 6% was reported to have been spent on litigation-related activities. By the end of the fiscal year, agencies reported collecting a total of \$4,431,426.83 in FOIA fees, which amounts to less than 1% of the total costs related to the government's FOIA activities.

## Approximate Cost of All FOIA Related Activities (in millions of dollars)



DOD reported incurring the highest total costs (approx. \$76.2 million) across the government for FOIA-related activities. DOJ (approx. \$73.5 million), DHS (approx. \$53.3 million), and HHS (approx. \$50.9 million) reported the second, third, and fourth highest costs in FY 2015, and along with State (approx. \$33.4.4 million), are the only agencies to have spent over an estimated \$20 million on FOIA-related activities in FY 2015. Sixty-seven agencies reported spending less than one million dollars on FOIA-related activities during the fiscal year, with thirty-seven of those agencies spending less than \$100,000.

Sixty-one agencies reported having no expenditures for litigation-related activities during FY 2015, with another nine spending less than \$9,000. Eleven agencies reported spending between \$9,000 and \$52,000 and another twelve reported spending between \$107,000 and \$680,000.

### CONCLUSION

In response to receiving over 700,000 requests for the third year in a row, the government overall processed a record high 769,903 requests in FY 2015. This effort led to a significant 35.6% reduction in the government's overall backlog of FOIA requests. Further, the government continued to maintain a high release rate of over 91% for the

seventh year in a row. Agencies were also able to improve the average processing time for requests for expedited processing to about 10 days. With these achievements in mind, there is work to be done to make further improvements in FY 2016. Agencies should focus on ensuring that their simple track requests are responded to within an average of twenty working days. Further, agencies with high backlogs of FOIA requests should continue their efforts to reduce those backlogs. Agencies should also continue to focus on reducing the age of their backlogs by closing the ten oldest pending requests and consultations that were reported in their FY 2015 Annual FOIA Reports.