



Department of Homeland Security

Fiscal Year 2023 Freedom of Information Act Report
to the Attorney General of the United States and the
Director of the Office of Government Information Services

March 2024



Homeland
Security

Executive Summary

In Fiscal Year (FY) 2023, the Department of Homeland Security set a record for the number of Freedom of Information Act (FOIA) requests received and processed. DHS received more than 674,000 FOIA requests and processed more than 580,000 requests, which is a testament to the hard work and dedication of the DHS FOIA staff to advancing transparency.

Collaboration and good customer service are core values of the program and enable DHS FOIA to continually increase the number of requests processed each year. For example, U.S. Immigration and Customs Enforcement (ICE) and U.S. Citizenship and Immigration Services (USCIS) continued to execute an agreement that streamlines the user experience for individuals seeking personal immigration-related files by eliminating the need to refer requests. The United States Secret Service (USSS) also assisted with reviewing and closing backlogged cases at USCIS. Additionally, the DHS Privacy Office strategically deployed resources to support the DHS FOIA Program by, for example, providing direct assistance to U.S. Customs and Border Protection (CBP) and creating new opportunities for FOIA professionals across the enterprise to receive substantive FOIA training.

The Privacy Office substantially upgraded the FOIA information technology infrastructure used by most Components.¹ The Privacy Office expects the new system will continue to improve the efficiency of and reduce administrative burden related to FOIA processing, allowing FOIA analysts to focus their efforts on more complex requests.

Notably, the DHS backlog is once again less than 10 percent of the total number of requests received, despite a 25 percent increase in requests received in FY 2023. DHS ended FY 2023 with a backlog of 63,883 requests. While more than half of DHS FOIA processing centers² experienced an increase in requests received, the backlog increase is concentrated primarily at FOIA processing centers that regularly receive a very large volume of requests.

The Chief Privacy Officer and Chief FOIA Officer is dedicated to ensuring the Department's FOIA program enhances transparency and accountability. The Privacy Office will continue to oversee and assist FOIA processing centers across DHS to enhance operations and increase compliance with the FOIA.

¹ The Privacy Office maintains the FOIA processing solution used by all Components except the Office of Inspector General (OIG), USSS, and USCIS.

² FOIA processing centers are Component FOIA Offices and are used interchangeably with "Component" throughout this report.

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I. Basic Information Regarding Report

1. Questions regarding this report may be directed to:

Mason C. Clutter
Chief Privacy Officer and Chief FOIA Officer
DHS Privacy Office
U.S. Department of Homeland Security
2707 Martin Luther King, Jr. Avenue SE, Mail Stop 0655
Washington, DC 20528-0655
Phone: 202-343-1743; Fax: 202-343-4011

2. This report can be downloaded from the DHS FOIA website at <http://www.dhs.gov/foia-annual-reports>.

3. Requests for this report in paper form may also be directed to the Privacy Office, as listed above.

II. Making a FOIA Request³

1. Contact Information for DHS FOIA Offices can be found on the DHS website at <http://www.dhs.gov/foia-contact-information>.

2. Brief description of why requests may not be granted:

In response to a FOIA request, DHS may respond that the requested records are exempt, in whole or in part, or that the requested record does not exist or cannot be located. For example, the Department frequently receives requests for law enforcement records, which are of specific interest to subjects of investigation, victims of crime, and the public. Depending on who is requesting the information (i.e., a first or third-party requester) the Department may invoke FOIA exemptions 6 and 7(C) (to prevent an unwarranted invasion of personal privacy) and/or exemption 7(E) (to protect against the disclosure of law enforcement techniques, procedures, and guidelines).

III. Acronyms, Definitions, and Exemptions

1. Agency-specific acronyms or other terms.

- a. CBP U.S. Customs and Border Protection
- b. CISA Cybersecurity and Infrastructure Security Agency
- c. CISOMB Office of the Citizenship and Immigration Services Ombudsman
- d. CRCL Office for Civil Rights and Civil Liberties
- e. CWMD Countering Weapons of Mass Destruction Office

³ The DHS Privacy Office processes and reports on FOIA requests for the Privacy Office, the Office of the Secretary (including the Military Advisor's Office), and the following Components: Office of the Citizenship and Immigration Services Ombudsman (CISOMB), Cybersecurity and Infrastructure Security Agency (CISA), Countering Weapons of Mass Destruction Office (CWMD), Office of the Executive Secretary (ESEC), Federal Protective Service (FPS), Management Directorate (MGMT), Office of Biometric Identity Management (OBIM), Office of General Counsel (OGC), Office of Health Security (OHS), Office of Legislative Affairs (OLA), Office of Public Affairs (OPA), Office of Partnership Engagement (OPE), Office of Situational Awareness (OSA), and Office of Strategy, Policy, and Plans (PLCY).

f.	DHS	Department of Homeland Security
g.	ESEC	Office of the Executive Secretary
h.	FEMA	Federal Emergency Management Agency
i.	FLETC	Federal Law Enforcement Training Centers
j.	FPS	Federal Protective Service
k.	I&A	Office of Intelligence and Analysis
l.	ICE	U.S. Immigration and Customs Enforcement
m.	MGMT	Management Directorate
n.	MIL	Military Advisors Office
o.	NCSC	National Cyber Security Center
p.	OBIM	Office of Biometric Identity Management
q.	OCF	Office of Community Partnerships
r.	OGC	Office of the General Counsel
s.	OHS	Office of Health Security
t.	OIDO	Office of the Immigration Detention Ombudsman
u.	OIG	Office of Inspector General
v.	OLA	Office of Legislative Affairs
w.	OPA	Office of Public Affairs
x.	OPE	Office of Partnership and Engagement
y.	OSA	Office of Homeland Security Situational Awareness
z.	PLCY	Office of Strategy, Policy, and Plans
aa.	PRIV	DHS Privacy Office
bb.	S&T	Science & Technology Directorate
cc.	TSA	Transportation Security Administration
dd.	USCG	United States Coast Guard
ee.	USCIS	U.S. Citizenship and Immigration Services
ff.	USSS	United States Secret Service

2. Definition of terms, as used in this report.

- a. **Administrative Appeal** – A request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level. Under section 704 of the Administrative Procedures Act, the Department’s response to an administrative appeal is considered final agency action that is then appealable to a federal district court.
- b. **Backlog** – The number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time for a response.
- c. **Component** – For agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in the Annual FOIA Report data for both the agency overall and for each principal component of the agency.

- d. **Consultation** – The procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it provides its views on the record to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- e. **Exemption 3 Statute** – A federal statute other than FOIA that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.⁴
- f. **FOIA Request** – A FOIA request is generally a request to a federal agency for access to records concerning another person (in other words, a “third-party” request), an organization, or a particular topic of interest. Moreover, because requesters covered by the Privacy Act who seek records concerning themselves (in other words, “first-party” requesters) are afforded the benefit of the access provisions of both FOIA and the Privacy Act, the term “FOIA request” also includes any such “first-party” requests when an agency determines that it must search beyond its Privacy Act “systems of records” or when the agency applies a Privacy Act exemption and therefore looks to FOIA to afford the greatest possible access. DHS applies this same interpretation of the term “FOIA request” to “first-party” requests from persons not covered by the Privacy Act, e.g., non-U.S. citizens. Thus, all requests that require DHS to use FOIA in responding to the requester are included in this Report.

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

- g. **Full Grant** – An agency decision to disclose all records in full in response to a FOIA request.
- h. **Full Denial** – An agency decision to not release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- i. **Multi-Track Processing** – A system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in another track. Requests in each track are processed on a first in/first out basis.

⁴ Pursuant to 5 U.S.C. § 552(b)(3) as amended by sec. 564 of Public Law 111-83, a statute enacted after October 28, 2009 can qualify as an Exemption 3 law only if it cites specifically to 5 U.S.C. § 552(b)(3). The Department of Justice lists all available Exemption 3 statutes on an annual basis here: <https://www.justice.gov/oip/foia-resources#s4>.

- i. **Expedited Processing** – An agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
 - ii. **Simple Request** – A FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the volume and/or simplicity of records requested.
 - iii. **Complex Request** – A FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- j. **Partial Grant/Partial Denial** – An agency decision to disclose portions of the responsive records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
 - k. **Pending Request or Pending Administrative Appeal** – A pending request is one where the agency has not yet provided a response to the requester. A pending administrative appeal is where one where the agency has not taken final action in all respects.
 - l. **Perfect Request** – A request for records that reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed.
 - m. **Processed Request or Processed Administrative Appeal** – A processed request is one where the agency has provided a complete response to the requester’s initial request. A processed administrative appeal is one where the agency has advised the requester of its final decision on the requester’s appeal as to the handling of the initial request.
 - n. **Range in Number of Days** – The lowest and highest number of days required to process requests or administrative appeals.
 - o. **Time Limits** – The time in the statute for an agency to respond to a FOIA request (ordinarily 20 working days from receipt of a perfected FOIA request).⁵

⁵ Absent “unusual circumstances,” the FOIA provides that agencies should make a determination with respect to an appeal within twenty working-days of its receipt by the agency. 5 U.S.C. § 552(a)(6)(A)(ii).

3. Concise descriptions of FOIA exemptions:

- a. **Exemption 1:** classified national defense and foreign relations information.
- b. **Exemption 2:** internal agency rules and practices (personnel).
- c. **Exemption 3:** information that is prohibited from disclosure by another federal law.
- d. **Exemption 4:** trade secrets and other confidential or financial information obtained from a person.
- e. **Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges, such as the deliberative process privilege, attorney work product privilege, and attorney client privilege.
- f. **Exemption 6:** information that, if released, would be a clearly unwarranted invasion of personal privacy.
- g. **Exemption 7:** law enforcement records where the disclosure would (A) interfere with enforcement proceedings, B) deprive a person of a fair trial or impartial adjudication, C) constitute an unwarranted invasion of personal privacy, D) identify a confidential source, E) disclose law enforcement techniques and procedures or guidelines for law enforcement investigations or prosecutions, or F) endanger the life or physical safety of any individual.
- h. **Exemption 8:** information relating to the supervision of financial institutions.
- i. **Exemption 9:** geological/geophysical information concerning wells.

IV. Exemption 3 Statutes

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by DHS
8 U.S.C. § 1202(f) (Immigration and Nationality Act)	Certain records pertaining to the issuance or refusal of visas to enter the United States	Medina-Hincapie v. Dep't of State, 700 F.2d 737, 741-42 (D.C. Cir. 1983); DeLaurentiis v. Haig, 686 F.2d 192, 194 (3d Cir. 1982); Assadi v. Dep't of State, No. 12-1111, 2014 WL 4704840, at *6 (S.D.N.Y. Sept. 19, 2014); Beltranena v. U.S. Dep't of State, 821 F. Supp. 2d 167, 177-78 (D.D.C. 2011); Badalamenti v. U.S. Dep't of State, 899 F. Supp. 542, 547 (D. Kan. 1995); Jan-Xin Zang v. FBI, 756 F. Supp. 705, 711-12 (W.D.N.Y. 1991); Smith v. DOJ, No. 81-CV-813, 1983 U.S. Dist. LEXIS 10878, at *13-14 (N.D.N.Y. Dec. 13, 1983).	PRIV USCG USCIS	5,379 1 28,998	34,378
8 U.S.C. § 1367(a)(2) (Immigration and Nationality Act)	Information which relates to an alien who is the beneficiary of an application for relief under paragraph (15)(T), (15)(U), or (51) of section 101(a) of the Immigration and Nationality Act [8 U.S.C. § 1101(a)(15)(T), (U), (51)] or section 240A(b)(2) of such Act [8 U.S.C. § 1229b(b)(2)]	<u>N/A</u>	OIG USCIS	5 3	8
10 U.S.C. § 130b	Personally identifiable information pertaining to "any member of the armed forces assigned to an overseas unit, a sensitive unit, or a routinely deployable unit" and "any employee of the Department of Defense or of the Coast Guard whose duty station is with any such unit"	Freedom Watch, Inc. v. NSA, 197 F. Supp. 3d 165, 174 (D.D.C. 2016); Hiken v. DOD, 521 F. Supp. 2d 1047, 1062 (N.D. Cal. 2007); O'Keefe v. DOD, 463 F. Supp. 2d 317, 325 (E.D.N.Y. 2006); Windel v. United States, No. A02-306, 2005 WL 846206, at *2 (D. Alaska Apr. 11, 2005).	PRIV	1	1
10 U.S.C. § 3309 (b) (Formerly at 10 U.S.C. 2305(g))	Contract records regarding certain contractor proposals	Roman v. NSA, Nos. 09-2947, 09-4281, 09-3344, 09-2504, 09- 5633, 2012 WL 569747, at *7 (E.D.N.Y. Feb. 22, 2012); Margolin v. NASA, No. 09- - 00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011).	USCG	1	1

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by DHS
16 U.S.C. § 470hh	Information pertaining to the nature and location of certain archaeological resources	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); Starkey v. U.S. Dep't of the Interior, 238 F. Supp. 2d 1188, 1192-94 (S.D. Cal. 2002).	CBP	5	5
18 U.S.C. § 3509(d) (Federal Victims' Protection and Rights Act)	Certain records containing identifying information pertaining to children involved in criminal proceedings	Corley v. DOJ, 998 F.3d 981, 982-85 (D.C. Cir. 2021).	ICE PRIV	2 1	3
26 U.S.C. §§ 6103, 6105 (Internal Revenue Code)	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	Nosal v. IRS, 523 F. Supp. 3d 72, 79 (D.D.C. 2021); Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Elec. Priv. Info. Ctr. v. IRS, 910 F.3d 1232, 1237 (D.C. Cir. 2018); Leonard v. U.S. Dep't of Treasury, 590 F. App'x. 141, 143-44 (3d Cir. 2014) (per curiam); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. § 6103, 6105).	CBP USCIS	1 58	59
31 U.S.C. § 5319 (Bank Secrecy Act)	Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports	Yunes v. DOJ, 263 F. Supp. 3d 82, 87 (D.D.C. 2017)); Council on Am.-Islamic Rels., Cal. v. FBI, 749 F. Supp. 2d 1104, 1117 (S.D. Cal. 2010); Berger v. IRS, 487 F. Supp. 2d 482, 496-97 (D.N.J. 2007), affd on other grounds, 288 F. App'x 829 (3d Cir. 2008).	ICE USCIS	2 13	15

Statute	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component		Total Number of Times Relied upon by DHS
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-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).	FEMA FLETC USCIS	9 1 6	16
41 U.S.C. § 2102 (amending 41 U.S.C. § 423(a)(1))* (Procurement Integrity Act)	Contractor bid or proposal information; source selection information	Legal & Safety Employer Research, 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).	CBP FEMA ICE PRIV	2 7 1 1	11
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. 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).	CBP ICE PRIV TSA USCIS USSS	30 9 55 57 16,687 77	16,915
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records that would reveal some secret aspect pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Sorin v. DOJ, No. 18-99, 2018 WL 6431027 (2d Cir. Dec. 6, 2018) (per curium); Widi v. McNeil, No. 12-CV-00188, 2016 WL 4394724, at *23 (D. Me. Aug 16, 2016); Durham v. U.S. Atty. Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	USCIS	25	25
18 U.S. Code § 2510, et seq.	Records surrounding wiretap requests and the contents of any wire, oral, or electronic communication obtained through wiretaps	Payne v. DOJ, No. 96-30840, 1997 WL 450139, at *3 (5th Cir. July 11, 1997); Lam Lek Chong v. DEA, 929 F.2d 729, 732-33 (D.C. Cir. 1991).	USSS	2	2

V. FOIA Requests

A. Received, Processed, and Pending FOIA Requests

Processing Center	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
CBP	47,561	144,474	89,727	102,308
CISA	152	445	269	328
CRCL	17	193	166	44
FEMA	515	1,095	920	690
FLETC	18	206	196	28
FPS	68	409	399	78
I&A	175	293	100	368
ICE	19,102	44,401	32,138	31,365
OIG	464	491	535	420
PRIV	7,601	86,174	67,840	25,935
TSA	532	1,362	972	922
USCG	2,160	2,527	1,806	2,881
USCIS	25,921	391,969	384,311	33,579
USSS	148	817	826	139
AGENCY OVERALL	104,434	674,856	580,205	199,085

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

Processing Center	No. of Full Grants	No. of Partial Grants/ Partial Denials	No. of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									Total
				No Records	All Records Referred	Request Withdrawn	Fee-Related Reason	Not Reasonably Described	Improper FOIA Request	Not Agency Record	Duplicate Request	Other	
CBP	7,598	24,494	170	36,767	345	1,342	137	338	13,020	3,534	1,976	6	89,727
CISA	4	27	6	30	60	26	0	82	6	7	13	8	269
CRCL	2	20	2	53	21	3	0	8	28	25	4	0	166
FEMA	136	171	54	176	29	101	3	117	31	48	28	26	920
FLETC	9	46	3	26	20	7	0	33	40	5	6	1	196
FPS	11	104	12	30	138	12	0	9	35	8	21	19	399
I&A	1	0	29	42	3	1	0	7	6	3	2	6	100
ICE	504	6,033	147	8,291	9,561	676	1	64	3,164	2,798	467	432	32,138
OIG	16	54	11	15	12	29	0	0	375	4	7	12	535
PRIV	232	29,584	82	33,787	1,087	603	0	562	1,325	46	502	30	67,840
TSA	34	91	17	109	260	71	0	92	43	107	67	81	972
USCG	544	182	90	326	42	345	1	26	72	15	75	88	1,806
USCIS	28,596	184,078	12,383	100,579	1,572	366	0	0	35,561	6,280	14,896	0	384,311
USSS	26	353	33	236	4	2	1	3	91	12	4	61	826
AGENCY OVERALL	37,713	245,237	13,039	180,467	13,154	3,584	143	1,341	53,797	12,892	18,068	770	580,205

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

Processing Center	Description	No. of Times Used	Total
CBP	Request in Litigation	2	6
	Aggregated	1	
	Record Referred Not Responsive	3	
CISA	Request in Litigation	5	8
	Unable to Locate Requester	3	
FEMA	Aggregated	6	26
	Unable to Locate Requester	7	
	Records Referred non-responsive	13	
FLETC	Record Referred Not Responsive	1	1
FPS	Unable to Locate Requester	19	19

Processing Center	Description	No. of Times Used	Total
I&A	Unable to Locate Requester	6	6
ICE	Aggregated Records Referred Not Responsive Request in Litigation Unable to Locate Requester	42 1 55 334	432
OIG	Unable to Locate Requester Aggregated Records Referred Not Responsive	6 3 3	12
PRIV	Request in Litigation Aggregated Records Referred Not Responsive Unable to Locate Requester	21 6 2 1	30
TSA	Unable to Locate Requester Records Referred Not Responsive	75 6	81
USCG	Aggregated Unable to Locate Requester Record Referred Not Responsive	8 77 3	88
USSS	Unable to Locate Requester Records Referred Not Responsive Request in Litigation	4 53 4	61
AGENCY OVERALL			770

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

Processing Center	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
CBP	0	380	40	45	380	24,508	80	2	34,495	0	4,996	2	0	0

Processing Center	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
CISA	0	0	0	6	9	27	0	0	4	0	11	2	0	0
CRCL	0	1	0	0	19	22	0	0	10	0	9	0	0	0
FEMA	0	0	15	50	45	165	24	0	27	0	25	0	0	0
FLETC	0	0	1	6	7	39	0	0	32	0	4	0	0	0
FPS	0	0	0	1	5	111	2	0	102	0	74	0	0	0
I&A	0	0	0	0	1	2	0	0	29	0	31	0	0	0
ICE	0	25	14	79	153	5,855	13	9	5,854	2	5,766	5	0	0
OIG	1	0	5	1	14	58	5	0	58	1	23	0	0	0
PRIV	2	1	5,437	35	87	28,047	1	1	25,091	1	28,989	0	0	0
TSA	0	11	57	15	26	84	9	0	11	0	2	0	0	0
USCG	0	2	2	10	9	182	97	0	113	2	15	0	0	0
USCIS	0	38	45,790	147	42,535	136,054	17	0	154,119	8	161,344	59	0	0
USSS	2	0	79	14	36	330	39	5	327	24	300	4	0	0
AGENCY OVERALL	5	458	51,440	409	43,326	195,484	287	17	220,272	38	201,589	72	0	0

VI. Administrative Appeals of Initial Determinations of FOIA Requests

A. Received, Processed, and Pending Administrative Appeals

Processing Center	No. of Appeals Pending as of Start of Fiscal Year	No. of Appeals Received in Fiscal Year	No. of Appeals Processed in Fiscal Year	No. of Appeals Pending as of End of Fiscal Year
CBP	173	1,918	2,048	43
CRCL	0	7	7	0
FEMA	30	16	45	1
FLETC	1	1	2	0
FPS	0	0	0	0
I&A	0	4	1	3
ICE	415	409	561	262
OIG	5	16	21	0
PRIV	312	565	437	440
TSA	32	32	43	21
USCG	23	27	9	41
USCIS	128	3,020	3,023	125
USSS	9	35	34	10
AGENCY OVERALL	1,128	6,050	6,124	946

B. Disposition of Administrative Appeals – All Processed Appeals

Processing Center	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
CBP	190	305	928	625	2,048
CRCL	1	0	0	6	7
FEMA	3	11	6	25	45
FLETC	0	0	0	2	2
I&A	0	0	0	1	1
ICE	280	90	79	112	562
OIG	7	2	8	4	21
PRIV	319	1	52	65	437
TSA	21	2	3	17	43
USCG	0	0	1	8	9
USCIS	1,236	621	845	214	3,023
USSS	15	3	5	11	34
AGENCY OVERALL	2,072	1035	1,927	1,090	6,124

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

Processing Center	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
CBP	0	19	125	16	13	513	6	1	560	0	464	2	0	0
CRCL	0	0	0	0	0	1	0	0	0	0	0	0	0	0
FEMA	0	0	0	3	2	8	0	0	2	0	0	0	0	0
FLETC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ICE	0	1	9	8	44	216	3	0	218	1	208	2	0	0
OIG	0	0	0	0	2	5	1	0	5	1	0	0	0	0
PRIV	0	0	22	0	1	27	0	0	32	0	42	0	0	0
TSA	0	0	1	1	1	2	0	0	0	0	0	0	0	0
USCG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
USCIS	0	0	334	2	229	818	0	0	1,018	0	1,076	0	0	0
USSS	1	0	0	0	1	3	2	2	3	0	3	0	0	0
AGENCY OVERALL	1	20	491	30	293	1,593	12	3	1,838	2	1,793	4	0	0

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

Processing Center	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 for Expedited Processing	Other *Explained in chart C. (3), below
CBP	26	1	1	2	0	404	4	121	4	0	62
CRCL	0	0	0	0	0	3	0	0	1	0	2
FEMA	1	1	4	0	0	3	1	1	1	1	12
FLETC	1	0	0	0	0	0	0	0	0	0	1
I&A	0	0	0	0	0	0	0	1	0	0	0
ICE	26	6	8	0	28	12	3	11	3	0	15
OIG	2	0	0	0	0	0	0	1	0	0	1
PRIV	0	0	7	0	0	10	0	10	3	0	35
TSA	0	0	0	0	1	6	4	1	0	0	5
USCG	2	0	1	0	0	0	0	0	0	0	5
USCIS	0	0	0	0	0	102	0	9	0	0	103
USSS	0	1	0	1	0	3	0	1	3	2	0
AGENCY OVERALL	58	9	21	3	29	543	12	156	15	3	241

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

Processing Center	Description	No. of Times Used	Total
CBP	Untimely	12	62
	Moot	8	
	No Component Response to Adjudicate	42	
CRCL	Untimely	1	2
	No Component Response to Adjudicate	1	
FEMA	Moot	12	12
FLETC	Moot	1	1
ICE	Moot	7	15
	Agency Performed Adequate Search	1	
	Adequacy of the Search	2	
	Improper Appeal	4	
	No Component Response to Adjudicate	1	
OIG	Unable to Locate Requester	1	1
PRIV	No Component Response to Adjudicate	1	35
	Moot	34	
TSA	No Component Response to Adjudicate	4	5
	Moot	1	

Processing Center	Description	No. of Times Used	Total
USCG	Moot	5	5
USCIS	Requester Failure to Comply	103	103
AGENCY OVERALL			241

C. (4) Response Times for Administrative Appeals

Processing Center	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
CBP	2	16	<1	638
CRCL	<1	30	<1	156
FEMA	177	176	<1	447
FLETC	329	329	95	563
I&A	<1	<1	<1	<1
ICE	48	167	<1	1,433
OIG	15	51	1	764
PRIV	96	93	<1	458
TSA	96	107	1	295
USCG	130	173	40	327
USCIS	13	13	1	97
USSS	92	111	9	338
AGENCY OVERALL	14	43	<1	1,433

C. (5) Ten Oldest Pending Administrative Appeals

Processing Center	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
CRCL	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
CBP	Date of Receipt	2023-05-16	2023-05-09	2023-05-09	2023-01-03	2022-11-18	2022-11-18	2020-10-26	2020-10-18	2022-09-23	2020-08-30
	Number of Days Pending	92	99	99	187	216	216	232	237	254	264
FEMA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2023-09-20
	Number of Days Pending	0	0	0	0	0	0	0	0	0	10
FLETC	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
I&A	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2023-05-24	2023-05-16	2023-03-30

Processing Center	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
	Number of Days Pending	0	0	0	0	0	0	0	93	99	132
ICE	Date of Receipt	2018-07-13	2018-07-05	2017-12-27	2017-10-23	2017-09-26	2017-09-25	2016-08-24	2016-09-29	2016-06-01	2016-02-24
	Number of Days Pending	1,305	1,311	1,442	1,486	1,504	1,505	1,526	1,752	1,836	1,905
OIG	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
PRIV	Date of Receipt	2022-10-06	2022-10-05	2022-10-04	2022-10-04	2022-10-03	2022-09-27	2022-08-17	2022-06-23	2022-05-18	2022-03-01
	Number of Days Pending	245	246	247	247	248	252	280	318	342	384
TSA	Date of Receipt	2023-05-17	2023-05-14	2023-05-03	2023-04-17	2023-04-09	2023-04-09	2022-11-22	2022-10-19	2022-09-29	2022-04-27
	Number of Days Pending	98	100	108	120	125	147	224	248	262	373
USCG	Date of Receipt	2022-05-26	2022-05-24	2022-05-18	2022-04-21	2022-04-13	2022-01-19	2021-10-13	2021-10-07	2021-04-29	2020-11-20
	Number of Days Pending	340	342	358	361	367	426	491	494	605	720
USCIS	Date of Receipt	2023-09-12	2023-09-12	2023-09-12	2023-09-11	2023-09-08	2023-09-06	2023-09-06	2023-09-06	2023-09-06	2023-09-05
	Number of Days Pending	13	13	13	14	15	17	17	17	17	18
USSS	Date of Receipt	2023-08-31	2023-07-26	2023-07-14	2023-07-13	2023-07-13	2023-05-17	2023-04-11	2022-11-01	2022-11-01	2022-05-25
	Number of Days Pending	20	46	54	55	55	93	119	228	228	338
AGENCY OVERALL	Date of Receipt	2018-07-10	2018-07-05	2017-12-21	2017-10-19	2017-09-26	2017-09-13	2017-08-23	2016-09-09	2016-05-26	2016-02-22
	Number of Days Pending	1305	1311	1442	1486	1504	1505	1526	1752	1836	1905

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

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

Processing Center	Simple				Complex				Expedited			
	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days
CBP	<1	5	<1	20	109	122	20	2,484	37	45	3	138
CISA	1	5	<1	18	90	302	23	1,361	542	542	542	542
CRCL	<1	<1	<1	20	94	165	21	548	<1	94	<1	548
FEMA	8	9	<1	20	70	140	21	1,141	78	244	9	591
FLETC	9	8	1	20	67	82	21	427	N/A	N/A	N/A	N/A
FPS	4	6	<1	20	369	290	24	504	29	29	29	29

Processing Center	Simple				Complex				Expedited			
	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days
I&A	<1	1	<1	20	43	43	33	52	N/A	N/A	N/A	N/A
ICE	1	3	<1	20	227	227	21	1,428	173	207	1	720
OIG	4	6	<1	19	406	433	23	1,264	1	4	<1	11
PRIV	<1	3	0	20	63	64	0	1,140	309	379	48	679
TSA	<1	3	<1	20	111	246	21	1,474	N/A	N/A	N/A	N/A
USCG	7	8	<1	20	155	231	21	1,986	3	29	1	114
USCIS	10	10	1	38	17	17	1	1,421	16	17	5	32
USSS	4	5	<1	20	70	156	21	1,073	107	162	<1	663
AGENCY OVERALL	2	5	0	38	94	104	0	2,484	92	157	<1	720

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

Processing Center	Simple				Complex				Expedited			
	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days	Median No. of Days	Average No. of Days	Lowest No. of Days	Highest No. of Days
CBP	13	12	0	20	121	134	20	2,484	37	42	3	138
CISA	<1	2	<1	15	87	164	25	1,356	N/A	N/A	N/A	N/A
CRCL	10	9	1	17	104	189	23	548	388	388	385	390
FEMA	13	13	1	20	60	86	21	865	452	315	254	1,478
FLETC	9	8	1	20	67	82	21	427	0	0	0	0
FPS	4	6	0	20	35	108	24	342	29	29	29	29
I&A	N/A	N/A	N/A	N/A	52	52	52	52	N/A	N/A	N/A	N/A
ICE	12	11	0	20	205	226	22	1,378	175	196	63	607
OIG	6	6	<1	19	176	381	1	1,264	1	4	<1	11
PRIV	<1	5	<1	17	80	75	0	1,140	182	275	55	679
TSA	14	12	0	20	196	369	22	1,474	N/A	N/A	N/A	N/A
USCG	10	9	<1	20	138	180	21	1,875	114	114	114	114
USCIS	10	10	1	38	23	23	1	1,383	21	21	9	32
USSS	4	5	<1	20	68	155	21	1,073	122	229	13	663
AGENCY OVERALL	10	11	0	38	75	91	0	2,484	162	170	0	1,478

C. Processed Requests – Response Time in Day Increments

(1) Simple Requests

Processing Center	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
CBP	7,318	0	0	0	0	0	0	0	0	0	0	0	0	7,318
CISA	44	0	0	0	0	0	0	0	0	0	0	0	0	44

CRCL	75	0	0	0	0	0	0	0	0	0	0	0	0	75
FEMA	206	0	0	0	0	0	0	0	0	0	0	0	0	206
FLETC	65	0	0	0	0	0	0	0	0	0	0	0	0	65
FPS	160	0	0	0	0	0	0	0	0	0	0	0	0	160
I&A	81	0	0	0	0	0	0	0	0	0	0	0	0	81
ICE	6,696	0	0	0	0	0	0	0	0	0	0	0	0	6,696
OIG	78	0	0	0	0	0	0	0	0	0	0	0	0	78
PRIV	144	0	0	0	0	0	0	0	0	0	0	0	0	144
TSA	306	0	0	0	0	0	0	0	0	0	0	0	0	306
USCG	293	0	0	0	0	0	0	0	0	0	0	0	0	293
USCIS	3,139	52	0	0	0	0	0	0	0	0	0	0	0	3,191
USSS	518	0	0	0	0	0	0	0	0	0	0	0	0	518
AGENCY OVERALL	19,123	52	0	0	0	0	0	0	0	0	0	0	0	19,175

(2) Complex Requests

Processing Center	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
CBP	0	5,503	4,547	5,488	10,832	12,620	7,966	5,044	4,798	3,034	4,670	395	543	65,440
CISA	0	12	8	14	8	2	3	0	5	1	3	3	15	74
CRCL	0	6	6	3	2	2	0	0	2	2	1	5	3	32
FEMA	0	136	67	77	34	28	19	17	7	6	30	18	53	492
FLETC	0	16	5	7	4	2	2	3	0	1	1	0	1	42
FPS	0	6	1	0	1	0	0	1	0	2	1	8	12	32
I&A	0	1	1	0	0	0	0	0	0	0	0	0	0	2
ICE	0	257	188	165	192	739	923	1,435	2,062	755	7,322	838	621	15,497
OIG	0	6	11	7	0	2	2	2	2	1	1	3	41	78
PRIV	7,422	6,168	15,471	17,951	11,877	4,714	538	162	100	110	66	71	154	64,804
TSA	0	57	44	15	14	16	15	12	11	9	21	14	50	278
USCG	0	151	109	92	80	85	96	67	75	42	164	179	188	1,328
USCIS	208,963	135,127	546	99	54	32	8	8	3	18	226	125	343	345,552
USSS	0	67	22	19	14	7	8	3	9	4	14	6	25	198
AGENCY OVERALL	216,385	147,513	21,026	23,937	23,112	18,249	9,580	6,754	7,074	3,985	12,520	1,665	2,049	493,849

(3) Requests Granted Expedited Processing

Processing Center	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
CBP	2	6	0	0	1	0	1	0	0	0	0	0	0	10
CISA	0	0	0	0	0	0	0	0	0	0	0	0	1	1
CRCL	11	0	1	0	0	0	0	0	0	1	1	0	2	16
FEMA	2	3	3	2	0	0	0	0	0	1	0	0	8	19
FLETC	1	0	0	0	0	0	0	0	0	0	0	0	0	1

(3) Requests Granted Expedited Processing

Processing Center	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
FPS	0	1	0	0	0	0	0	0	0	0	0	0	0	1
I&A	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ICE	5	0	0	2	0	0	1	1	17	4	4	1	5	40
OIG	3	0	0	0	0	0	0	0	0	0	0	0	0	3
PRIV	0	0	3	0	0	1	0	0	0	1	1	1	6	13
TSA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
USCG	4	0	1	0	0	1	0	0	0	0	0	0	0	6
USCIS	5	3	0	0	0	0	0	0	0	0	0	0	0	8
USSS	3	0	1	2	2	0	2	0	0	0	4	1	1	16
AGENCY OVERALL	36	13	9	6	3	2	4	1	17	7	10	3	23	134

D. Pending Requests – All Pending Perfected Requests

Processing Center	Simple			Complex			Expedited		
	Number Pending	Median No. of Days	Average No. of Days	Number Pending	Median No. of Days	Average No. of Days	Number Pending	Median No. of Days	Average No. of Days
CBP	8,656	80	156	19,783	52	65	26	25	33
CISA	21	333	352	125	192	311	1	1,350	1,350
CRCL	3	19	19	28	327	312	2	4	4
FEMA	46	9	8	564	284	401	7	672	740
FLETC	28	110	114	0	N/A	N/A	0	0	0
FPS	37	296	290	0	N/A	N/A	0	N/A	N/A
I&A	114	493	521	66	313	307	11	632	622
ICE	23,941	115	130	6,903	198	219	45	75	243
OIG	293	13	96	108	745	635	6	27	51
PRIV	9	84	105	19,575	28	37	19	589	539
TSA	426	210	369	422	167	276	1	643	643
USCG	1,510	225	331	203	933	951	16	81	137
USCIS	135	7	7	33,170	10	35	0	0	0
USSS	18	7	8	111	215	308	3	314	377
AGENCY OVERALL	35,237	104	151	81,058	24	63	137	88	291

E. Pending Requests – Ten Oldest Pending Perfected Requests

Processing Center	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
CBP	Date of Receipt	2017-02-03	2017-02-02	2017-01-06	2016-12-01	2016-11-04	2016-10-28	2016-08-19	2016-08-05	2016-04-18	2016-03-02
	Number of Days Pending	1736	1737	1756	1782	1801	1806	1856	1866	1945	1978
CISA	Date of Receipt	2019-09-20	2019-07-30	2019-05-08	2019-02-15	2018-08-14	2018-07-24	2018-07-24	2018-05-09	2018-04-16	2017-08-24
	Number of Days Pending	1,006	1,043	1,100	1,157	1,283	1,298	1,298	1,350	1,367	1,526

Processing Center	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
CRCL	Date of Receipt	2022-03-23	2022-03-21	2022-03-18	2022-03-17	2022-03-11	2022-03-04	2021-10-15	2021-06-28	2019-03-28	2019-04-23
	Number of Days Pending	382	384	385	386	390	395	489	565	609	1,111
FEMA	Date of Receipt	1018-05-18	2018-05-17	2018-05-02	2019-02-09	2017-11-06	2017-11-06	2017-11-02	2017-10-19	2017-09-29	2017-09-14
	Number of Days Pending	1,343	1,344	1,355	1,434	1,476	1,476	1,478	1,488	1,501	1,512
FLETC	Date of Receipt	2023-07-07	2023-05-08	2023-05-05	2023-04-28	2023-04-26	2023-04-14	2023-04-06	2023-02-23	2023-02-23	2023-02-12
	Number of Days Pending	59	100	101	102	108	115	116	143	143	158
FPS	Date of Receipt	2022-06-01	2022-05-25	2022-05-21	2022-05-17	2022-05-12	2022-05-11	2022-05-10	2022-05-06	2022-04-06	2022-04-09
	Number of Days Pending	333	337	339	343	346	346	348	350	358	369
I&A	Date of Receipt	2020-09-09	2020-09-08	2020-09-02	2020-08-26	2020-07-31	2020-07-31	2020-07-31	2020-07-30	2020-07-24	2020-07-24
	Number of Days Pending	763	764	767	772	790	790	790	791	795	795
ICE	Date of Receipt	2019-01-04	2018-12-18	2018-12-11	2018-12-03	2018-11-14	2018-10-31	2018-10-01	2018-09-05	2018-08-31	2017-11-15
	Number of Days Pending	1,186	1,197	1,202	1,208	1,220	1,229	1,250	1,268	1,270	1,394
OIG	Date of Receipt	2019-11-25	2018-10-17	2019-08-27	2019-06-25	2018-07-20	2019-05-15	2018-12-21	2018-11-29	2018-10-01	2018-06-08
	Number of Days Pending	965	991	1,026	1,070	1,070	1,098	1,196	1,198	1,251	1,266
PRIV	Date of Receipt	2020-03-02	2020-02-12	2020-02-12	2020-01-28	2020-01-17	2020-01-17	2019-12-20	2019-12-17	2019-06-18	2019-05-08
	Number of Days Pending	897	909	909	920	926	926	944	947	1,072	1,100
TSA	Date of Receipt	2018-11-26	2018-11-21	2018-08-30	2018-08-23	2018-08-23	2018-08-14	2018-08-14	2018-08-03	2018-04-19	2018-03-12
	Number of Days Pending	1,213	1,215	1,271	1,276	1,276	1,283	1,283	1,290	1,364	1,392
USCG	Date of Receipt	2016-06-30	2016-06-13	2016-06-01	2016-05-17	2016-06-09	2016-04-15	2016-04-11	2016-03-01	2015-12-11	2015-09-11
	Number of Days Pending	1,815	1,828	1,836	1,846	1,852	1,868	1,872	1,901	1,948	2,016
USCIS	Date of Receipt	2018-06-15	2018-06-11	2015-05-15	2018-05-10	2018-04-16	2018-04-16	2018-04-10	1018-03-15	2017-10-12	2017-09-18
	Number of Days Pending	1,321	1,325	1,343	1,346	1,364	1,364	1,368	1,386	1,490	1,510
USSS	Date of Receipt	2020-06-11	2020-06-08	2020-06-06	2020-03-17	2020-02-26	2020-02-10	2020-01-10	2019-12-27	2019-05-22	2019-05-20
	Number of Days Pending	829	832	833	890	904	935	935	944	1,094	1,096
AGENCY OVERALL	Date of Receipt	2016-05-17	2016-05-09	2016-04-15	2016-04-11	2016-04-01	2016-04-18	2015-12-21	2016-03-02	2015-09-11	2015-07-15
	Number of Days Pending	1846	1852	1868	1872	1901	1945	1948	1978	2016	2058

VIII. Requests for Expedited Processing and Requests for Fee Waivers

A. Requests for Expedited Processing

Processing Center	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated within 10 Calendar Days
CBP	8	5,724	80	75	1,186
CISA	2	31	<1	14	21
CRCL	1	2	5	4	3
FEMA	31	45	2	13	39

Processing Center	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated within 10 Calendar Days
FLETC	0	6	6	1	5
FPS	3	19	7	21	14
I&A	11	0	1	1	11
ICE	50	272	4	22	322
OIG	10	7	1	14	12
PRIV	32	106	8	20	74
TSA	1	164	1	7	151
USCG	0	0	N/A	N/A	N/A
USCIS	8	27,493	1	2	26,868
USSS	11	1	1	2	12
AGENCY OVERALL	168	33,870	1	3	28,718

B. Requests for Fee Waiver

Processing Center	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
CBP	151	392	1	8
CISA	125	0	<1	13
CRCL	8	1	<1	<1
FEMA	88	23	<1	2
FLETC	39	1	<1	15
FPS	8	0	7	22
I&A	20	1	<1	<1
ICE	764	49	<1	2
OIG	64	11	1	4
PRIV	343	6	<1	17
TSA	28	98	1	10
USCG	0	0	N/A	N/A
USCIS	11	78	89	98
USSS	0	0	N/A	N/A
AGENCY OVERALL	1,649	660	<1	8

IX. FOIA Personnel and Costs

Processing Center	Personnel			Costs		
	Number of "Full Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff" (Col. 1 + Col. 2)	Processing Costs (\$)	Litigation - Related Costs (\$)	Total Costs (\$)
CBP	75	0	75	\$14,097,570.90	\$290,000.00	\$14,387,570.90
CISA	1	3	4	\$1,181,990.32	\$0.00	\$1,181,990.32
CRCL	1	0	1	\$541,659.19	\$229,350.00	\$771,009.19
FEMA	11	6	17	\$2,414,934.00	\$0.00	\$2,414,934.00

Processing Center	Personnel			Costs		
	Number of "Full Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff" (Col. 1 + Col. 2)	Processing Costs (\$)	Litigation - Related Costs (\$)	Total Costs (\$)
FLETC	1	0	1	\$330,164.79	\$0.00	\$330,164.79
FPS	1	1	2	\$31,417.00	\$0.00	\$31,417.00
I&A	5	0	5	\$728,407.33	\$0.00	\$728,407.33
ICE	47	0	47	\$7,230,858.56	\$242,921.48	\$7,473,780.04
OIG	7	1	8	\$1,854,930.93	\$5,000.00	\$1,859,930.93
PRIV	47	26	73	\$11,400,885.99	\$142,695.14	\$11,543,581.13
TSA	5	1	6	\$1,332,968.00	\$0.00	\$1,332,968.00
USCG	2	7	9	\$2,946,001.84	\$58,000.00	\$3,004,001.84
USCIS	376	0	376	\$45,640,555.90	\$1,787,807.00	\$47,428,362.90
USSS	15	0	15	\$88,125.00	\$0.00	\$88,125.00
AGENCY OVERALL	594	45	639	\$89,820,469.75	\$2,755,773.62	\$92,576,243.37

X. Fees Collected for Processing Requests

Processing Center	Total Amount of Fees Collected	Percentage of Total Costs
CBP	\$37,174.00	0.2584
CISA	0.00	0.0000
CRCL	0.00	0.0000
FEMA	0.00	0.0000
FLETC	0.00	0.0000
FPS	0.00	0.0000
I&A	0.00	0.0000
ICE	0.00	0.0000
OIG	0.00	0.0000
PRIV	0.00	0.0000
TSA	0.00	0.0000
USCG	0.00	0.0000
USCIS	0.00	0.0000
USSS	0.00	0.0000
AGENCY OVERALL	\$37,174.00	0.2584

XI. FOIA Regulations – The Department of Homeland Security FOIA Implementing Regulations are codified at 6 C.F.R. Part 5, dated December 22, 2016, available at <https://www.govinfo.gov/content/pkg/FR-2016-11-22/pdf/2016-28095.pdf>. This final rule established procedures for the public to obtain information from DHS under the Freedom of Information Act and the Privacy Act.

A. Number of Times Subsection (c) Used⁶

Processing Center	Number of Times Subsection (c) Used
CBP	0
CISA	0
CRCL	0
FEMA	0
FLETC	0
FPS	0
I&A	0
ICE	6
OIG	0
PRIV	0
TSA	0
USCG	0
USCIS	0
USSS	0
AGENCY OVERALL	0

B. Number of Subsection (a)(2) Postings⁷

Processing Center	Number of (a)(2) Records Posted by the FOIA Office	Number of (a)(2) Records Posted by Program Offices
CBP	31	N/A
CRCL	45	N/A
FEMA	64	N/A
ICE	140	N/A
PRIV	79	N/A
TSA	65	N/A
USCG	6	N/A
USCIS	201	N/A
AGENCY OVERALL	631	N/A

⁶ 5 U.S.C. § 552(c) provides special protection for three categories of particularly sensitive law enforcement records. For these three specifically defined categories of records, federal law enforcement agencies “may treat the records as not subject to the requirements of [the FOIA].”

⁷ 5 U.S.C. § 552(a)(2) requires agencies to post specific categories of records, including released records that have been requested three times.

XII. Backlogs, Consultations, and Comparisons

A. Backlogs of FOIA Requests and Administrative Appeals

Processing Center	Number of Backlogged Requests as of the End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
CBP	21,444	11
CISA	139	0
CRCL	31	0
FEMA	507	0
FLETC	19	0
FPS	35	0
I&A	191	3
ICE	28,544	249
OIG	206	0
PRIV	8,046	175
TSA	746	19
USCG	1,729	35
USCIS	2,137	0
USSS	109	10
AGENCY OVERALL	63,883	502

B. Consultations on FOIA Requests – Received, Processed, and Pending Consultations

Processing Center	Number of Consultations Received from Other Agencies that Were Pending at Your Agency as of Start of the Fiscal Year	Number of Consultations Received from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that Were Processed by Your Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were Pending at Your Agency as of the End of the Fiscal Year
CBP	78	125	85	118
CISA	5	10	12	3
CRCL	1	2	3	0
FEMA	24	69	64	29
FLETC	0	4	4	0
FPS	0	12	11	1
I&A	69	62	22	109
ICE	63	192	187	68
OIG	2	17	18	1
PRIV	5	75	62	18
TSA	9	14	19	4
USCG	37	38	19	56
USCIS	10	69	76	3
USSS	8	104	107	5
AGENCY OVERALL	311	793	689	415

C. Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending

Processing Center	Sub-Row Heading	10th	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
CBP	Date of Receipt	N/A	2023-08-07	2023-05-29	2023-03-17	2023-02-09	2023-01-19	2022-12-22	2022-11-29	2022-11-14	2022-09-15
	Number of Days Pending	0	40	90	141	167	182	202	219	230	272
CISA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2023-09-23	2023-06-14	2023-01-27
	Number of Days Pending	0	0	0	0	0	0	0	6	78	176
CRCL	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
FEMA	Date of Receipt	2020-08-26	2020-06-26	2020-05-14	2019-08-22	2018-11-28	2018-11-28	2018-11-28	2018-11-28	1018-03-03	2017-04-10
	Number of Days Pending	772	814	844	1,026	1,211	1,211	1,211	1,211	1,398	1,622
FLETC	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
FPS	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2022-10-04
	Number of Days Pending	0	0	0	0	0	0	0	0	0	259
I&A	Date of Receipt	2020-02-04	2019-10-22	2019-08-30	2019-07-19	2019-07-15	2019-07-12	2019-07-10	2019-04-17	2018-11-20	2018-05-05
	Number of Days Pending	915	985	1,020	1,050	1,054	1,055	1,057	1,115	1,216	1,346
ICE	Date of Receipt	2019-03-07	2018-11-23	2018-08-06	2018-08-06	2018-07-25	2018-05-10	2017-12-01	2017-05-17	2017-05-17	2017-05-15
	Number of Days Pending	1,144	1,214	1,289	1,289	1,297	1,349	1,459	1,595	1,595	1,597
OIG	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2023-09-08
	Number of Days Pending	0	0	0	0	0	0	0	0	0	8
PRIV	Date of Receipt	N/A	N/A	N/A	2023-07-24	2023-07-07	2023-06-13	2023-06-02	2023-05-30	2023-05-26	2022-01-13
	Number of Days Pending	0	0	0	48	59	76	82	85	86	429
TSA	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	2023-07-27	2023-06-08	2023-06-01	2022-09-29
	Number of Days Pending	0	0	0	0	0	0	45	82	87	262
USCG	Date of Receipt	2018-06-11	2018-04-04	2017-10-02	2017-09-25	2017-02-15	2016-08-22	2016-08-05	2016-08-04	2015-01-13	2015-01-13
	Number of Days Pending	1,328	1,375	1,484	1,486	1,659	1,779	1,790	1,791	2,184	2,184
USCIS	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	2023-08-29	2022-08-08	2020-11-17	2020-03-20
	Number of Days Pending	0	0	0	0	0	0	22	287	716	883
USSS	Date of Receipt	N/A	N/A	N/A	N/A	N/A	2023-09-29	2023-09-26	2022-05-31	2021-12-22	2018-09-13
	Number of Days Pending	0	0	0	0	0	0	3	335	444	1266
AGENCY OVERALL	Date of Receipt	5/17/2017	5/17/2017	5/15/2017	4/10/2017	2/15/2017	8/22/2016	8/5/2016	8/4/2016	1/13/2015	1/13/2015
	Number of Days Pending	1595	1595	1597	1622	1659	1779	1790	1791	2184	2184

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

Processing Center	Number of Requests Received		Number of Requests Processed	
	Received During Fiscal Year from Last Year's Annual Report	Received During Fiscal Year from Current Annual Report	Processed During Fiscal Year from Last Year's Annual Report	Processed During Fiscal Year from Current Annual Report
CBP	132,117	144,474	106,278	89,727
CISA	208	445	167	269
CRCL	195	193	176	166
FEMA	953	1095	962	920
FLETC	227	206	217	196
FPS	241	409	184	399
I&A	205	293	95	100
ICE	24,931	44,401	15,460	32,138
OIG	298	491	138	535
PRIV	74,698	86,174	73,385	67,840
TSA	966	1,362	928	972
USCG	2,679	2,527	2,379	1,806
USCIS	302,698	391,969	299,690	384,311
USSS	641	817	680	826
AGENCY OVERALL	541,057	674,856	500,739	580,205

D. (2) Comparison of Backlogged Requests from Previous and Current Annual Report

Processing Center	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
CBP	26,570	21,444
CISA	95	139
CRCL	37	31
FEMA	432	507
FLETC	16	19
FPS	2	35
I&A	165	191
ICE	1,675	28,544
OIG	431	206
PRIV	600	8,046
TSA	474	746
USCG	1,980	1,729
USCIS	4,433	2,137
USSS	129	109
AGENCY OVERALL	37,039	63,883

D. (3) Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report – Appeals Received, Processed, and Backlogged

Processing Center	Number of Appeals Received		Number of Appeals Processed	
	Received During Fiscal Year from Last Year's Annual Report	Received During Fiscal Year from Current Annual Report	Processed During Fiscal Year from Last Year's Annual Report	Processed During Fiscal Year from Current Annual Report
CBP	3,687	1,918	3,651	2,048
CISA	0	0	0	0
CRCL	4	7	4	7
FEMA	33	16	33	45
FLETC	0	1	2	2
FPS	0	0	0	0
I&A	0	4	0	1
ICE	316	409	259	561
OIG	35	16	47	21
PRIV	505	565	453	437
TSA	70	32	43	43
USCG	63	27	69	9
USCIS	2,656	3,020	2,777	2,916
USSS	25	35	36	34
AGENCY OVERALL	7,394	6,050	7,374	6,124

D. (4) Comparison of Backlogged Administrative Appeals from Previous and Current Annual Report

Processing Center	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
CBP	12	11
CISA	0	0
CRCL	0	0
FEMA	27	0
FLETC	1	0
FPS	0	0
ICE	0	3
I&A	73	249
OIG	3	0
PRIV	240	175
TSA	28	19
USCG	18	35
USCIS	0	0
USSS	6	10
AGENCY OVERALL	408	502

APPENDIX A: Composition of the Department of Homeland Security

The U.S. Department of Homeland Security (DHS) has six overarching homeland security missions: to counter terrorism and enhance security, secure and manage our borders while facilitating trade and travel, enforce and administer our immigration laws, safeguard and secure cyberspace, build resilience to disasters, and to combat crimes of exploitation and protect victims. DHS carries out these missions in coordination with federal, state, local, international, tribal, and private sector partners.

Offices:

The Office for Civil Rights and Civil Liberties provides policy advice to Department leadership on civil rights and civil liberties issues, investigates and resolves complaints, and provides leadership to Equal Employment Opportunity Programs.

The Office of the Citizenship and Immigration Services Ombudsman improves the quality of citizenship and immigration services delivered to the public by providing individual case assistance, as well as making recommendations to improve the administration of immigration benefits by U.S. Citizenship and Immigration Services.

The Office of the Executive Secretary provides all manner of direct support to the Secretary and Deputy Secretary, as well as related support to leadership and management across the Department.

The Office of the General Counsel integrates over 2,500 attorneys from throughout the Department into an effective, client-oriented, full-service legal team. The Office of the General Counsel comprises a headquarters office with subsidiary divisions and the legal offices for nine Department components.

The Office of the Immigration Detention Ombudsman examines immigration detention to promote safe and humane conditions. The Office assists individuals with complaints about the potential violation of immigration detention standards or misconduct by DHS or contract personnel. OIDO provides independent oversight of immigration detention facilities—including conducting announced and unannounced inspections and reviewing contract terms for immigration detention facilities and services—and tracks trends and systemic issues across facilities.

The Joint Requirements Council validates capability gaps, associated with operational requirements and proposed solution approaches to mitigate those gaps through the Joint Requirements Integration and Management System, leveraging opportunities for commonality to enhance operational effectiveness directly and better inform the DHS's main investment pillars.

The Office of Legislative Affairs serves as primary liaison to members of Congress and their staffs, the White House and Executive Branch, and to other federal agencies and governmental entities that have roles in assuring national security.

The Military Advisor provides counsel and support to the Secretary and Deputy Secretary in affairs relating to policy, procedures, preparedness activities, and operations between DHS and the Department of Defense.

The Office of Partnership and Engagement is the headquarters-level organization that through a unified approach to external engagement provides the Secretary with current unfettered information on the impact of the Department's policies, regulations, processes, and actions on state, local, tribal, territorial governments, elected officials, law enforcement, the private sector, and faith-based and non-governmental organizations across the United States and globally.

The DHS Privacy Office sets privacy and FOIA policy and for the Department. It also works to preserve and enhance privacy protections for all individuals and to promote transparency in the Department's operations.

The Office of Public Affairs coordinates the public affairs activities of all of the Department's components and offices and serves as the federal government's lead public information office during a national emergency or disaster.

The Office of Strategy, Policy, and Plans serves as a central resource to the Secretary and other Department leaders for strategic planning and analysis, and facilitation of decision-making on the full breadth of issues that may arise across the dynamic homeland security enterprise.

Center for Prevention Programs and Partnerships combats terrorism and targeted violence, consistent with privacy protections, civil rights and civil liberties, and other applicable laws.

Operational and Support Components:

U. S. Customs and Border Protection is responsible for securing and facilitating trade and travel while enforcing hundreds of U.S. laws and regulations, including those encompassing customs, immigration, border security, and agricultural protection.

The Cybersecurity and Infrastructure Security Agency leads the national effort to defend critical infrastructure against the threats of today, while working with partners across all levels of government and in the private sector to secure against the evolving risks of tomorrow.

Countering Weapons of Mass Destruction Office leads the coordination of federal efforts for developing strategy and policy to plan for, detect, and protect against the use of unauthorized chemical, biological, radiological, or nuclear materials, devices, or agents in the United States and to protect against attacks using those materials, devices, or agents against the people, territory, or interests of the United States.

The Federal Emergency Management Agency supports state, local, tribal, and territorial partners to ensure we work together to help people before, during, and after disasters.

The Federal Law Enforcement Training Centers provides career-long training to law enforcement professionals to help them fulfill their responsibilities safely and proficiently.

The Office of Intelligence and Analysis equips the Homeland Security Enterprise with the timely intelligence and information it needs to keep the homeland safe, secure, and resilient.

U. S. Immigration and Customs Enforcement promotes homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade, and immigration.

The Management Directorate is responsible for budget, appropriations, expenditure of funds, accounting and finance; procurement; human resources and personnel; information technology systems; facilities, property, equipment, and other material resources; providing biometric identification services; and identification and tracking of performance measurements relating to the responsibilities of the Department.

- **Federal Protective Service** is an operational component within the DHS Management Directorate that provides law enforcement and security services to approximately 9,000 federal facilities nationwide.

The Office of Homeland Security Situational Awareness provides situational awareness, a common operating picture, and decision support for the homeland security enterprise on threats, incidents, hazards, and events impacting the homeland.

The Office of Health Security is the principal medical, workforce health and safety, and public health authority for DHS.

The Transportation Security Administration protects the nation's transportation systems to ensure freedom of movement for people and commerce.

The United States Coast Guard is one of the six armed forces of the United States and the only military organization within the Department of Homeland Security. The Coast Guard protects the maritime economy and the environment, defends our maritime borders, and saves those in peril.

U.S. Citizenship and Immigration Services upholds America's promise as a nation of welcome and possibility with fairness, integrity, and respect for all we serve.

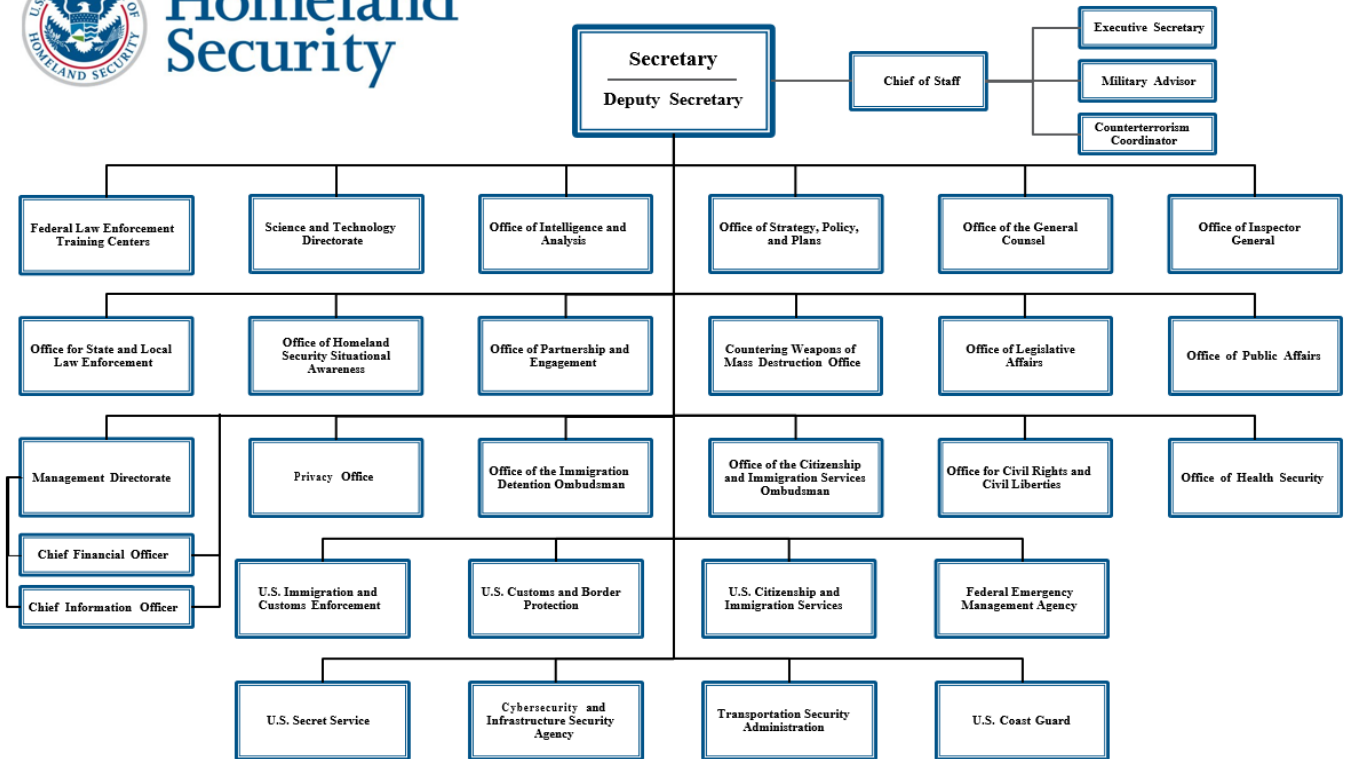
The Science & Technology Directorate is the primary research and development arm of the Department. It develops technology and capabilities for federal state and local officials to protect the homeland.

The United States Secret Service safeguards the nation's financial infrastructure and payment systems to preserve the integrity of the economy, and protects national leaders, visiting heads of state and government, designated sites, and National Special Security Events.

APPENDIX B: Department of Homeland Security Organizational Chart



Homeland Security



APPENDIX C: Names, Addresses, and Contact Information for DHS FOIA Officers

Department of Homeland Security Chief FOIA Officer

Mason C. Clutter
Chief Privacy Officer and Chief FOIA Officer
Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528-0655

Department of Homeland Security Component FOIA Officers

DHS Privacy Office
Catrina Pavlik-Keenan
Deputy Chief FOIA Officer
Ph: 202-343-1743 or 866-431-0486
Fax: 202-343-4011
E-mail: foia@hq.dhs.gov
Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528-0655

U.S. Citizenship and Immigration Services
Jarrod Panter
Ph: 1-800-375-5283
National Records Center, FOIA/PA Office
P. O. Box 648010
Lee's Summit, MO 64064-8010

Office for Civil Rights and Civil Liberties
Rosemary Law
Ph: 202-343-1743 or 866-431-0486
E-mail: crclfoia@hq.dhs.gov
Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528-0655

U.S. Coast Guard
Kathleen Claffie
Ph: 202-475-3525 Fax: 202-475-3927
Commandant (CG-6P)
2703 Martin Luther King Jr Ave. SE
Stop 7710
Washington, DC 20593-7710

U.S. Customs and Border Protection
Sabrina Burroughs
Ph: 202-325-0150; Fax: 202-325-1476
FOIA Division
90 K Street, NE
Washington, DC 20229-1181

Cybersecurity and Infrastructure Security
Agency
Catrina Pavlik-Keenan
Deputy Chief FOIA Officer
Ph: 202-343-1743 or 866-431-0486
Fax: 202-343-4011
E-mail: foia@hq.dhs.gov
Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528-0655

Federal Emergency Management Agency
Gregory Bridges
Ph: 202-646-3323
Information Management Division
500 C Street, SW
Mail Stop 3172
Washington, DC 20472-3172

Federal Law Enforcement Training Centers
Alicia Mikuta
Ph: 912-261-4512; Fax: 912-267-3113
Building No.681, Suite 187B
1131 Chapel Crossing Road
Glynco, GA 31524

U.S. Immigration and Customs Enforcement
Fernando Pineiro
Ph: 866-633-1182; Fax: 202-732-4265
500 12th Street, SW, Mail Stop 5009
Washington, DC 20536-5009

Office of Inspector General
Darcia Rufus (Acting)
Ph: 202-254-4001; Fax: 202-254-4398
Department of Homeland Security
245 Murray Lane, SW, Mail Stop 0305
Washington, DC 20528

Federal Protective Service
Cindy Falkenstein
Ph: 202-794-2210; Fax: 202-343-4011
Email: fpsfoia@fps.dhs.gov
Privacy Office, Mail Stop 0655
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528-065

Office of Intelligence and Analysis
Andrew Fausett
Ph: 202-447-3783; Fax: 202-612-1936
Department of Homeland Security
Washington, DC 20528-0001

Science & Technology Directorate
Erica Talley
Ph: 866-431-0486
Fax: 202-343-4011
E-mail: stfoia@hq.dhs.gov
Privacy Office, Mail Stop 0205
Department of Homeland Security
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528-0205

United States Secret Service
Kevin Tyrrell
Ph: 202-406-6370; Fax: 202-406-5586
245 Murray Lane, SW, Building T-5
Washington, DC 20223

Transportation Security Administration
Teri Miller
Ph: 1-866-FOIA-TSA
Email: FOIA@tsa.dhs.gov
6595 Springfield Center Dr.
Springfield, VA 20598-6020