EXECUTIVE SUMMARY

The Department of Defense Freedom of Information Act (FOIA) program reports 68,133 requests for records processed under the FOIA. Requests were granted in full in 26,330 cases, partially denied in 16,273 cases, and denied in full 2,107 on the basis of FOIA exemptions. The privacy exemptions, Exemptions 6 and 7(C), were the most common exemptions, combining for approximately 51.5% of all exemptions used. The number of pending FOIA requests for the Department of Defense at the end of fiscal year 2009 is 13,944, a reduction of 699 requests from fiscal year 2008. The number of backlogged requests (those still open past the statutory response time) for fiscal year 2009 is 11,505, a reduction of 66 requests from the previous fiscal year.

The total cost of processing FOIA requests for the Department of Defense, to include litigation costs, increased in fiscal year 2009 over 25% to $88,725,299.00. The average cost of processing a FOIA request in the Department of defense also increased during this period to approximately $1,302.00.

Two new DoD Components were added to this year’s report, the U.S. Africa Command (AFRICOM) and the National Guard Bureau (NGB). AFRICOM became operational at the beginning of the reporting period. Due to the nature of its mission, the NGB has operated a dual-service FOIA program for many years; if a FOIA request concerned an Army National Guard issue, its data was included in the Army input into the report. The same was true for the requests concerning Air National Guard issues. However, because it was recently determined that the NGB was also receiving FOIA requests for “joint” headquarters issues that could not be characterized as either Army or Air National Guard, a processing queue and a tracking system were developed for these types of requests. The NGB data contained within this report concerns only these joint NGB requests, the remainder of the requests are included in either the Army or the Air Force data.
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I. Basic Information Regarding Report

1. Title, address, and telephone number of person to be contacted with questions about the report:

Write to: Chief, Defense Freedom of Information Policy Office
1155 Defense Pentagon
Washington, DC 20301-1155

Telephone: (703) 696-4689
Toll-free number: (866) 574-4970
Fax number: (703) 696-4506

Point of Contact: Mr. Jim Hogan
Chief, Defense Freedom of Information Policy Office

2. The electronic address (Universal Resource Locator) for this report is:


3. You may obtain a paper copy of this DoD Annual FOIA Report for fiscal year 2009 by telephoning, faxing, or writing to the Defense Freedom of Information Policy Office. A FOIA request is not necessary. Please include a return mailing address.

II. Making a FOIA Request

1. The DoD Freedom of Information Act Handbook provides general information about the FOIA Program within DoD and provides basic information about how to submit a FOIA request. This document also contains DoD component addresses, a brief description of expected response times, and the reason why some requests are not granted. The DoD Freedom of Information Act Handbook can be found at:


To make a FOIA request on the world wide web use the following:


Using this web page, you can navigate to the FOIA Requester Service Centers for the Armed Services, Combatant Commands, or Defense Department Agencies.

2. Reasons why some requests are not granted and general categories of agency records.
   a. This is a summary of the most frequent reasons for a FOIA request to not be granted:
      i. The request is transferred to another DoD component, or to another Federal Agency.
ii. The request is withdrawn by the requester.

iii. The requester is unwilling to pay fees associated with a request; the requester is past due in the payment of fees from a previous FOIA request; or the requester disagrees with the fee estimate.

iv. A record has not been described with sufficient detail to enable the DoD component to locate it with a reasonable amount of effort.

v. The information requested is not a record within the meaning of the FOIA.

vi. The request is a duplicate request (e.g., a requester asks for the same information more than once). This includes identical requests received via different means (e.g., electronic mail, facsimile, mail, courier) at the same or different times from the same requester.

vii. The record is denied in whole or in part in accordance with one or more exemptions as set forth in the FOIA.

b. The FOIA exemptions used by the DoD components apply to a number of different categories of records. Some of these categories are:

   i. Acquisition and Contracting,
   ii. Personnel,
   iii. Intelligence,
   iv. Policy development,
   v. Military/Operational,
   vi. Law Enforcement,
### III. Acronyms, Definitions, and Exemptions

1. Acronyms and terms:
   a. Department of Defense acronyms or terms:

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<thead>
<tr>
<th>Acronym</th>
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<td>Armed Services Board of Contract Appeals</td>
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<td>U.S. Central Command</td>
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<td>U.S Southern Command</td>
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<td>TRICARE</td>
<td>TRICARE Management Activity</td>
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   b. Other agency acronyms: N/A
2. Definitions of terms.

a. **Administrative Appeal:** A request to an agency asking that it review at a higher administrative level a full or partial denial of access to records under the FOIA, or any other adverse FOIA determination.

b. **Average number:** The number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example: the average of 3, 7, and 14 is 8.

c. **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 period for a response.

d. **Component:** DoD processes requests on a decentralized basis; a “component” is an entity, also sometimes referred to as an Office, Combatant Command, or Defense Agency, within DoD that processes FOIA requests.

e. **Consultation:** The procedure whereby an 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 responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester. The DoD tracked consultations as FOIA requests until July 1, 2008. Due to DOJ guidance, they are now tracked and reported separately.

f. **Exemption 3 Statute:** A separate federal statute prohibiting the disclosure of a certain type of information and authorizing it being withheld under FOIA, 5 USC 552(b)(3).

g. **FOIA Request:** A FOIA request is generally a request to an agency for access to records concerning another person (i.e. a “third-party” request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “systems of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this report.

h. **Full Grant:** An agency decision to disclose all records in full in response to a FOIA request.

i. **Full Denial:** An agency decision not to release any part of a record or records in response to a FOIA request because all the information in the requested record or records is determined by the agency to be exempt under one or more of the FOIA exemptions, or
for some procedural reason such as no record is located in response to a FOIA request.

j. **Median number**: The middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

k. **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 in each track are processed on a first-in/first out basis. A requester who has a compelling need for records may request expedited processing (see below).

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 low volume and/or simplicity of the 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.

l. **Partial Grant/Partial Denial**: An agency decision to disclose a record only in part in response to a FOIA request, deleting information determined to be exempt under one or more exemptions under the FOIA; or a decision to disclose some records in their entirety, but to withhold others in whole or in part.

m. **Pending Request or Pending Administrative Appeal**: A request or administrative appeal for which an agency has not taken final action in all respects.

n. **Perfected Request**: A request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.

o. **Processed Request or Processed Administrative Appeal**: A request or administrative appeal for which an agency has taken final action in all respects.

p. **Range in Number of Days**: The minimum and maximum number of days to process requests or administrative appeals.

q. **Time limits**: The time period in the FOIA for an agency to respond to a FOIA request (ordinarily 20 working days from proper receipt of a "perfected" FOIA request).

3. **Short definitions of the nine FOIA exemptions**:

a. **Exemption 1**: classified national defense and foreign relations information
b. **Exemption 2**: internal agency rules and practices

c. **Exemption 3**: information that is prohibited from disclosure by another federal law

d. **Exemption 4**: trade secrets and other confidential business information

e. **Exemption 5**: inter-agency or intra-agency communications that are protected by legal privileges

f. **Exemption 6**: information involving matters of personal privacy

g. **Exemption 7**: records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of the right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual

h. **Exemption 8**: information relating to the supervision of financial institutions

i. **Exemption 9**: geological information on wells
IV. Exemption 3 Statutes

Table 1

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# Exemption 3 Statutes Relied upon to Withhold Information

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<th>Number of Times Relied upon per Component</th>
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<tr>
<td>6</td>
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### Exemption 3 Statutes Relied upon to Withhold Information

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<th>Statute</th>
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7 Chesterfield Assocs. Inc. v U.S. Coast Guard, No. 08-CV-4674, 2009 WL 1406994 at *1-2 (E.D.N.Y May 19, 2009).
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<sup>15</sup> Larson v. Dept of State, 565 F. 3d 857, 868-869 (D.C.Cir. 2009); Founding Church of Scientology v. NSA, 610 F.2d 824, 828 (D.C. Cir. 1979).
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16 Larsons v. Dept of State, 565 F. 3d 857, 865 (D.C.Cir. 2009); Berman v. CIA, 501 F.3d 1136, 1137-38, 1140 (9th Cir., 2007).
17 CIA v. Sims, 471 U.S. 159, 167 (1985); see also Minier v. CIA, 88 F.3d 796, 801 (9th Cir. 1996) (finding that agency properly refused to confirm or deny existence of records concerning deceased person’s alleged employment relationship with CIA); Maynard v. CIA, 986 F.2d 547, 554 (1st Cir. 1993) (stating that under §403(d)(3) it is responsibility of Director of CIA to determine whether sources or methods should be disclosed); Hunt v. CIA, 981 F.2d 1116, 1118 (9th Cir. 1992) (upholding agency’s “Glomar” response to request on foreign national, because acknowledgement of any records would reveal sources and methods); Blazy v. Tenet, 979 F. Supp. 10, 23-24 (D.D.C. 1997) (protecting intelligence sources and methods located in requester’s personnel file), summary affirmance granted, No. 97-5330 (D.C. Cir. May 12, 1998); Andrade v. CIA, No. 95-1215, 1997 WL 527347, at **3-5 (D.D.C. Aug. 18, 1997) (holding intelligence methods used in assessing employee fitness protectable).
## V. FOIA Requests

### A. Received, Processed and Pending FOIA Requests

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<th>Component</th>
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\(^{18}\) * Column one should be the same number as the number of pending FOIA requests reported by each component at the end of FY08. The differences in numbers for AF, ARMY, CENTCOM, DIA, DISA, DSS, JFCOM, NAVY, NORTHCOM, OSD/JS, PACOM, SOCOM, and STRATCOM are due to better accounting methods and re-classifying some cases as consultations which caused some minor discrepancy in starting numbers.
A. Received, Processed and Pending FOIA Requests

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

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

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VI. Administrative Appeals of Initial Determinations of FOIA Requests

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<sup>19</sup> *Concerning all tables in Section VI, not all components process administrative appeals. OSD/JS FOIA Appeals Branch processes the following components’ appeals: AFRICOM, CENTCOM, DoDEA, DTIC, EUCOM, JFCOM, NGB, NORTHCOM, OSD/JS, PACOM, SOCOM, SOUTHCOM, STRATCOM, TRANSCOM, and TRICARE. AF change to a centralized tracking system and the starting number reflects better accounting. DIA and OSD/JS reflects better accounting.

<sup>20</sup> The number of appeals pending at the start of the fiscal year should equal the number of appeals pending at the end of the previous fiscal year. The numbers for AF, DIA, and OSD/JS are different better accounting and minor errors with vendor tracking systems that should be fixed in the near future.
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## C (3). Reasons for Denial on Appeal – “Other” Reasons

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<sup>21</sup> DoD’s current tracking is decentralized and does not have the capability to accurately report on multiple Components for medians. DoD rolled out a centralized tracking system during the current reporting cycle. It is still in development and was not available to all components during the FY09 reporting period. FY10’s report will be computed under this new system.
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VII. FOIA Requests: Response Time for Processed and Pending FOIA Requests

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²² Due to the decentralized processing and tracking of FOIA requests within the DoD and because the DoD does not have the means to centrally capture all the required data, it is not possible to calculate DoD medians and the medians for some components that have more than one FOIA requester service center. The DoD recently rolled out a centralized data collection tool and should be fully compliant for FY10. This applies to all tables with medians in Section VII.

²³ Army has multiple reporting components and was not able to compute medians for its overall totals. This applies to all subsequent tables in Section VII with medians.
## A. Processed Requests – Response Time for All Processed Perfected Requests

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### Table 14

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

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24 Although the guidelines and OPEN Government Act do not require a <1 day category, DoD believes this provides the public with a better representation of its processing timetable. This applies to all subsequent tables in Section VII which have day intervals.
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### Table 18

**D. Pending Requests -- All Pending Perfected Requests**

| Component | Simple | | Complex | | Expedited Processing | |
|-----------|--------|--------|---------|--------|---------------------|
|           | Number Pending | Median Number of Days | Average Number of Days | Number Pending | Median Number of Days | Average Number of Days | Number Pending | Median Number of Days | Average Number of Days |
| AF        | 638     | 55     | 197     | 492     | 45     | 105            | 1         | 55     | 55            |
| AFRICOM   | 3       | 11     | 16      | 0       | 0      | 0              | 0         | 0      | 0              |
| ASBCA     | 0       | 0      | 0       | 0       | 0      | 0              | 0         | 0      | 0              |
| ARMY      | 1481    | N/A    | 61      | 2763    | N/A    | 151           | 36        | N/A    | 25            |
| CENTCOM   | 74      | 172    | 224     | 142     | 420    | 473           | 1         | 145    | 145          |
| DCAA      | 5       | 22     | 63      | 5       | 81     | 76            | 0         | 0      | 0              |
| DCMA      | 3       | 14     | 91      | 15      | 66     | 122           | 0         | 0      | 0              |
| DeCA      | 8       | 12     | 17      | 0       | 0      | 0              | 0         | 0      | 0              |
| DFAS      | 13      | 9      | 23      | 7       | 27     | 26            | 1         | 16     | 16            |
| DIA       | 44      | 10     | 9       | 2585    | 748    | 838           | 0         | 0      | 0              |
| DISA      | 225     | 407    | 567     | 25      | 55     | 188           | 0         | 0      | 0              |
| DLA       | 20      | 9      | 19      | 47      | 35     | 23            | 0         | 0      | 0              |
| DoDEA     | 3       | 1      | 10      | 3       | 71     | 104           | 0         | 0      | 0              |
| DoDIG     | 0       | 0      | 0       | 32      | 43     | 117           | 0         | 0      | 0              |
| DSS       | 0       | 0      | 0       | 1       | 20     | 20            | 0         | 0      | 0              |
| DTIC      | 16      | 72     | 63      | 0       | 0      | 0              | 0         | 0      | 0              |
| DTRA      | 0       | 0      | 0       | 22      | 16     | 38            | 0         | 0      | 0              |
| EUCOM     | 10      | 118    | 132     | 24      | 334    | 358           | 0         | 0      | 0              |
| JFCOM     | 0       | 0      | 0       | 62      | 370    | 396           | 0         | 0      | 0              |
| NAVY      | 500     | 360    | 51      | 974     | 143    | 119           | 0         | 0      | 0              |
| NGA       | 15      | 644    | 490     | 247     | 395    | 383           | 0         | 0      | 0              |
| NGB       | 3       | 29     | 29      | 0       | 0      | 0              | 0         | 0      | 0              |
| NORTHCOM  | 2       | 63     | 63      | 4       | 51     | 53            | 0         | 0      | 0              |
| NRO       | 38      | 21     | 18      | 45      | 63     | 127           | 0         | 0      | 0              |
| NSA       | 218     | 155    | 308     | 129     | 577    | 989           | 2         | 67     | 153           |
## D. Pending Requests -- All Pending Perfected Requests

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## E. Ten Oldest Pending Perfected Requests

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<td>08/24/09</td>
<td>08/24/09</td>
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## VIII. Requests for Expedited Processing and Requests for Fee Waivers

### Table 20

#### A. Requests for Expedited Processing

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<th>Component</th>
<th>Number Granted</th>
<th>Number Denied</th>
<th>Median Number of Days to Adjudicate</th>
<th>Average Number of Days to Adjudicate</th>
<th>Number Adjudicated within 10 Calendar Days</th>
</tr>
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\(^{25}\) Army has multiple reporting components and was not able to compute medians for its overall total.
### A. Requests for Expedited Processing

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<tr>
<th>Component</th>
<th>Number Granted</th>
<th>Number Denied</th>
<th>Median Number of Days to Adjudicate</th>
<th>Average Number of Days to Adjudicate</th>
<th>Number Adjudicated within 10 Calendar Days</th>
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</thead>
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<td>8</td>
<td>8</td>
<td>1</td>
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<td>0</td>
<td>0</td>
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</tr>
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<td>0</td>
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<td>0</td>
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<td>0</td>
</tr>
<tr>
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<td>480</td>
<td>N/A&lt;sup&gt;26&lt;/sup&gt;</td>
<td>46</td>
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</table>

<sup>26</sup> Due to the decentralized processing and tracking of FOIA requests within the DoD and because the DoD does not have the means to centrally capture all the required data, it is not possible to calculate DoD medians and the medians for some components that have more than one FOIA requester service center. The DoD recently rolled out a centralized data collection tool and should be fully compliant for FY10. This footnote also applies to the following table.
## Table 21

### B. Requests for Fee Waivers

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<sup>27</sup> Army has multiple reporting components and was not able to compute medians for its overall total.
## IX. FOIA Personnel and Costs

**Table 22**

<table>
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<tr>
<th>Component</th>
<th>Number Full-Time FOIA Employees</th>
<th>Number Equivalent Full-Time FOIA Employees</th>
<th>Total Number of Full Time FOIA Staff</th>
<th>Processing Costs</th>
<th>Litigation Related Costs</th>
<th>Total Costs</th>
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<tr>
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<td>$6,077</td>
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<td>0</td>
<td>$268,280</td>
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<tr>
<td>SOCOM</td>
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<td>19</td>
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<td>0</td>
<td>$1,206,505</td>
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<td>$3,250,000</td>
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<td>0</td>
<td>$40,280</td>
</tr>
<tr>
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<td>$800,474</td>
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<td>$615,693</td>
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<td><strong>434.77</strong></td>
<td><strong>872.77</strong></td>
<td><strong>$78,202,504</strong></td>
<td><strong>$10,522,795</strong></td>
<td><strong>$88,725,299</strong></td>
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## X. Fees Collected For Processing Requests

### Table 23

<table>
<thead>
<tr>
<th>Component</th>
<th>Total Amount of Fees collected in Dollars</th>
<th>Percent of Processing Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>AF</td>
<td>$66,580.00</td>
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</tr>
<tr>
<td>AFRICOM</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>ASBCA</td>
<td>$522.35</td>
<td>34.82%</td>
</tr>
<tr>
<td>ARMY</td>
<td>$180,771.00</td>
<td>0.87%</td>
</tr>
<tr>
<td>CENTCOM</td>
<td>$352.00</td>
<td>0.02%</td>
</tr>
<tr>
<td>DCAA</td>
<td>$1,199.00</td>
<td>0.55%</td>
</tr>
<tr>
<td>DCMA</td>
<td>$29,444.00</td>
<td>4.06%</td>
</tr>
<tr>
<td>DeCA</td>
<td>$2,081.00</td>
<td>2.96%</td>
</tr>
<tr>
<td>DFAS</td>
<td>$1,883.00</td>
<td>1.13%</td>
</tr>
<tr>
<td>DIA</td>
<td>$410.00</td>
<td>0.01%</td>
</tr>
<tr>
<td>DISA</td>
<td>$5,296.00</td>
<td>1.96%</td>
</tr>
<tr>
<td>DLA</td>
<td>$22,379.00</td>
<td>1.01%</td>
</tr>
<tr>
<td>DoDEA</td>
<td>$389.00</td>
<td>0.56%</td>
</tr>
<tr>
<td>DoDIG</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>DSS</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>DTIC</td>
<td>$40.00</td>
<td>0.03%</td>
</tr>
<tr>
<td>DTRA</td>
<td>$3,383.00</td>
<td>0.51%</td>
</tr>
<tr>
<td>EUCOM</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>JFCOM</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>NAVY</td>
<td>$121,899.00</td>
<td>0.89%</td>
</tr>
<tr>
<td>NGA</td>
<td>$0.00</td>
<td>0.00%</td>
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<tr>
<td>NGB</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>NORTHCOM</td>
<td>$331.00</td>
<td>0.39%</td>
</tr>
<tr>
<td>NRO</td>
<td>$1,434.00</td>
<td>0.29%</td>
</tr>
<tr>
<td>NSA</td>
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</tr>
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<td>OSD/JS</td>
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<td>0.23%</td>
</tr>
<tr>
<td>PACOM</td>
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<td>0.03%</td>
</tr>
<tr>
<td>SOCOM</td>
<td>$314.00</td>
<td>0.07%</td>
</tr>
<tr>
<td>SOUTHCOM</td>
<td>$3,275.00</td>
<td>1.31%</td>
</tr>
<tr>
<td>STRATCOM</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>TRANSCOM</td>
<td>$4,068.00</td>
<td>0.51%</td>
</tr>
<tr>
<td>TRICARE</td>
<td>$4,068.00</td>
<td>0.66%</td>
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<tr>
<td><strong>Agency Overall</strong></td>
<td><strong>$478,918.28</strong></td>
<td><strong>0.61%</strong></td>
</tr>
</tbody>
</table>
XI. FOIA Regulations

A. The Department of Defense (DoD) Freedom of Information Act Program Regulation, DoD 5400.7-R, September 4, 1998, which provides guidance regarding administration of FOIA Program within the DoD, can be found at:


B. The Fee Schedule is Chapter 6 of the above regulation and as modified at:


C. Additional Department of Defense FOIA documents and hyperlinks can be found by accessing the following Universal Resource Locator:

http://www.dod.mil/pubs/foi/dfoipo/
XII. Backlogs, Consultations, and Comparisons

Table 24\textsuperscript{28}  

<table>
<thead>
<tr>
<th>Component</th>
<th>Number of Backlogged Requests as of End of Fiscal Year</th>
<th>Number of Backlogged Appeals as of End of Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>AF</td>
<td>725</td>
<td>33</td>
</tr>
<tr>
<td>AFRICOM*</td>
<td>1</td>
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</tr>
<tr>
<td>ASBCA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>ARMY</td>
<td>3542</td>
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</tr>
<tr>
<td>CENTCOM*</td>
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<td>0</td>
</tr>
<tr>
<td>DCAA</td>
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<td>0</td>
</tr>
<tr>
<td>DCMA</td>
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<td>3</td>
<td>0</td>
</tr>
<tr>
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<tr>
<td>DIA</td>
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<td>200</td>
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<tr>
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<td>2</td>
</tr>
<tr>
<td>DLA</td>
<td>65</td>
<td>6</td>
</tr>
<tr>
<td>DoDEA*</td>
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<td>0</td>
</tr>
<tr>
<td>DoDIG</td>
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<td>13</td>
</tr>
<tr>
<td>DSS</td>
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<td>0</td>
</tr>
<tr>
<td>DTIC*</td>
<td>16</td>
<td>0</td>
</tr>
<tr>
<td>DTRA</td>
<td>15</td>
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<td>59</td>
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</tr>
<tr>
<td>JFCOM*</td>
<td>67</td>
<td>0</td>
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<td>1139</td>
<td>7</td>
</tr>
<tr>
<td>NGA</td>
<td>291</td>
<td>11</td>
</tr>
<tr>
<td>NGB</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NORTHCOM*</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>NRO</td>
<td>66</td>
<td>7</td>
</tr>
<tr>
<td>NSA</td>
<td>357</td>
<td>23</td>
</tr>
</tbody>
</table>

\* Not all components process administrative appeals. OSD/JS FOIA Appeals Branch processes the following components’ appeals: AFRICOM, CENTCOM, DoDEA, DTIC, EUCOM, JFCOM, NGB, NORTHCOM, PACOM, SOCOM, SOUTHCOM, TRANSCOM, and TRICARE.
<table>
<thead>
<tr>
<th>Component</th>
<th>Number of Backlogged Requests as of End of Fiscal Year</th>
<th>Number of Backlogged Appeals as of End of Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSD/JS</td>
<td>1708</td>
<td>272</td>
</tr>
<tr>
<td>PACOM*</td>
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<tr>
<td>SOCOM*</td>
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<tr>
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<td>81</td>
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<tr>
<td>STRATCOM*</td>
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<td>0</td>
</tr>
<tr>
<td>TRANSCOM*</td>
<td>58</td>
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<tr>
<td>TRICARE*</td>
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</tr>
<tr>
<td>Agency Overall</td>
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<td>575</td>
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</table>
Table 25 - Consultations on FOIA Requests

B. Consultations on FOIA Requests

<table>
<thead>
<tr>
<th>Component</th>
<th>Number of Consultations Received from Other Agencies that Were Pending as of Start of the Fiscal Year</th>
<th>Number of Consultations Received from Other Agencies During the Fiscal Year</th>
<th>Number of Consultations Received from Other Agencies that Were Processed During the Fiscal Year</th>
<th>Number of Consultations Received from Other Agencies that Were Pending as of the End of the Fiscal Year</th>
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</thead>
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<td>AF*</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>ARMY*29</td>
<td>25</td>
<td>244</td>
<td>229</td>
<td>40</td>
</tr>
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<td>63</td>
<td>18</td>
<td>50</td>
</tr>
<tr>
<td>DCAA</td>
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<td>1</td>
<td>0</td>
</tr>
<tr>
<td>DCMA</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>0</td>
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<tr>
<td>DeCA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
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<td>DFAS</td>
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<td>6</td>
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<td>9</td>
<td>0</td>
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<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
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<td>2</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
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<td>0</td>
<td>0</td>
</tr>
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<td>0</td>
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<td>DTRA</td>
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<td>2</td>
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<td>15</td>
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<td>6</td>
<td>17</td>
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<td>100</td>
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<td>4</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
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</tr>
<tr>
<td>NSA</td>
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</table>

29 ARMY accounting error in FY08, corrected in FY09’s opening number.
30 NAVY accounting error in FY08, corrected in FY09’s opening number.
31 NGA accounting error in FY08, corrected in FY09’s opening number.
### B. Consultations on FOIA Requests

<table>
<thead>
<tr>
<th>Component</th>
<th>Number of Consultations Received from Other Agencies that Were Pending as of Start of the Fiscal Year</th>
<th>Number of Consultations Received from Other Agencies During the Fiscal Year</th>
<th>Number of Consultations Received from Other Agencies that Were Processed During the Fiscal Year</th>
<th>Number of Consultations Received from Other Agencies that Were Pending as of the End of the Fiscal Year</th>
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</thead>
<tbody>
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<td>82</td>
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<td>37</td>
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<td>11</td>
</tr>
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<td>SOCOM*</td>
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<td>48</td>
<td>43</td>
<td>27</td>
</tr>
<tr>
<td>SOUTHCOM*</td>
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<td>5</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>STRATCOM</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
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<td>4</td>
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* These Components which re-characterized older FOIA requests to Consultations.
### Table 26

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<th>Component</th>
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<th>8th</th>
<th>7th</th>
<th>6th</th>
<th>5th</th>
<th>4th</th>
<th>3rd</th>
<th>2nd</th>
<th>Oldest</th>
</tr>
</thead>
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<td>07/18/07</td>
<td>06/11/07</td>
<td>04/11/07</td>
<td>04/02/07</td>
<td>02/15/07</td>
<td>11/21/06</td>
<td>07/27/06</td>
<td>06/22/05</td>
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<td>554</td>
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<td>580</td>
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<td>629</td>
<td>660</td>
<td>718</td>
<td>798</td>
<td>1073</td>
</tr>
<tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
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### Table 28

**D. Comparisons of Number of Backlogged Requests from Previous and Current Annual Report**

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<th>Number of Backlogged Requests for FY08</th>
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33 The numbers in this column should equal the numbers reported in the previous year’s report. The numbers for the * components are different because more accurate accounting systems recalculated the previous year’s ending numbers and some re-characterized their backlogged FOIA requests as consultations (see footnote 32)
Table 29

E. Comparisons of Number of Backlogged Administrative Appeals from Previous and Current Annual Report

<table>
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<th>Component</th>
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* Not all components process administrative appeals. OSD/JS FOIA Appeals Branch processes the following components’ appeals: AFRICOM, CENTCOM, DoDEA, DTIC, EUCOM, JFCOM, NGB, NORTHCOM, PACOM, SOCOM, SOUTHCOM, TRANSCOM, and TRICARE.

The numbers in this column should equal the numbers reported in the previous year’s report. The numbers for AF and NRO components are different because of more accurate accounting systems. EUCOM, SOCOM, and TRANSCOM mistakenly reported backlogged appeals for FY08. They do not process appeals; FY08 backlog number corrected on this year’s report.
## E. Comparisons of Number of Backlogged Administrative Appeals from Previous and Current Annual Report

<table>
<thead>
<tr>
<th>Component</th>
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