C. How to obtain a copy of the report in paper form.

An electronic copy of this report will be posted to www.dni.gov.

B. Electronic address for report on the World Wide Web:

[Electronic address]

703) 874-8085
Washington, D.C. 20511

Office of the Director of National Intelligence
Intelligence Community, Chief Information Officer (CIO)
Chief Information and Dawn Management (CIDM)
Mr. John F. Haydon

A. Name, title, address, and telephone number of person to be contacted with questions about the report.

Basic Information Regarding Report

[This report contains information in the format specified in Department of Justice guidance to the EFOIA. Text in brackets is the information provided in response to specified headings.]

FISCAL YEAR 2012

FREEDOM OF INFORMATION ACT ANNUAL REPORT

Director of National Intelligence
Definitions of Terms and Acronyms Used in the Report

IC-CIO: Intelligence Community Chief Information Officer
ODNI: Office of the Director of National Intelligence

A. Agency-specific acronyms or other terms.

B. Brief description of why some requests are not granted.

C. Brief description of why some requests are not granted.

For those FOIA cases closed between 10/10/2011 - 09/30/2012, 89.9% were closed within 120 days; median response time was 3 days; average response time was 61 days.

B. Brief description of the agency’s response time ranges.

A. Names, addresses, and telephone numbers of all individual agency components and offices that receive FOIA requests.

Submit a written request to the mail address above. Transmission via facsimile also is acceptable - (703) 874-8910. FOIA Request.

How to Make a FOIA Request

Write to the above address.
8. Complex Request – A FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or simplicity of records requested.

7. 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.

6. Expedited Processing – An agency will process a FOIA request on an expedited basis when a requestor has shown an exceptional need or urgency for the records which warrants prioritization of his or her request over other requests that were made earlier.

5. Multi-track Processing – A system in which simple requests requiring relatively minimal review are placed in one track, moderate requests requiring additional review are placed in another track, and complex requests requiring substantial review are placed in a third track.

4. Processed Request or Appeal – A request or appeal for which an agency has taken a final action on the request or the appeal in all respects.

3. Initial Request – A request to a federal agency for access to records under the Freedom of Information Act, or any other FOIA determination such as a matter.

2. Initial Request – A request to a federal agency for access to records under the Freedom of Information Act, law is cited by the requestor, are included in this report.

1. FOIA / PA Request – Freedom of Information Act / Privacy Act Request. A FOIA request is generally a request for access to records concerning a third party, an organization, or a particular topic of interest. A Privacy Act request is a request for access to records concerning an individual.

D. Basic Terms, expressed in common terminology.
9. Grant - an agency decision to disclose all records in full in response to a FOIA Request.

10. Partial Grant - an agency decision to disclose some records in part in response to a FOIA Request.

11. Denial - an agency decision not to release any part of a record or records in response to a FOIA Request.

12. Time Limits - the time period in the Freedom of Information Act for an agency to respond to a FOIA Request.

13. "Perceived" Request - a FOIA Request for records which adequately describes the records sought, which has been received by the FOIA office of the agency or agency component in possession of the records, and for which there is no remaining question about the payment of applicable fees.

14. Exemption 3 - Stalemate – a separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (q).

15. Median Number - the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

16. Average Number - the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

17. Exclusion from disclosure information, which pertains solely to the internal personnel rules and practices of the agencies.
(x) Examples from disclose information that salaries require to be maintained and used solely as statistical records.

(x) Examples from disclose information pertaining to the protective services afforded the President of the United States.

(x) Examples from disclose investigation material compiled for law enforcement purposes.

(x) National defense or foreign policy.

(x) Examples from disclose information properly classified pursuant to an Executive Order in the interest of the Federal Bureau of Investigation, the Drug Enforcement Agency, or the Bureau of Alcohol, Tobacco, and Firearms.

(x) Examples from disclose certain records of agencies whose primary mission is enforcing criminal laws (e.g., the CIA).

(x) Examples from disclose information compiled in reasonable anticipation of a civil action or proceeding.

D. Conceal Descriptions of Privacy Act Exemptions:

(x) Examples from disclose information about well regulated activities of supervising banks, savings and loans, and other financial institutions.

(x) Examples from disclose information contained in reports or examinations of an agency responsible for the safety of life or physical security.

(x) Disclosure of a confidential source, a resulting investigative technique, or procedure, or a formula.

(x) Examples from disclose information contained in reports or examinations of an agency responsible for enforcement proceedings.

(x) Examples from disclose Civil Enforcement Investigation records that, if released, would either (a) interfere with enforcement proceedings, or (b) reveal investigative techniques and procedures.

(x) Examples from disclose information that would be an unwarranted invasion of the personal privacy of other individuals.

(x) Examples from disclose information that would be an unwarranted invasion of the personal privacy of other persons.

(x) Examples from disclose information that would be an unwarranted invasion of the personal privacy of other persons.

(x) Examples from disclose information such as trade secrets and commercial or financial information obtained from a person on a privileged or confidential basis.

(x) Examples from disclose information that are matters of public concern.

(x) Examples from disclose information that are matters of public concern.

(x) Examples from disclose materials other federal statute protects, provides that the other federal statute.
<table>
<thead>
<tr>
<th>Class</th>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>52</td>
<td>52</td>
<td>S2</td>
</tr>
</tbody>
</table>

List of Exemption 3 Statuses relied on by agency during prior fiscal year:

**Exemption 3 Statuses**

- Government's express promise to keep the source's identity confidential
- Exemptions from disclosure of evaluation material the release of which would compromise the testing or examination of an individual's potential for promotion, but only if disclosure would reveal the identity of a source who furnished information after the examination (k)(7)(B)
- Exemptions from disclosure of evaluation material the release of which would compromise the testing or examination of an individual's potential for promotion or appointment (k)(5)
- Exemptions from disclosure of material the release of which would compromise the testing or examination of an individual's potential for promotion or appointment (k)(5)
- Exemptions from disclosure of investigation material compiled solely for the purpose of determining suitability or eligibility of an individual for federal or military employment (k)(6)
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<thead>
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<th>0</th>
<th>0</th>
<th>0</th>
<th>1</th>
<th>8</th>
<th>23</th>
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<tbody>
<tr>
<td>Other</td>
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<table>
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<tr>
<th>Agency</th>
<th>141</th>
<th>317</th>
<th>343</th>
<th>115</th>
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</thead>
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| Fiscal Year | Processed as of End of Fiscal Year | Received in Fiscal Year | Pending as of Start of Fiscal Year | Number of Requests
| Total   |     |     |     |     |

A. Numbers of Initial Requests

B. Disposition of FOIA Requests
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<th>Overall</th>
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<td>Ex. 8</td>
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<td>Ex. 9</td>
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<tr>
<td>Ex. 1</td>
<td>0</td>
</tr>
<tr>
<td>Ex. 2</td>
<td>0</td>
</tr>
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<td>Ex. 3</td>
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</tr>
<tr>
<td>Ex. 4</td>
<td>0</td>
</tr>
<tr>
<td>Ex. 5</td>
<td>0</td>
</tr>
<tr>
<td>Ex. 6</td>
<td>0</td>
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<tr>
<td>Ex. 7(F)</td>
<td>7</td>
</tr>
<tr>
<td>Ex. 7(D)</td>
<td>7</td>
</tr>
<tr>
<td>Ex. 7(C)</td>
<td>7</td>
</tr>
<tr>
<td>Ex. 7(B)</td>
<td>7</td>
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<tr>
<td>Ex. 7(A)</td>
<td>7</td>
</tr>
<tr>
<td>Ex. 6</td>
<td>0</td>
</tr>
<tr>
<td>Ex. 5</td>
<td>0</td>
</tr>
<tr>
<td>Ex. 4</td>
<td>0</td>
</tr>
<tr>
<td>Ex. 3</td>
<td>0</td>
</tr>
<tr>
<td>Ex. 2</td>
<td>0</td>
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<tr>
<td>Ex. 1</td>
<td>0</td>
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3. Number of Times Exemptions Applied

<table>
<thead>
<tr>
<th>Agency</th>
<th>Overall</th>
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<tbody>
<tr>
<td>28</td>
<td>28</td>
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</table>

Time those Reasons WereFiled Upon

Time those Reasons WereFiled Upon

Total

2. "Other" Reasons for Full Denials Based on Reasons Other Than Exemptions
<table>
<thead>
<tr>
<th>Reasons for Denial on Appeal</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Reasons for Other Appeals Closed</td>
<td></td>
</tr>
<tr>
<td>Reversed/Pennanced</td>
<td></td>
</tr>
<tr>
<td>Reversed/Remanded</td>
<td></td>
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<tr>
<td>Affirmed/Partially</td>
<td></td>
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<tr>
<td>Affirmed</td>
<td></td>
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</table>

### B. Disposition of Administrative Appeals - All Processed Appeals

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>19</th>
<th>20</th>
<th>21</th>
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</thead>
<tbody>
<tr>
<td>Number of Appeals Processed in Fiscal Year</td>
<td>12</td>
<td>16</td>
<td>15</td>
</tr>
<tr>
<td>Number of Appeals Received in Fiscal Year</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Appeals Pending as of Start of Fiscal Year</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Fiscal Year</td>
<td>19</td>
<td>20</td>
<td>21</td>
</tr>
<tr>
<td>Number of Appeals Pending as of End of Fiscal Year</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Appeals Processed in Fiscal Year</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### A. Appeals of Initial Denials of FOIA/PA Requests

<table>
<thead>
<tr>
<th>Year</th>
<th>19</th>
<th>20</th>
<th>21</th>
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</thead>
<tbody>
<tr>
<td>Number of Appeals Received</td>
<td>12</td>
<td>16</td>
<td>15</td>
</tr>
</tbody>
</table>
### Description of "Other" Reasons for Denial

<table>
<thead>
<tr>
<th>Description</th>
<th>Count</th>
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<tbody>
<tr>
<td>Processing time exceeded for Initial Request</td>
<td>3</td>
</tr>
<tr>
<td>Duplicate Request</td>
<td>2</td>
</tr>
<tr>
<td>Litigation denial</td>
<td>0</td>
</tr>
<tr>
<td>Appeal based on Section V 1, C 2, C 7</td>
<td>0</td>
</tr>
<tr>
<td>Appeal requested</td>
<td>0</td>
</tr>
<tr>
<td>Records not returned</td>
<td>0</td>
</tr>
<tr>
<td>Appeal denied</td>
<td>0</td>
</tr>
<tr>
<td>Records returned</td>
<td>0</td>
</tr>
<tr>
<td>Records requested</td>
<td>0</td>
</tr>
<tr>
<td>Other reasons</td>
<td>1</td>
</tr>
</tbody>
</table>

### Reasons Other Than Exemptions

<table>
<thead>
<tr>
<th>Reason</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Request</td>
<td>3</td>
</tr>
<tr>
<td>Records removed</td>
<td>2</td>
</tr>
<tr>
<td>Reason denied</td>
<td>0</td>
</tr>
<tr>
<td>Records returned</td>
<td>0</td>
</tr>
<tr>
<td>Other reasons</td>
<td>0</td>
</tr>
</tbody>
</table>

---

Appeals may not be submitted until a search response per OPA FOIA Regulations. Appeal was not appealed. No records were released upon On Appeal from Chart C (2) & Number of Times Those Reasons Were Held Upon Completion of "Other" Reasons for Denial
#### A. Processed Requests

**Response Time for All Processed Perceived Requests**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Expedited Processing</th>
<th>Complex</th>
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</thead>
<tbody>
<tr>
<td>579</td>
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<td></td>
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</table>

#### VIII. For All Requests: Response Time for Processed and Pending Requests

<table>
<thead>
<tr>
<th></th>
<th>846</th>
<th>810</th>
<th>691</th>
<th>670</th>
<th>544</th>
<th>437</th>
<th>430</th>
<th>411</th>
<th>835</th>
<th>285</th>
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</thead>
<tbody>
<tr>
<td>Days Pending</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>and Number of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>Oldest Request</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 5. Ten Oldest Pending Administrative Appeals

<table>
<thead>
<tr>
<th></th>
<th>578</th>
<th>0</th>
<th>206.25</th>
<th>164</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highest Number of Days</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lowest Number of Days</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average Number of Days</td>
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</table>

#### 4. Response Time for Administrative Appeals
### Complex Requests

<table>
<thead>
<tr>
<th>Agency</th>
<th>18</th>
<th>41</th>
<th>210</th>
<th>301</th>
<th>400+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days</td>
<td>18</td>
<td>0</td>
<td>116</td>
<td>16</td>
<td>3</td>
</tr>
</tbody>
</table>

### Simple Requests

#### Processed Requests - Response Time in Day Increments

<table>
<thead>
<tr>
<th>Agency</th>
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<th>41</th>
<th>210</th>
<th>301</th>
<th>400+</th>
</tr>
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<tbody>
<tr>
<td>Days</td>
<td>18</td>
<td>0</td>
<td>116</td>
<td>16</td>
<td>3</td>
</tr>
</tbody>
</table>

#### Expedited Processing

- Processed Requests - Response Time for Expedited Requests in Which Information was Granted

<table>
<thead>
<tr>
<th>Agency</th>
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<th>210</th>
<th>301</th>
<th>400+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days</td>
<td>18</td>
<td>0</td>
<td>116</td>
<td>16</td>
<td>3</td>
</tr>
</tbody>
</table>

#### Complex Requests

<table>
<thead>
<tr>
<th>Agency</th>
<th>18</th>
<th>41</th>
<th>210</th>
<th>301</th>
<th>400+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days</td>
<td>18</td>
<td>0</td>
<td>116</td>
<td>16</td>
<td>3</td>
</tr>
</tbody>
</table>

#### Simple Requests

<table>
<thead>
<tr>
<th>Agency</th>
<th>18</th>
<th>41</th>
<th>210</th>
<th>301</th>
<th>400+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days</td>
<td>18</td>
<td>0</td>
<td>116</td>
<td>16</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>EXPEDITED PROCESSING</td>
<td>COMPLEX</td>
<td>SIMPLE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>----------------------</td>
<td>---------</td>
<td>--------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DAYS of Days</td>
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<td>0</td>
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<td></td>
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<tr>
<td>Number Pending</td>
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</tr>
<tr>
<td>Average Number</td>
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</tr>
<tr>
<td>Median Number</td>
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</tbody>
</table>

Pending Requests - All Pending Perceived Requests

<table>
<thead>
<tr>
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</tr>
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<tbody>
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<tr>
<td>DAYS</td>
<td>1-20</td>
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<td>21-40</td>
<td>61-80</td>
<td>40</td>
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<tr>
<td>81-140</td>
<td>141-160</td>
<td>405</td>
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<tr>
<td>161-200</td>
<td>201-300</td>
<td>40</td>
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<tr>
<td>301-400</td>
<td>400+</td>
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<tr>
<td>TOTAL</td>
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### A. Requests for Expedited Processing and Requests for Fee Waiver

<table>
<thead>
<tr>
<th>N/A</th>
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</thead>
<tbody>
<tr>
<td>Days Calendar Within Ten Adjudicated Number Average</td>
<td>Days to Adjudicate</td>
<td>Days to Denied</td>
<td>Number Canceled</td>
<td>Number Denied</td>
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### B. N/A

#### WILL

<table>
<thead>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Days Pending and Number of Oldster Requests</td>
<td>Days Pending</td>
<td>Days Pending</td>
<td>Days Pending</td>
<td>Days Pending</td>
<td>Days Pending</td>
</tr>
<tr>
<td>7th</td>
<td>6th</td>
<td>5th</td>
<td>4th</td>
<td>3rd</td>
<td>2nd</td>
</tr>
</tbody>
</table>

### E.

Requests - Ten Oldster Pending Perceived Requests
XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

In August 2007, the White House issued an Interim Final Rule for FOIA regulations that were published in the Federal Register, 72 CFR, Chapter X. The ODNI began operations when Ambassador John D. Negroponte was confirmed as the First Director of National Intelligence and sworn in on April 21, 2005. Final FOIA regulations were published in the Federal Register, 72 CFR, Chapter X. These regulations include new definitions, clarifications, and procedural changes. The implementation of these regulations has led to an increase in the backlog of FOIA requests.

X. FEES COLLECTED FOR PROCESSING REQUESTS

<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>542,709</td>
<td>022,830</td>
<td>152,300</td>
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<tr>
<td>3,275,000</td>
<td>2,310,000</td>
<td>1,780,000</td>
<td>1,520,000</td>
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### Agency

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<tr>
<td>Days Pending</td>
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<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Number of Oldest Requests</td>
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<td></td>
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<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
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<th>2010</th>
<th>2012</th>
<th>2010</th>
<th>2012</th>
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<tbody>
<tr>
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<tr>
<td>Number of Consultations Processed from Other Agencies</td>
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<td>Number of Consultations Processed</td>
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**C.** Consultations on FOIA Requests – Ten Oldest Consultations Received and Pending at Your Agency

<table>
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<tbody>
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<td>Number of Consultations Pending</td>
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### E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Reports – Appeals Processed, and Backlogged

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<th>Agency Overall</th>
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<td>Current Annual Report</td>
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<td>During Fiscal Year from</td>
<td>During Fiscal Year from</td>
<td>During Fiscal Year from</td>
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<tr>
<td></td>
<td>Number Processed</td>
<td>Number Received</td>
<td>Number Processed</td>
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<td>Number of Appeals Processed</td>
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### D. Comparison of Numbers of Requests from Previous and Current Annual Reports – Requests Received, Processed, and Backlogged

<table>
<thead>
<tr>
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<td>Of the Fiscal Year from Previous Annual</td>
<td>Of the Fiscal Year from Current Annual</td>
<td>Of the Fiscal Year from Previous Annual</td>
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<tr>
<td>Number of Backlogged Requests as of End</td>
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<table>
<thead>
<tr>
<th>Agency Overall</th>
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<th>387</th>
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<tr>
<td>Number Processed</td>
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<td>Number of Requests Processed</td>
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Number of Requests Received | | | | |
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<tbody>
<tr>
<td>Report of the Fiscal Year from Previous Annual</td>
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<td>Number of Backlogged Appeals as of End</td>
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<td>18</td>
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<tr>
<td>Report of the Fiscal Year from Current Annual</td>
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<td>Number of Backlogged Appeals as of End</td>
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