

## Office of the Director National Intelligence

### FREEDOM OF INFORMATION ACT ANNUAL REPORT

#### FISCAL YEAR 2017

#### I. Basic Information Regarding Report

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

Mrs. Sally A. Nicholson  
Chief, Freedom of Information Act  
Information Management Division  
Office of the Director of National Intelligence  
Washington, D.C. 20511  
(301) 243-1499

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

#### II. How to Make a FOIA Request

Submit a written request to mail address above. Transmission via facsimile also is acceptable (301) 243-0716. FOIA requests may also be submitted electronically to [DNI-FOIA@dni.gov](mailto:DNI-FOIA@dni.gov).

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

*The mailing address in section I.A., above, is the single, central office which receives all FOIA requests for the Director of National Intelligence. However, FOIA requests received by components of the ODNI are referred to Director, IMD.*

- B. Brief description of the agency's response-time ranges.

*For those FOIA cases closed between 10/1/2016- 9/30/2017. 34.16% were closed within 60 days.*

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

*ODNI consistently protects, among other things, classified national security information relating to intelligence sources and methods, from release under the FOIA.*

#### III. Definitions of Terms and Acronyms Used in the Report

- A. Agency-specific acronyms or other terms.

- i. ODNI: Office of the Director of National Intelligence
- ii. IM: Information Management

- B. Basic terms, expressed in common terminology.

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 records concerning oneself; such requesters are also treated as FOIA requests. (All requests for access to records, regardless of which law is cited by the requester, are included in this report.
2. Initial Request – a request to a federal agency for access to records under the Freedom of Information Act.
3. Administrative Appeal – a request to a federal agency asking that it review at a higher administrative level a full denial or partial denial of access to records under the Freedom of Information Act, or any other FOIA determination such as a matter pertaining to fees.
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.
5. 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 bases. A requester who has an urgent need for records may request expedited processing (see below).
6. Expedited Processing – an agency will process a FOIA request on an Expedited bases when a requester 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.
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.
8. Complex Request – a FOIA request that an agency using multi-track processing places in a slower track based on the volume and/or complexity of records requested.
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 a record in part in response to a FOIA request, deleting information determined to be exempt under one or more of the FOIA exemptions; or a decision to disclose some records in the entirety, but to withhold others in whole or in part.
11. Denial – an agency decision not to release any part of a record or records in response to a FOA request because all the information in the requested records is determined by the agency to be exempt under one or more of the FOIA's exemptions, or for some procedural reason (such as because no record is located 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 (ordinarily 20 working days from proper receipt of a “perfected” FOIA request).
13. “Perfected” 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 Statute – a separate federal statute prohibiting the disclosure of a certain type of information and authorizing its withholding under FOIA subsection (b)(3).
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.

C. Concise Descriptions of FOIA Exemptions

- (b)(1) exempts from disclosure material properly classified, pursuant to an Executive Order, because it is related to matters of national defense or foreign policy;
- (b)(2) exempts from disclosure information, which pertains solely to the internal personnel rules and practices of the Agency;
- (b)(3) exempts from disclosure materials that another federal statute protects, provided that the other federal statute either requires that the matters be withheld, or establishes particular criteria for withholding or refers to particular types of matters to be withheld.
- (b)(4) exempts from disclosure information such as trade secrets and commercial or financial information obtained from a person on a privileged or confidential basis;
- (b)(5) exempts from disclosure inter-and-intra agency pre-decisional and deliberative memoranda or letters. The same section exempts attorney work-product or attorney-client information;
- (b)(6) exempts from disclosure material that would be an unwarranted invasion of the personal privacy of the individuals.
- (b)(7) exempts from disclosure law enforcement investigatory records that, if released, would either (A) interfere with enforcement proceedings, (B) deprive a person of the right to a fair trial; (C) be an unwarranted invasion of personal privacy; (D) identify a confidential source; (E) reveal investigative techniques and procedures; or (F) endanger someone’s life or physical safety.
- (b)(8) exempts from disclosure information contained in reports or examinations of an agency responsible for regulating or supervising banks, savings and loans, or other financial institutions.
- (b)(9) exempts from disclosure information about wells.

D. Concise Descriptions of Privacy Act Exemptions:

- (d)(5) exempts from disclosure information compiled in reasonable anticipation of a civil action or proceeding;

- (j)(1) exempts from disclosure certain information maintained by the CIA;
- (j)(2) exempts from disclosure certain records of agencies whose primary mission is enforcing criminal laws (e.g. the Federal Bureau of Investigation, the Drug Enforcement Agency, or the Bureau of Alcohol, Tobacco, and Firearms);
- (k)(1) exempts from disclosure information properly classified pursuant to an Executive Order in the interest of national defense or foreign policy;
- (k)(2) exempts from disclosure investigatory material compiled for law enforcement purposes;
- (k)(3) exempts from disclosure information pertaining to the protective services afforded the President of the United States;
- (k)(4) exempts from disclosure information that statutes require to be maintained and used solely as statistical records;
- (k)(5) exempts from disclosure information or investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for federal civilian employment, or access to classified information, the release of which would disclose a confidential source;
- (k)(6) exempts from disclosure testing or examination material the federal government uses to determine individual qualifications for appointment or promotion, the release of which would compromise the testing or examination process;
- (k)(7) exempts from disclosure evaluation material the armed forces use to determine an individual's potential for promotion, but only if disclosure would reveal the identity of a source who furnished information after the government's express promise to keep that source's identity confidential.

### 3. Agency Component Abbreviations

| Component Abbreviation | Component Name                                  |
|------------------------|---|
| ODNI                   | Office of the Director of National Intelligence |
|                        |   |
|                        |   |

#### IV. EXEMPTION 3 STATUTES

| Statute  | Type of Information Withheld     | Case Citation   | Agency / Component | Number of Times Relied upon by Agency / Component | Total Number of Times Relied upon by Agency Overall |
|--|----------------------------------|---|--------------------|---|---|
| 50 U.S.C. § 3024(i)(1) (National Security Act of 1947) | Intelligence sources and methods | CIA v. Sims, 471 U.S. 159, 167 (1985); ACLU v. DOJ, 681 F.3d 61, 72-75 (2d Cir. May 21, 2012); ACLU v. DOD, 628 F.3d 612, 619, 626 (D.C. Cir. 2011); Berman v. CIA, 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007). | ODNI               | 94  | 94  |
|  |                                  |   |                    |   |   |
|  |                                  |   |                    |   |   |

**V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS**

| Agency / Component | Number of Requests Pending as of Start of Fiscal Year | Number of Requests Received in Fiscal Year | Number of Requests Processed in Fiscal Year | Number of Requests Pending as of End of Fiscal Year |
|--------------------|---|--|---|---|
| ODNI               | 322   | 456  | 376   | 402   |
|                    |   |  |   | 0   |
| AGENCY OVERALL     | 322   | 456  | 376   | 402   |

**V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS**

| Agency / Component | Number of Full Grants | Number of Partial Grants / Partial Denials | Number of Full Denials Based on Exemptions | Number of Full Denials Based on Reasons Other than Exemptions |   |                   |                    |                                  |  |                   |                   |                               | TOTAL |
|--------------------|-----------------------|--|--|---|---|-------------------|--------------------|----------------------------------|--|-------------------|-------------------|-------------------------------|-------|
|                    |                       |  |  | No Records  | All Records Referred to Another Component or Agency | Request Withdrawn | Fee-Related Reason | Records not Reasonably Described | Improper FOIA Request for Other Reason | Not Agency Record | Duplicate Request | Other *Explain in Chart Below |       |
| ODNI               | 56                    | 141  | 34   | 61  | 22  | 25                | 0                  | 0                                | 5                                      | 17                | 0                 | 15                            | 376   |
|                    |                       |  |  |   |   |                   |                    |                                  |  |                   |                   |                               | 0     |
| AGENCY OVERALL     | 56                    | 141  | 34   | 61  | 22  | 25                | 0                  | 0                                | 5                                      | 17                | 0                 | 15                            | 376   |

**V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS  
 BASED ON REASONS OTHER THAN EXEMPTIONS"**

| Agency /<br>Component | Description of "Other" Reasons for Denials from Chart B(1) | Number of Times<br>"Other" Reason<br>Was Relied Upon | TOTAL |
|-----------------------|--|--|-------|
| ODNI                  | Litigation   | 15   | 15    |
| AGENCY<br>OVERALL     |  |  | 15    |
|                       |  |  |       |

**V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED**

| Agency / Component | Ex. 1 | Ex. 2 | Ex. 3 | Ex. 4 | Ex. 5 | Ex. 6 | Ex. 7(A) | Ex. 7(B) | Ex. 7(C) | Ex. 7(D) | Ex. 7(E) | Ex. 7(F) | Ex. 8 | Ex. 9 |
|--------------------|-------|-------|-------|-------|-------|-------|----------|----------|----------|----------|----------|----------|-------|-------|
| ODNI               | 24    | 0     | 94    | 1     | 13    | 20    | 14       | 0        | 3        | 0        | 1        | 0        | 0     | 0     |
|                    |       |       |       |       |       |       |          |          |          |          |          |          |       |       |
| AGENCY OVERALL     | 24    | 0     | 94    | 1     | 13    | 20    | 14       | 0        | 3        | 0        | 1        | 0        | 0     | 0     |

**VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS**

| Agency / Component | Number of Appeals Pending as of Start of Fiscal Year | Number of Appeals Received in Fiscal Year | Number of Appeals Processed in Fiscal Year | Number of Appeals Pending as of End of Fiscal Year |
|--------------------|--|---|--|--|
| ODNI               | 19   | 49  | 36   | 32   |
|                    |  |   |  | 0  |
| AGENCY OVERALL     | 19   | 49  | 36   | 32   |

**VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS**

| Agency / Component | Number Affirmed on Appeal | Number Partially Affirmed & Partially Reversed/Remanded on Appeal | Number Completely Reversed/Remanded on Appeal | Number of Appeals Closed for Other Reasons | TOTAL |
|--------------------|---------------------------|---|---|--|-------|
| ODNI               | 0                         | 0   | 0   | 36   | 36    |
|                    |                           |   |   |  | 0     |
| AGENCY OVERALL     | 0                         | 0   | 0   | 36   | 36    |



**VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS**

| Agency / Component | No Records | Records Referred at Initial Request Level | Request Withdrawn | Fee-Related Reason | Records not Reasonably Described | Improper Request for Other Reasons | Not Agency Record | Duplicate Request or Appeal | Request in Litigation | Appeal Based Solely on Denial of Request for Expedited Processing | Other *Explain in chart below |
|--------------------|------------|---|-------------------|--------------------|----------------------------------|------------------------------------|-------------------|-----------------------------|-----------------------|---|-------------------------------|
| ODNI               | 0          | 0   | 0                 | 0                  | 0                                | 0                                  | 0                 | 0                           | 36                    | 0   | 0                             |
|                    |            |   |                   |                    |                                  |                                    |                   |                             |                       |   |                               |
| AGENCY OVERALL     | 0          | 0   | 0                 | 0                  | 0                                | 0                                  | 0                 | 0                           | 36                    | 0   | 0                             |

**VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS**

| Agency / Component | Description of "Other" Reasons for Denial on Appeal from Chart C(2) | Number of Times "Other" Reason Was Relied Upon | TOTAL |
|--------------------|---|--|-------|
| ODNI               | N/A   | 0  | 0     |
| AGENCY OVERALL     |   |  | 0     |
|                    |   |  |       |

**VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS**

| Agency / Component | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days |
|--------------------|-----------------------|------------------------|-----------------------|------------------------|
|                    |                       |                        |                       |                        |
|                    |                       |                        |                       |                        |
| AGENCY OVERALL     | 25.00                 | 1.42                   | 1.00                  | 47.00                  |

**VI.C.(5). TEN OLDEST PENDING ADMINISTRATIVE APPEALS**

| Agency / Component |                        | 10th Oldest Appeal | 9th        | 8th        | 7th        | 6th        | 5th        | 4th        | 3rd        | 2nd        | Oldest Appeal |
|--------------------|------------------------|--------------------|------------|------------|------------|------------|------------|------------|------------|------------|---------------|
|                    | Date of Appeal         |                    |            |            |            |            |            |            |            |            |               |
|                    | Number of Days Pending |                    |            |            |            |            |            |            |            |            |               |
| AGENCY OVERALL     | Date of Appeal         | 2015-10-07         | 2015-05-13 | 2014-10-27 | 2014-10-15 | 2014-09-25 | 2014-01-29 | 2014-01-07 | 2013-11-26 | 2013-03-20 | 2012-11-13    |
|                    | Number of Days Pending | 498                | 600        | 736        | 744        | 757        | 924        | 939        | 966        | 1140       | 1226          |

**VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS**

| Agency / Component | SIMPLE                |                        |                       |                        | COMPLEX               |                        |                       |                        | EXPEDITED PROCESSING  |                        |                       |                        |
|--------------------|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|
|                    | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days |
|                    |                       |                        |                       |                        |                       |                        |                       |                        |                       |                        |                       |                        |
|                    |                       |                        |                       |                        |                       |                        |                       |                        |                       |                        |                       |                        |
| AGENCY OVERALL     | 7                     | 24.33                  | <1                    | 732                    | 90                    | 236.25                 | 5                     | 1279                   | 407                   | 565                    | 260                   | 1028                   |

**VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED**

| Agency / Component | SIMPLE                |                        |                       |                        | COMPLEX               |                        |                       |                        | EXPEDITED PROCESSING  |                        |                       |                        |
|--------------------|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|
|                    | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days |
|                    |                       |                        |                       |                        |                       |                        |                       |                        |                       |                        |                       |                        |
|                    |                       |                        |                       |                        |                       |                        |                       |                        |                       |                        |                       |                        |
| AGENCY OVERALL     | 4                     | 17.48                  | <1                    | 732                    | 166                   | 323.55                 | 5                     | 1279                   | 644                   | 644                    | 260                   | 1028                   |

**VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

| Agency / Component | <1-20 Days | 21-40 Days | 41-60 Days | 61-80 Days | 81-100 Days | 101-120 Days | 121-140 Days | 141-160 Days | 161-180 Days | 181-200 Days | 201-300 Days | 301-400 Days | 401+ Days | TOTAL |
|--------------------|------------|------------|------------|------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------|-------|
| ODNI               | 263        | 9          | 0          | 0          | 2           | 0            | 1            | 0            | 1            | 0            | 0            | 2            | 4         | 282   |
|                    |            |            |            |            |             |              |              |              |              |              |              |              |           | 0     |
| AGENCY OVERALL     | 263        | 9          | 0          | 0          | 2           | 0            | 1            | 0            | 1            | 0            | 0            | 2            | 4         | 282   |

**VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

| Agency / Component | <1-20 Days | 21-40 Days | 41-60 Days | 61-80 Days | 81-100 Days | 101-120 Days | 121-140 Days | 141-160 Days | 161-180 Days | 181-200 Days | 201-300 Days | 301-400 Days | 401+ Days | TOTAL |
|--------------------|------------|------------|------------|------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------|-------|
| ODNI               | 7          | 19         | 9          | 4          | 7           | 2            | 4            | 2            | 6            | 3            | 3            | 2            | 21        | 89    |
|                    |            |            |            |            |             |              |              |              |              |              |              |              |           | 0     |
| AGENCY OVERALL     | 7          | 19         | 9          | 4          | 7           | 2            | 4            | 2            | 6            | 3            | 3            | 2            | 21        | 89    |



**VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS**

| Agency / Component | SIMPLE         |                       |                        | COMPLEX        |                       |                        | EXPEDITED PROCESSING |                       |                        |
|--------------------|----------------|-----------------------|------------------------|----------------|-----------------------|------------------------|----------------------|-----------------------|------------------------|
|                    | Number Pending | Median Number of Days | Average Number of Days | Number Pending | Median Number of Days | Average Number of Days | Number Pending       | Median Number of Days | Average Number of Days |
|                    |                |                       |                        |                |                       |                        |                      |                       |                        |
|                    |                |                       |                        |                |                       |                        |                      |                       |                        |
| AGENCY OVERALL     | 393            | 296                   | 352.39                 | 9              | 924                   | 823                    | 0                    | N/A                   | N/A                    |

**VII.E. PENDING REQUESTS -- TEN OLDEST PENDING PERFECTED REQUESTS**

| Agency / Component |                        | 10th Oldest Request | 9th        | 8th        | 7th        | 6th        | 5th        | 4th        | 3rd        | 2nd        | Oldest Request |
|--------------------|------------------------|---------------------|------------|------------|------------|------------|------------|------------|------------|------------|----------------|
|                    | Date of Receipt        |                     |            |            |            |            |            |            |            |            |                |
|                    | Number of Days Pending |                     |            |            |            |            |            |            |            |            |                |
| AGENCY OVERALL     | Date of Receipt        | 2013-10-18          | 2013-09-13 | 2013-08-05 | 2013-07-29 | 2013-07-15 | 2013-03-20 | 2013-03-20 | 2013-02-11 | 2013-01-17 | 2012-09-26     |
|                    | Number of Days Pending | 992                 | 1016       | 1044       | 1049       | 1059       | 1140       | 1140       | 1166       | 1182       | 1285           |

### VIII.A. REQUESTS FOR EXPEDITED PROCESSING

| Agency / Component | Number Granted | Number Denied | Median Number of Days to Adjudicate | Average Number of Days to Adjudicate | Number Adjudicated Within Ten Calendar Days |
|--------------------|----------------|---------------|-------------------------------------|--------------------------------------|---|
|                    |                |               |                                     |                                      |   |
|                    |                |               |                                     |                                      |   |
| AGENCY OVERALL     | 0              | 0             | N/A                                 | N/A                                  | 0   |

**VIII.B. REQUESTS FOR FEE WAIVER**

| Agency / Component | Number Granted | Number Denied | Median Number of Days to Adjudicate | Average Number of Days to Adjudicate |
|--------------------|----------------|---------------|-------------------------------------|--------------------------------------|
|                    |                |               |                                     |                                      |
|                    |                |               |                                     |                                      |
| AGENCY OVERALL     | 0              | 0             | N/A                                 | N/A                                  |

**IX. FOIA PERSONNEL AND COSTS**

| Agency / Component | PERSONNEL                            |   |  | COSTS            |                          |                |
|--------------------|--------------------------------------|---|--|------------------|--------------------------|----------------|
|                    | Number of "Full-Time FOIA Employees" | Number of "Equivalent Full-Time FOIA Employees" | Total Number of "Full-Time FOIA Staff" | Processing Costs | Litigation-Related Costs | Total Costs    |
| ODNI               | 11                                   | 0   | 11                                     | \$1,580,000.00   | \$0.00                   | \$1,580,000.00 |
|                    |                                      |   | 0                                      |                  |                          | \$0.00         |
| AGENCY OVERALL     | 11                                   | 0   | 11                                     | \$1,580,000.00   | \$0.00                   | \$1,580,000.00 |

**X. FEES COLLECTED FOR PROCESSING REQUESTS**

| Agency / Component | Total Amount of Fees Collected | Percentage of Total Costs |
|--------------------|--------------------------------|---------------------------|
| ODNI               | \$0.00                         | 0.00%                     |
|                    |                                |                           |
| AGENCY OVERALL     | \$0.00                         | 0.00%                     |

**XI.A. NUMBER OF TIMES SUBSECTION USED**

| Agency / Component | Number of Times Subsection Used |
|--------------------|---------------------------------|
| ODNI               | 0                               |
|                    |                                 |
| AGENCY OVERALL     | 0                               |

## XI.B. NUMBER OF SUBSECTION POSTINGS

| Agency / Component | Number of Records Posted by the FOIA Office | Number of Records Posted by Program Offices |
|--------------------|---|---|
| ODNI               | 18  | 166   |
|                    |   |   |
| AGENCY OVERALL     | 18  | 166   |

## XII.A. BACKLOGS OF FOIA REQUESTS AND ADMINISTRATIVE APPEALS

| Agency / Component | Number of Backlogged Requests as of End of Fiscal Year | Number of Backlogged Appeals as of End of Fiscal Year |
|--------------------|--|---|
| ODNI               | 359  | 31  |
|                    |  |   |
| AGENCY OVERALL     | 359  | 31  |

**XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS**

| Agency / Component | Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year | Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year | Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year | Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year |
|--------------------|---|--|--|---|
| ODNI               | 17  | 89   | 89   | 17  |
|                    |   |  |  | 0   |
| AGENCY OVERALL     | 17  | 89   | 89   | 17  |

**XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY**

| Agency / Component |                | 10th Oldest Consultation | 9th        | 8th        | 7th        | 6th        | 5th        | 4th        | 3rd        | 2nd        | Oldest Consultation |
|--------------------|----------------|--------------------------|------------|------------|------------|------------|------------|------------|------------|------------|---------------------|
|                    | Date           |                          |            |            |            |            |            |            |            |            |                     |
|                    | Number of Days |                          |            |            |            |            |            |            |            |            |                     |
| AGENCY OVERALL     | Date           | 2017-08-28               | 2017-08-08 | 2017-07-25 | 2017-06-23 | 2017-04-17 | 2016-12-21 | 2016-07-19 | 2016-06-23 | 2016-02-08 | 2015-12-22          |
|                    | Number of Days | 38                       | 38         | 48         | 69         | 117        | 196        | 224        | 303        | 416        | 447                 |

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

| Agency / Component | NUMBER OF REQUESTS <u>RECEIVED</u>                                |   | NUMBER OF REQUESTS <u>PROCESSED</u>                                |  |
|--------------------|---|---|--|--|
|                    | Number Received During Fiscal Year from Last Year's Annual Report | Number Received During Fiscal Year from Current Annual Report | Number Processed During Fiscal Year from Last Year's Annual Report | Number Processed During Fiscal Year from Current Annual Report |
| ODNI               | 382   | 456   | 363  | 376  |
|                    |   |   |  |  |
| AGENCY OVERALL     | 382   | 456   | 363  | 376  |

**XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS**

| Agency / Component | Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report | Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report |
|--------------------|--|---|
| ODNI               | 289  | 359   |
|                    |  |   |
| AGENCY OVERALL     | 289  | 359   |

**XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED**

| Agency / Component | NUMBER OF APPEALS <u>RECEIVED</u>                                 |   | NUMBER OF APPEALS <u>PROCESSED</u>                                 |  |
|--------------------|---|---|--|--|
|                    | Number Received During Fiscal Year from Last Year's Annual Report | Number Received During Fiscal Year from Current Annual Report | Number Processed During Fiscal Year from Last Year's Annual Report | Number Processed During Fiscal Year from Current Annual Report |
| ODNI               | 26  | 49  | 33   | 36   |
|                    |   |   |  |  |
| AGENCY OVERALL     | 26  | 49  | 33   | 36   |

**XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS**

| Agency / Component | Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report | Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report |
|--------------------|---|--|
| ODNI               | 19  | 31   |
|                    |   |  |
| AGENCY OVERALL     | 19  | 31   |

**XIII. NEW ANNUAL FOIA REPORT REQUIREMENTS**

| Agency / Component | Exclusions | Records Posted by FOIA Office | Records Posted by PROGRAM Office |
|--------------------|------------|-------------------------------|----------------------------------|
| ODNI               | 0          | 18                            | 166                              |

