

**APPENDIX 3**

**COMPARISON OF 2005 AND 2007 TEN OLDEST**

## COMPARISON OF 2005 AND 2007 TEN OLDEST

Agency	2007 Range of Ten Oldest <sup>i</sup>	2005 Range of Ten Oldest	Number of Requests Still Pending since 2005 Audit
AID	No response	No response	-- <sup>ii</sup>
CIA	7/7/1989-11/22/1989	5/29/1987-4/28/1992	1
DHS—CBP	No response	No response	--
DHS—CIS	No response	No response	--
DHS—FEMA	10/7/2003-8/19/2005	10/26/2000-8/30/2004	1 <sup>iii</sup>
DHS—ICE	No response	2/8/1994-6/19/2003	--
DHS—Office of the Secretary	6/9/2006-1/29/2007	6/14/2003-12/9/2003	0
DHS—OIG	10/1/2004-8/12/2005	N/A <sup>iv</sup>	--
DHS—Sci & Tech	6/22/2006-1/24/2007	N/A	--
DHS—TSA	8/13/2004-10/28/2005	10/21/2004-2/3/2005	0 <sup>v</sup>
DHS—USCG	No response	No response	--

<sup>i</sup> As of 2/1/2007

<sup>ii</sup> The Archive cannot provide this information either because the agency never responded to one or both of the Archive's 2005 and 2007 FOIA requests, or the Archive did not include this agency or agency component in the 2005 Ten Oldest Audit.

<sup>iii</sup> FEMA's response to the Archive's 2007 Ten Oldest FOIA request included one request that was within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but was not.

<sup>iv</sup> Agency or component not included in 2005 Ten Oldest Audit

<sup>v</sup> Though none of the requests TSA provided in response to the Archive's 2005 Ten Oldest FOIA request are still pending, TSA's response to the Archive's 2007 Ten Oldest FOIA request included one request that was *older* than any of the requests in response to the 2005 FOIA as well as three requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<b>Agency</b>	<b>2007 Range of Ten Oldest<sup>i</sup></b>	<b>2005 Range of Ten Oldest</b>	<b>Number of Requests Still Pending since 2005 Audit</b>
DHS—USSS	No response	N/A	--
DHS—US-VISIT	1/18/2006-8/9/2006 <sup>vi</sup>	N/A	--
DOC	7/24/2002-3/1/2004	5/11/1999-8/20/2004	2 <sup>vii</sup>
DOD	2/3/1992-12/1/1992	1/31/1987-2/3/1992	0 <sup>viii</sup>
DOD—CEN	12/18/2003-7/6/2004	6/23/2003-5/5/2004 <sup>ix</sup>	3 <sup>x</sup>
DOD—DA	1/11/2001-4/1/2003	N/A	--
DOD—DA-AMC	No backlog	No response	--
DOD—DA-CID	No response	No response	--
DOD—DA-Eng	No response	12/19/2003-8/26/2004	--
DOD—DA-HRC	1/25/2005-11/28/2005	12/6/2003-10/12/2004	0
DOD—DA-INSCOM	7/11/1996-2/7/2002	12/30/1996-5/4/2005	0 <sup>xi</sup>
DOD—DIA	12/16/1994-8/19/1996	12/16/1994-6/12/1996	8 <sup>xii</sup>

<sup>vi</sup> US-VISIT only had two pending FOIA requests.

<sup>vii</sup> DOC's response to the Archive's 2007 Ten Oldest FOIA request included one request that was within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but was not.

<sup>viii</sup> Though none of the requests DOD provided in response to the Archive's 2005 Ten Oldest FOIA request are still pending, DOD's response to the Archive's 2007 Ten Oldest FOIA request included one request that was within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but was not.

<sup>ix</sup> CEN responded to the Archive's FOIA request 12/27/2006

<sup>x</sup> Central Command's response to the Archive's 2007 Ten Oldest FOIA request included one request that was within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but was not.

<sup>xi</sup> Though none of the requests INSCOM provided in response to the Archive's 2005 Ten Oldest FOIA request are still pending, INSCOM's response to the Archive's 2007 Ten Oldest FOIA request included nine requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<sup>xii</sup> DIA's response to the Archive's 2007 Ten Oldest FOIA request included two requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<b>Agency</b>	<b>2007 Range of Ten Oldest<sup>i</sup></b>	<b>2005 Range of Ten Oldest</b>	<b>Number of Requests Still Pending since 2005 Audit</b>
DOD—NGA	No response	7/26/2001-12/3/2004	--
DOD—NRO	9/29/2001-11/21/2005	7/19/2001-7/15/2004	6
DOD—USAF	1/2/1990-11/17/1995	1/2/1990-8/25/1994	4 <sup>xiii</sup>
DOD—USAF-ACC	5/7/1997-3/1/2001	6/6/1996-3/1/2001	7 <sup>xiv</sup>
DOD—USAF-AMC	5/25/2001-1/3/2007 <sup>xv</sup>	8/4/2000-2/5/2005	0 <sup>xvi</sup>
DOD—USAF-EDU	1/23/2007-1/31/2007 <sup>xvii</sup>	6/22/1994-4/11/2005	0
DOD—USAF-MC	12/28/2003-3/20/2006	5/12/1999-8/11/2003	0
DOD—USMC	No response	N/A	--
DOD—USN	10/30/2000-1/11/2005	N/A	--
DOD—USN-CNET	No backlog	No backlog	0
DOD—USN-NAVAIR	No response	8/4/2004-1/7/2005	--
DOD—USN-NAVFAC	No response	No backlog	--
DOD—USN-NAVSEA	6/2/2004-3/15/2005	12/7/1999-1/22/2003	0

<sup>xiii</sup> Air Force's response to the Archive's 2007 Ten Oldest FOIA request also included three requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<sup>xiv</sup> Air Combat Command's response to the Archive's 2007 Ten Oldest FOIA request included two requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<sup>xv</sup> Several of Air Mobility Command's requests were referrals from other agencies. In cases where the referral date was not available, the date of the original request was used.

<sup>xvi</sup> Though none of the requests Air Mobility Command provided in response to the Archive's 2005 Ten Oldest FOIA request are still pending, Mobility Command's response to the Archive's 2007 Ten Oldest FOIA request included six requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<sup>xvii</sup> Air Education and Training Command only had eight pending FOIA requests.

Agency	2007 Range of Ten Oldest <sup>i</sup>	2005 Range of Ten Oldest	Number of Requests Still Pending since 2005 Audit
DOD—USN-PACCOM	6/18/1998-9/17/2002	4/25/2000-5/5/2005	0 <sup>xviii</sup>
DOE—HQ	No response	7/16/1990-9/1/1998	--
DOE—NNSA	No response	N/A	--
DOI	1/12/2004-1/15/2004 <sup>xix</sup>	9/6/2000-8/20/2003	0
DOJ—CRIM	2/20/1990-5/25/1993	N/A	--
DOJ—DEA	No response	7/13/2004-2/25/2005	--
DOJ—FBI	3/16/1990-12/7/1998	12/8/1992-7/16/2003	0 <sup>xx</sup>
DOJ—OIP	10/22/2001-10/2/2003	8/18/1995-1/30/2002	0 <sup>xxi</sup>
DOL—EBSA	No backlog	7/13/2005-11/27/2006 <sup>xxii</sup>	0
DOL—ESA	No response	No backlog	--
DOL—ETA	No response	No response	--
DOL—MSHA	7/13/2005-5/24/2006	1/18/2005-4/6/2005	0

<sup>xviii</sup> In addition, PACCOM 's response to the Archive's 2007 Ten Oldest FOIA request included five request that were *older* than any of the requests in response to the 2005 FOIA. All ten requests in the 2007 response were requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<sup>xix</sup> DOI only had seven pending requests.

<sup>xx</sup> Though none of the requests the FBI provided in response to the Archive's 2005 Ten Oldest FOIA request are still pending, the FBI's response to the Archive's 2007 Ten Oldest FOIA request included two requests that were *older* than any of the requests in response to the 2005 FOIA. there were seven requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<sup>xxi</sup> CLARIFICATION: The Archive had initially reported that DOJ- OIP's response to the Archive's 2007 Ten Oldest FOIA request included one request that was within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but was not. However, the Department of Justice's Office of Information and Privacy (OIP) has informed the Archive that the October 22, 2001, request was first received by DOJ-OIP on February 5, 2002. OIP indicated that the request was not delayed by intra-agency routing, but likely was delayed as a result of the Anthrax mail screening program that took place in 2001-2002. Because agencies calculate their response time from the date of receipt of the request, the fact that OIP did not include this request in its response to the Archive's 2005 FOIA request is not inaccurate.

<sup>xxii</sup> DOL-EBSA responded to the Archive's FOIA request 12/20/2006

Agency	2007 Range of Ten Oldest <sup>i</sup>	2005 Range of Ten Oldest	Number of Requests Still Pending since 2005 Audit
DOL—OSHA	No response	No response	--
DOS	5/5/1987-6/12/1991	No response <sup>xxiii</sup>	--
DOT—FAA	6/29/2000-1/10/2002	2/19/1997-3/19/1998	0
DOT—FHWA	2/14/2005-9/13/2006	7/19/2001	0
DOT—FMSCA	2/23/2006-9/8/2006	2/2/2004-3/22/2005	0
DOT—FRA	No response	12/10/2003-4/21/2005	--
DOT—MARAD	No response	N/A	--
DOT—OST	No response	3/15/2000-2/10/2003	--
ED	No response	12/10/2004-1/21/2005	--
EPA	5/23/1995-9/5/2003	4/24/1996-3/12/2001	0 <sup>xxiv</sup>
GSA	10/10/2006-1/3/2007	6/8/2005-7/14/2005	0
HHS—FDA	5/10/2000-9/22/2000	N/A	--
HHS—OS	7/7/2005-4/26/2006	No response	--
HUD	4/20/2004-1/27/2005	12/20/2002-7/28/2004	0 <sup>xxv</sup>

<sup>xxiii</sup> On 2/9/07, the Archive agreed to close the 2003 and 2005 Ten Oldest FOIA requests so DOS could place priority on the 2007 request.

<sup>xxiv</sup> Though none of the requests the EPA provided in response to the Archive's 2005 Ten Oldest FOIA request are still pending, the EPA's response to the Archive's 2007 Ten Oldest FOIA request included one request that was *older* than any of the requests in response to the 2005 FOIA.

<sup>xxv</sup> Though none of the requests GSA provided in response to the Archive's 2005 Ten Oldest FOIA request are still pending, GSA's response to the Archive's 2007 Ten Oldest FOIA request included three requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<b>Agency</b>	<b>2007 Range of Ten Oldest<sup>i</sup></b>	<b>2005 Range of Ten Oldest</b>	<b>Number of Requests Still Pending since 2005 Audit</b>
LSC	No response	N/A	--
NARA	8/13/1992-12/27/1993	3/9/1990-8/18/1993	2 <sup>xxvi</sup>
NASA	3/1/2005-6/13/2005	9/30/2004-12/27/2004	0
NIH	No response	7/11/2000-10/2/2002	--
NRC	7/3/2006-11/16/2006	3/29/2004-7/14/2004	0
NSF	11/10/2005-11/30/2006	12/21/2004-4/7/2005	0
NTSB	3/28/2000-6/14/2001	N/A	--
ODNI	11/14/2005-10/20/2006	N/A	--
OMB	11/15/2006-2/1/2007	1/27/2005-5/2/2005	0
OPM	No response	No response	--
OSTP	No response	N/A	--
SBA	No backlog	3/28/2005-4/22/2005	0
SEC	10/2/2003-12/10/2003	4/19/2002-8/7/2002	0
SSA	8/10/2005-9/25/2006	11/9/2004-2/28/2005	0
TRE—DO	5/20/1992-6/5/1996	11/11/1991-5/24/1995	2 <sup>xxvii</sup>

<sup>xxvi</sup> In addition, NARA's response to the Archive's 2007 Ten Oldest FOIA request included four requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<sup>xxvii</sup> In addition, TRE 's response to the Archive's 2007 Ten Oldest FOIA request included eight requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.

<b>Agency</b>	<b>2007 Range of Ten Oldest<sup>i</sup></b>	<b>2005 Range of Ten Oldest</b>	<b>Number of Requests Still Pending since 2005 Audit</b>
TRE—FinCEN	7/12/2004-6/20/2005	N/A	--
USDA	8/27/1998-7/26/2000 <sup>xxxviii</sup>	2/11/1998-12/15/2004	0 <sup>xxix</sup>
USDA—APHIS	8/27/1998-7/26/2000	N/A	--
USTR	10/20/2005-6/12/2006	N/A	--
VA	3/6/2007-1/3/2007	No response	--

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<sup>xxxviii</sup> All of USDA's ten oldest are requests to USDA-APHIS.

<sup>xxix</sup> Though none of the requests USDA provided in response to the Archive's 2005 Ten Oldest FOIA request are still pending, USDA's response to the Archive's 2007 Ten Oldest FOIA request included nine requests that were within the range of dates of those requests provided to the Archive two years ago, and so should have been reported for the 2005 audit, but were not.