



**U.S. DEPARTMENT OF STATE**

***FREEDOM OF INFORMATION ACT***

***ANNUAL REPORT***

***FISCAL YEAR 2014***

## **I. BASIC INFORMATION REGARDING REPORT**

1. Questions about this report may be addressed to:

John F. Hackett  
Acting Director, Office of Information Programs and Services  
A/GIS/IPS, SA-2, Room 5021  
U.S. Department of State  
Washington, D.C. 20522-8100

Telephone: (202) 261-8484  
Fax: (202) 663-2764

2. This report is available on our web site at <http://www.foia.state.gov>.
3. Paper copies of this report may be requested by contacting A/GIS/IPS at the above address.

## **II. MAKING A FREEDOM OF INFORMATION ACT (FOIA) REQUEST**

1. FOIA requests to the Department must be in writing. Requests may be submitted in any of the following ways:
  - Mail to: Office of Information Programs and Services, A/GIS/IPS, SA-2, Department of State, Washington, D.C. 20522-8100; **or**
  - Fax to (202) 261-8579; **or**
  - On-line at our website: <http://www.foia.state.gov>

FOIA requests should describe the records sought as precisely as possible and include details such as a specific topic, a time frame for the records' creation, and (if applicable) the domestic or overseas post or office where they were created or received. The more specific the request, the more quickly it can be processed and the greater the likelihood that responsive records (if any exist) can be located and reviewed. Requests seeking access to information pertaining to an individual should include the individual's complete name, date and place of birth, and citizenship status (if known). A request for records about oneself must include verification of identity. A request for records about an individual other than the requester should include verification of identity with properly executed authorization from the subject individual or evidence of the individual's death, as appropriate, in order to gain the greatest access to those records. More information about verification of identity and proper authorization is found on our website. If such documentation cannot be provided, the request should indicate that fact. The request should also indicate the requester's willingness to pay applicable fees or provide appropriate justification to support a fee waiver. Guidance regarding fees and fee waiver requests is also available on our website.

If mailing or faxing a FOIA request, the envelope or subject line of the fax coversheet should be clearly labeled: "Freedom of Information Act Request." It is important that all requests include a valid daytime telephone number, e-mail address, or both, where we can reach the requester to discuss the request as necessary.

Requests may also be made on-line at the Department's FOIA website (<http://www.foia.state.gov>). This site contains an electronic request tool and helpful tips to assist requesters in formulating their requests.

We can only process requests that comply with our published regulations. The Department is unable to process requests that do not contain enough information to permit the Department to locate the requested records or that otherwise do not comply with Department regulations.

If necessary, we will contact the requester by telephone or e-mail to obtain whatever additional information is needed to validate a request. If we cannot reach the requester within a reasonable amount of time, we will send a letter to the requester explaining what is needed and ask the requester to resubmit the request with the additional information.

We make every attempt to promptly advise the requester of the case number assigned to the request and whether the request is valid pursuant to the Department's regulations.

If information is withheld, the requester will be notified of the approximate amount of information withheld, the basis for the withholding, and how to file an administrative appeal. For more information about filing an appeal, please visit our website at <http://www.foia.state.gov>. You may also contact the Department's FOIA office by calling (202) 261-8484, or writing to the following address:

Office of Information Programs and Services  
A/GIS/IPS, SA-2  
Department of State  
Washington, D.C. 20522-8100

The Office of Inspector General (OIG) is a separate component within the Department of State. The OIG directly responds to requests for records that are exclusively OIG-related, such as those related to OIG inspections, audits, or investigations.

FOIA requests for OIG records must be made in writing by mail, fax or e-mail as follows:

U.S. Department of State  
Office of Inspector General  
Office of General Counsel  
Washington, DC 20522-0308  
ATTN: FOIA Officer

Fax: (202) 663-0390  
Phone: (202) 663-0383  
E-mail: [oigfoia@state.gov](mailto:oigfoia@state.gov)  
Website: <http://oig.state.gov/foia/>

2. The Department of State is responsible for formulating and executing U.S. foreign policy and U.S. foreign relations. Records are maintained throughout the world at posts, missions, and consulates, as well as domestically. The Department also maintains records of applications from U.S. citizens for U.S. passports, visa requests from non-citizens abroad, and records of its own employees, as well as other types of documents. Because of the nature and scope of the Department's records holdings, including sensitive and classified records, we rely on the full range of exemptions when making a release determination. In implementing the Department's mission, we work closely with many other Federal agencies and international partners. For this reason, the Department often must first consult with other, at times multiple, Federal agencies and foreign governments that have an interest in the records, which adds time and complexity to the FOIA process. The exemptions most often relied upon to withhold information are shown in Table V.B.3. In addition, we receive a large volume of FOIA referrals from other agencies, which also contributes to the Department's FOIA processing workload.
3. The Department's FOIA regulations are codified at 22 C.F.R. Part 171. The Department is in the process of updating these regulations. These regulations are available through the Government Printing Office's (GPO) website at <http://www.gpoaccess.gov/cfr/index.html> or on our website at <http://www.foia.state.gov>. The most recent fee schedule is found in the Information Access Guide at <http://www.foia.state.gov>.

### III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

1. Agency-Specific and Basic Terms
  - a. **A/GIS/IPS** – Bureau of Administration (A), Deputy Assistant Secretary for Global Information Services (GIS), Office of Information Programs and Services (IPS).
  - b. **OIG** – Office of Inspector General.
  - c. **Administrative Appeal** – a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
  - d. **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.
  - e. **Backlog** – the number of perfected 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.

- f. **Component** – for agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Post, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- g. **Consultation** – the procedure whereby the agency responding to a FOIA request forwards information to another agency for review because the other agency has an interest in the information. When the agency in receipt of the consultation completes its review, it advises the agency that initiated the consultation of its release determination. The initiating agency will then respond to the FOIA requester.
- h. **Exemption 3 Statute** – a federal statute that specifically exempts information from disclosure, which an agency relies on to withhold information under Exemption 3 of the FOIA, 5 U.S.C. § 552(b)(3), in response to a request. Many Exemption 3 statutes contain non-discretionary prohibitions against disclosure, such as one found in the Immigration and Nationality Act.
- i. **FOIA Request** – an information access request processed under the Freedom of Information Act by the federal agency in receipt of the request. FOIA requests may seek access to records concerning another person (i.e., a “third-party” request), an organization, or a particular topic of interest. FOIA requests also include requests made by individuals seeking records concerning themselves (i.e., “first-party” requests) when those individuals are not subject to the Privacy Act of 1974 (i.e., individuals who are neither U.S. citizens nor lawful permanent residents). Federal agencies process first-party requests submitted by U.S. citizens and lawful permanent residents under both the FOIA and the Privacy Act in order to provide the greatest degree of access to the requested information. Additionally, a FOIA request includes records referred to the agency from another agency for processing and direct response to the requester (see Section V of this report).
- j. **Full Grant** – an agency decision to disclose in full all records located in response to a FOIA request.
- k. **Full Denial** – an agency decision not to disclose any records in response to a FOIA request because the records are exempt in their entirety under one or more of FOIA’s nine exemptions, or because of a procedural reason, such as when no records could be located.
- l. **Median Number** – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- m. **Multi-Track Processing** – a system in which requests are placed in different processing tracks on the basis of the complexity of the search and/or review of the responsive

material. For example, requests placed in the simple request track are anticipated to require relatively minimal search time to locate responsive records, which will result in a small amount of material to review. The complex request track contains requests that require multiple searches that are anticipated to locate more voluminous responsive records for review. Requests granted expedited processing are placed in a separate queue. Requests in each track are processed on a first-in/first-out basis.

- 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.
- n. **Partial Grant/Partial Denial** – an agency decision to withhold exempt information appearing in a portion or portions of the responsive records in response to a FOIA request, or to otherwise deny a portion of the request for a procedural reason.
  - o. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.
  - p. **Perfect Request** – a request for records which reasonably describes the requested information and is made in accordance with the agency’s published regulations.
  - q. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
  - r. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
  - s. **Referral** – the procedure whereby the agency responding to a FOIA request forwards information that originated with another agency to that agency for its review. When the originating agency completes its review of the referred information, it responds directly to the FOIA requester.
  - t. **Time Limits** – the time period contained in the FOIA within which an agency must respond to a FOIA request (ordinarily twenty working days from the date of receipt of a perfected FOIA request).

2. Concise descriptions of the nine FOIA exemptions:
  - a. **Exemption 1:** classified national defense and foreign relations information
  - b. **Exemption 2:** internal personnel rules and practices of an agency
  - c. **Exemption 3:** information that is specifically exempted 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 a 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 regulation or supervision of financial institutions
  - i. **Exemption 9:** geological or geophysical information on wells

### 3. Agency Component Abbreviations

Component Abbreviation	Component Name
DoS	Department of State
OIG	Office of Inspector General

#### 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
8 U.S.C. 1202(f) (Immigration and Nationality Act)	Records pertaining to the issuance or refusal of visas or permits to enter the United States	<i>Medina-Hincapie v. Dep't of State</i> , 700 F.2d 737, 741-42 (D.C. Cir. 1983). <i>DeLaurentiis v. Haig</i> , 686 F.2d 192, 194 (3d Cir. 1982); <i>Beltranena v. U.S. Dep't of State</i> , 821 F. Supp. 2d 167, 177-78 (D.D.C. 2011); <i>Badalamenti v. U.S. Dep't of State</i> , 899 F. Supp. 542, 547 (D. Kan. 1995); <i>Jan-Xin Zang v. FBI</i> , 756 F. Supp. 705, 711-12 (W.D.N.Y. 1991); <i>Smith v. DOJ</i> , No. 81-CV-813, 1983 U.S. Dist. LEXIS 10878, at *13-14 (N.D.N.Y. Dec. 13, 1983); <i>Holy Spirit Ass'n for Unification of World Christianity, Inc. v. U.S. Dep't of State</i> , 526 F. Supp. 1022, 1031 (S.D.N.Y. 1981).	DoS	9,261	9,262
			OIG	1	
10 U.S.C. § 424	Organization or any function of, and certain information pertaining to, employees of the Defense Intelligence Agency, the National Reconnaissance Office, and the National Geospatial-Intelligence Agency	<i>Physicians for Human Rights v. DOD</i> , No. RDB-08-273, 2011 WL 1495942, at *7 (D.D.C. Apr. 19, 2011); <i>Miller v. DOJ</i> , 562 F. Supp. 82, 112 (D.D.C. 2008); <i>Wickwire Gavin, P.C. v. DIA</i> , 330 F. Supp. 2d 592, 602 (E.D. Va. 2004).	DoS	12	12

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
			OIG	0	
22 U.S.C. § 2778(e) (Arms Export Control Act)	Certain information pertaining to export license applications	<i>Council for a Livable World v. U.S. Dep't of State</i> , No. 96-1807, slip op. at 11 (D.D.C. Jan. 21, 1998), amended (D.D.C. Nov. 23, 1998).	DoS	7	7
			OIG	0	
50 U.S.C. § 403g (Central Intelligence Agency Act of 1949)	Intelligence sources and methods; certain information pertaining to CIA employees, specifically: "the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency"	<i>Larson v. Dep't of State</i> , 565 F.3d 857, 865 n.2 (D.C. Cir. 2009); <i>Berman v. CIA</i> , 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); <i>Makky v. Chertoff</i> , 489 F. Supp. 2d 421, 442 (D.N.J. 2007), aff'd on other grounds, 541 F.3d 205 (3d Cir. 2008).	DoS	15	15
			OIG	0	
50 U.S.C. § 402 note (National Security Agency Act of 1959)	Information pertaining to the functions or organization of NSA; certain information pertaining to NSA employees	<i>ACLU v. DOJ</i> , 681 F.3d 61, 72-75 (2d Cir. 2012); <i>Elec. Priv. Info. Ctr. v. NSA</i> , 678 F.3d 926, 931 (D.C. Cir. 2012); <i>Houghton v. NSA</i> , 378 F. App'x 235, 238-39 (3d Cir.	DoS	5	5

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
		2010) (per curiam); <i>Lahr v. NTSB</i> , 569 F.3d 964, 985 (9th (D.C. Cir. 1979); <i>Larson v. Dep't of State</i> , 565 F.3d 857, 868-69 (D.C. Cir. 2009); <i>Founding Church of Scientology v. NSA</i> , 610 F.2d 824, 827-28 (D.C. Cir. 1979); <i>Roman v. NSA</i> , No. 07-CV-4502, 2009 WL 303686, at *5-6 (E.D.N.Y. Feb. 9, 2009), summary affirmance granted, 354 F. App'x. 591 (2d Cir. 2009)			
			OIG	0	
41 U.S.C. § 4702 (formerly 41 U.S.C. § 253b(m)(1))	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	<i>Sinkfield v. HUD</i> , No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); <i>Margolin v. NASA</i> , No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); <i>Hornbostel v. U.S. Dep't of the Interior</i> , 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25,	DoS	3	3

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
		2004).			
50 U.S.C. § 403-1(i)(1) (National Security Act of 1947)	Intelligence sources and methods	<i>CIA v. Sims</i> , 471 U.S. 159,167 (1985); <i>Berman v. CIA</i> , 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); <i>Wolf v. CIA</i> , 473 F.3d 370, 378, 380 (D.C. Cir. 2007).	DoS	2	2
49 U.S.C. § 40119(b) (Federal Aviation Act)	Certain information obtained or developed in ensuring transportation security if disclosure of that information would: constitute an invasion of personal privacy, reveal a trade secret or confidential commercial or financial information, or be detrimental to transportation safety	<i>Pub. Citizen, Inc. v. FAA</i> , 988 F.2d 186, 194 (D.C. Cir. 1993); <i>Gordon v. FBI</i> , 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	DoS	2	2
			OIG	0	
			OIG	0	

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
			OIG	0	
10 U.S.C. § 130b	Personally identifiable information pertaining to members of the armed forces assigned to "routinely deployable unit[s]" and certain employees of DOD and DHS	<i>Hall v. CIA</i> , No. 04-00814, 2012 WL 3143839, at * 16 (D.D.C. Aug. 3, 2012); <i>Hiken v. DOD</i> , 521 F. Supp. 2d 1047, 1062 (N.D. Cal. 2007); <i>O'Keefe v. DOD</i> , 463 F. Supp. 2d 317, 325 (E.D.N.Y. 2006); <i>Windel v. United States</i> , No. A02-306, 2005 WL 846206, at *2 (D. Alaska Apr. 11, 2005).	DoS	9	9
			OIG	0	
26 U.S.C. §§ 6103, 6105 (Internal Revenue Code)	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	<i>Church of Scientology v. IRS</i> , 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); <i>Pac. Fisheries, Inc. v. IRS</i> , 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); <i>Leonard v. U.S. Dep't of Treasury</i> , No. 10-6625, 2013 WL 4517912, at *2 (D.N.J. Aug. 26, 2013) (26 U.S.C. § 6103); <i>Tax Analysts v. IRS</i> , 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002)	DoS	1	1

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
		(26 U.S.C. § 6105).	OIG	0	
50 U.S.C. app. § 2411(c) (Export Administration Act of 1979)	Information pertaining to license applications under the Export Administration Act	<i>Wis. Project on Nuclear Arms Control v. U.S. Dep't of Commerce</i> , 317 F.3d 275, 284 (D.C. Cir. 2003); <i>Times Publ'g Co. v. U.S. Dep't of Commerce</i> , 236 F.3d 1286, 1292 (11th Cir. 2001); <i>Lessner v. U.S. Dep't of Commerce</i> , 827 F.2d 1333, 1336-37 (9th Cir. 1987).	DoS	2	2
Convention on Nuclear Safety, Article 27	Information provided by a party to the convention and identified by that party as protected.	A treaty is presumed to qualify as a statute under Exemption 3 because of Senate approval. No court decision.	DoS	1	1
			OIG	0	

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

Many FOIA/Privacy Act requests to the Department require searches of multiple records systems, offices, and/or overseas posts. In an effort to provide more efficient responses to requests, the Department typically processes these requests incrementally. Thus, as we retrieve and review material responsive to these requests, we process it and provide responsive nonexempt records to the requester on a rolling basis rather than waiting until all searches and reviews are done. However, when we calculate how long it takes to process a request, we base the calculation on the date of the Department's completion of processing, and incremental releases are not reflected in that calculation.

In fiscal year 2014, the Department made substantial progress towards its commitment to transparency and openness. Throughout fiscal year 2014, the Department continued to add previously released FOIA records to its FOIA website at [www.foia.state.gov](http://www.foia.state.gov), which was newly reconfigured in fiscal year 2013. The website makes already-public information easier to find, and allows the public to file FOIA requests more easily. The website features search functions and more detailed information and guidance on how to get access to Department records and information.

The website's Virtual Reading Room contains over 96,000 documents about a wide range of topics that have already been released to the public pursuant to FOIA, mandatory declassification review requests under Executive Order 13526, or other declassification reviews and. In fiscal year 2014, the Department added approximately 7,200 documents to the website and will continue to increase the amount of information available to the public on the FOIA website. There is also a wealth of other links to additional information resources inside and outside the State Department, including a link to declassified Department records available online at the National Archives and Records Administration.

The Department's website has continued to attract significant positive attention from other agencies and the FOIA requester community. The Department has received some helpful feedback regarding users' experience in visiting the website and will continue to make improvements to the site to enhance its effectiveness. In fiscal year 2014, the website has hosted an average of over 400 visitors daily.

While the FOIA website continues to provide ready access to Department records, the Department continues to meet challenges in processing a high volume of new requests. In fiscal year 2014, the number of requests received increased, while staffing decreased and resources were reallocated throughout the year to assist with special document productions. With these challenges, the FOIA staff at the Department continued to manage high caseloads and provide quality responses to requests that have become predominantly complex in nature. Complex requests are voluminous, require a significant number of consultations, require searches in numerous offices domestically and abroad, and take significant time to review due to the sensitivity of the responsive records. Almost all referrals received by the Department are considered simple requests; however, the Department received over 11,000 referrals this fiscal year. The large volume of these referrals has resulted in slower turnaround times for simple requests.

During this fiscal year the Department experienced a 60 percent increase in FOIA lawsuits over fiscal year 2013. The majority of new lawsuits involved voluminous sensitive records that required careful coordination with other federal agencies. To meet the demands of this upswing in FOIA lawsuits, the Department reallocated resources from FOIA processing to FOIA litigation, which directly impacted efforts to manage and reduce the backlog of pending FOIA requests that are not in litigation.

Despite all efforts, including employing best practices established during the successful backlog reduction project in fiscal year 2013 as well as processing over 88 percent of the thousands of referrals that were pending from last fiscal year and received by the Department this fiscal year, the FOIA request backlog rose by 15.8 percent this fiscal year. However, the Department achieved a significant reduction in the FOIA appeal backlog lowering the backlog by 13.7 percent. The Department also closed its ten oldest requests and consultations. These accomplishments are especially noteworthy in light of the fact that the Department reallocated FOIA processing resources to address large, complex FOIA litigation cases and to provide assistance to the Department on significant special document productions throughout the fiscal year.

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
DoS	9,363	19,625	18,023	10,965
OIG	9	71	71	9
AGENCY OVERALL	9,372	19,696	18,094	10,974

*\* The Department of State's FOIA Annual Report for FY 2013 reported that the number of cases pending at the end of the fiscal year for State was 9,482. As a result of our data reconciliation and validation efforts, we have determined that the number should have been 9,363; that corrected number is reflected here.*

*\*\* The number of cases received and processed as reported in Section V. includes consultations, based on the manner in which direct requests, referrals and consultations are tracked in the Department's case management system.*

**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	
DoS	2,640	3,664	6,623	488	335	407	46	2,378	694	645	103	0	18,023
OIG	5	45	4	11	0	6	0	0	0	0	0	0	71
AGENCY OVERALL	2,645	3,709	6,627	499	335	413	46	2,378	694	645	103	0	18,094

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

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
DoS	N/A	0	0
OIG	N/A	0	0
AGENCY OVERALL			0

**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
DoS	387	27	9,226	71	242	2,584	44	10	150	21	253	21	0	0
OIG	2	0	1	1	18	45	1	0	30	0	1	3	0	0
AGENCY OVERALL	389	27	9,227	72	260	2,629	45	10	180	21	254	24	0	0

*\*As noted in Section IV., almost all of the Department's withholdings under Exemption 3 relate to information pertaining to the issuance and refusal of a visa or permits to enter the United States that must be protected under the Immigration and Nationality Act. With this statute, the Department has no discretion to release the requested information.*

**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
DoS	293	351	382	262
OIG	3	5	0	8
AGENCY OVERALL	296	356	382	270

*\* The Department of State's FOIA Annual Report for FY 2013 reported that the number of appeals pending at the end of the fiscal year for State was 310. As a result of our data reconciliation and validation efforts, we have determined that the number should have been 293; that corrected number is reflected here.*

**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
DoS	236	60	61	25	382
OIG	0	0	0	0	0
AGENCY OVERALL	236	60	61	25	382

**VI.C.(1). REASONS FOR DENIAL ON APPEAL -- 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
DoS	55	15	164	9	22	51	2	0	13	2	9	1	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	55	15	164	9	22	51	2	0	13	2	9	1	0	0

*\*As noted in Section IV., almost all of the Department's withholdings under Exemption 3 relate to information pertaining to the issuance and refusal of a visa or permits to enter the United States that must be protected under the Immigration and Nationality Act. With this statute, the Department has no discretion to release the requested information.*

**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
DoS	12	0	4	17	0	0	1	0	4	38	16
OIG	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	12	0	4	17	0	0	1	0	4	38	16

**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
DoS	Interagency Coordination	8	16
	Document transferred to another agency	3	
	Records deemed non-responsive on appeal	2	
	Inadequacy of search - remanded	3	
AGENCY OVERALL			16

**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
DoS	140.00	270.00	<1	1,809.95
OIG	0.00	0.00	0.00	0.00
AGENCY OVERALL	140.00	270.00	<1	1,809.95

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

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
DoS	Date of Appeal	2011-01-25	2010-11-15	2010-11-08	2010-10-18	2010-09-24	2010-09-01	2010-07-14	2010-01-07	2009-10-21	2009-09-14
	Number of Days Pending	958	1008	1013	1028	1045	1062	1096	1230	1286	1312
OIG	Date of Appeal	N/A	N/A	2014-07-10	2014-04-04	2014-03-19	2014-02-28	2014-02-11	2013-05-30	2013-04-26	2013-04-18
	Number of Days Pending	0	0	57	124	137	149	162	251	296	302
AGENCY OVERALL	Date of Appeal	2011-01-25	2010-11-15	2010-11-08	2010-10-18	2010-09-24	2010-09-01	2010-07-14	2010-01-07	2009-10-21	2009-09-14
	Number of Days Pending	958	1008	1013	1028	1045	1062	1096	1230	1286	1312

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

The Department uses two processing tracks for distinguishing simple requests from more complex ones. Requests are placed in processing tracks based on the degree of effort required to complete them, such as the number of searches required, the location of the records, the volume of responsive records, the complexity of the search and review needed, the sensitivity of the records, and the need for consultation. Because the Department's search function is performed globally and many records are classified, for most contemporary records we usually do not know the number and complexity of responsive records until all searches have been completed. Similarly, until we have had the opportunity to review the records we do not know the extent of consultation with other offices, agencies, or governments that is necessary. For these reasons, requests can move between tracks. For example, a seemingly simple new case can become complex when searches come back with voluminous amounts of material or particularly sensitive records that require multiple consultations. For this reason, a case may continue to be tracked as "simple," but very few requests remain in the "simple" category at the Department when processing is completed.

Many FOIA/Privacy Act requests received by the Department require searches of multiple records systems, offices, and/or overseas posts. In an effort to provide the fastest and most efficient responses to requests, the Department typically processes these requests incrementally. Thus, as we retrieve and review material responsive to these requests, we process it and provide responsive nonexempt records to the requester on a rolling basis rather than waiting until all searches and reviews are done. These incremental releases are not reflected in the charts below; the number of days reflects the time at which all searches and reviews for a particular request were completed.

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
DoS	66.2	91	3.56	1576	333	534.8	11.4	2237	100.4	385.6	45.6	1482
OIG	11	21	1	108	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AGENCY OVERALL	66	90	1	1576	333	534.8	11.4	2237	100.4	385.6	45.6	1482

\* The majority of cases reported in the Expedited Processing category are complex cases.

**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
DoS	91.9	122.7	9.9	1576	367	578.8	11.4	2237	93.3	396.7	45.6	1482
OIG	22	30.7	2	108	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AGENCY OVERALL	90	120	2	1576	367	578.8	11.4	2237	93.3	396.7	45.6	1482

**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
DoS	746	2,303	2,101	2,156	1,431	1,057	376	312	241	186	492	171	226	11,798
OIG	42	17	3	1	0	1	0	0	0	0	0	0	0	64
AGENCY OVERALL	788	2,320	2,104	2,157	1,431	1,058	376	312	241	186	492	171	226	11,862

**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
DoS	11	58	48	46	60	57	76	139	93	112	464	319	1,063	2,546
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	11	58	48	46	60	57	76	139	93	112	464	319	1,063	2,546

**VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- 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
DoS	0	0	3	1	2	1	0	0	0	1	0	0	4	12
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	3	1	2	1	0	0	0	1	0	0	4	12

**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
DoS	1333	254	373.8	9220	332.6	510	13	173.8	332.5
OIG	8	10	80.9	0	N/A	N/A	0	N/A	N/A
AGENCY OVERALL	1341	252	370	9220	332.6	510	13	173.8	332.5

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

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
DoS	Date of Receipt	2006-05-10	2006-05-02	2006-04-26	2006-04-23	2006-04-02	2006-03-29	2006-02-28	2006-02-27	2006-02-20	2006-02-14
	Number of Days Pending	2184	2189	2194	2196	2211	2214	2234	2235	2240	2244
OIG	Date of Receipt	N/A	N/A	2014-09-19	2014-09-19	2014-09-19	2014-09-09	2014-08-25	2014-08-25	2013-06-11	2013-06-11
	Number of Days Pending	0	0	7	7	7	15	25	25	309	309
AGENCY OVERALL	Date of Receipt	2006-05-10	2006-05-02	2006-04-26	2006-04-23	2006-04-02	2006-03-29	2006-02-28	2006-02-27	2006-02-20	2006-02-14
	Number of Days Pending	2184	2189	2194	2196	2211	2214	2234	2235	2240	2244

*\*At the Department, the oldest requests generally are still pending due to the existence of one or more of these factors: (1) the number of searches required; (2) the need for multiple consultations with other agencies or governments; (3) the need to coordinate a response with multiple agencies or governments; (4) the need to search in offices located overseas; (5) the volume of responsive material to be reviewed; and (6) the need to review classified material.*

### 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
DoS	14	392	6	9.15	322
OIG	0	0	N/A	N/A	N/A
AGENCY OVERALL	14	392	6	9.15	322

## VIII.B. REQUESTS FOR FEE WAIVER

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
DoS	406	275	1	7
OIG	0	0	N/A	N/A
AGENCY OVERALL	406	275	1	7

**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
DoS	63.5	62.09	125.59	\$15,967,096.00	\$2,074,925	\$18,042,021
OIG	1	0.5	1.5	\$292,290.28	\$0.00	\$292,290.28
AGENCY OVERALL	64.5	62.59	127.09	\$16,259,386.28	\$2,074,925	\$18,334,311.28

*Processing costs include a percentage of the costs incurred by IT staff who were employed to support the FOIA program as one of their major duties, though IT staffing numbers are not reflected in personnel data column.*

*The "Equivalent Full-Time FOIA Employees" include When Actually Employed (WAE) former Foreign Service Officers who perform document review and students who work part-time throughout the year to process FOIA requests.*

## X. FEES COLLECTED FOR PROCESSING REQUESTS

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
DoS	\$6,785.00	0.04%
OIG	\$31.35	0.01%
AGENCY OVERALL	\$6,816.35	0.04%

## 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
DoS	10,041	227
OIG	4	8
AGENCY OVERALL	10,045	235

**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
DoS	1,669	11,554	11,752	1,471
OIG	0	0	0	0
AGENCY OVERALL	1,669	11,554	11,752	1,471

*\* The Department's case management system tracks FOIA requests filed directly with the Department, those that were received from another agency for consultation, and those that were referred from another agency for processing and direct response by the Department to the requester. This chart groups referrals and consultations together.*

*\*\*As reported in the Department of State's FOIA Annual Report FY 2013, the number of consultations pending at the end of the fiscal year was 1,702. As a result of our data reconciliation and validation efforts we have determined that the number reported here (1,669) is correct.*

**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
DoS	Date	2009-01-26	2009-01-09	2008-12-22	2008-12-01	2008-12-01	2008-10-21	2008-08-26	2008-08-11	2008-08-08	2008-07-21
	Number of Days	1477	1489	1502	1517	1517	1546	1586	1597	1599	1612
OIG	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date	2009-01-26	2009-01-09	2008-12-22	2008-12-01	2008-12-01	2008-10-21	2008-08-26	2008-08-11	2008-08-08	2008-07-21
	Number of Days	1477	1489	1502	1517	1517	1546	1586	1597	1599	1612

**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
DoS	18,673	19,625	21,018	18,023
OIG	80	71	79	71
AGENCY OVERALL	18,753	19,696	21,097	18,094

**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
DoS	8,665	10,041
OIG	4	4
AGENCY OVERALL	8,669	10,045

**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
DoS	276	351	367	382
OIG	6	5	3	0
AGENCY OVERALL	282	356	370	382

**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
DoS	272	227
OIG	0	8
AGENCY OVERALL	272	235