



U.S. DEPARTMENT OF STATE

FREEDOM OF INFORMATION ACT

ANNUAL REPORT

FISCAL YEAR 2015

I. BASIC INFORMATION REGARDING REPORT

1. Questions about this report may be addressed to:

John F. Hackett
Director, Office of Information Programs and Services
A/GIS/IPS, SA-2, Room 5073
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. Although OIG receives and processes its own FOIA requests, appeals of OIG FOIA responses are handled by IPS.

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

Website: <http://oig.state.gov/foia/>; <http://oig.state.gov/foiaappeals>

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. **Perfected 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)	Certain records pertaining to the issuance or refusal of visas to enter the United States	Medina-Hincapie v. Dep't of State, 700 F.2d 737, 741-42 (D.C. Cir. 1983); DeLaurentiis v. Haig, 686 F.2d 192, 194 (3d Cir. 1982); Beltranena v. U.S. Dep't of State, 821 F. Supp. 2d 167, 177-78 (D.D.C. 2011); Badalamenti v. U.S. Dep't of State, 899 F. Supp 542, 547 (D. Kan. 1995); Jan-Xin Zang v. FBI, 756 F. Supp. 705, 711-12 (W.D.N.Y. 1991); Smith v. DOJ, No. 81-CV-813, 1983 U.S. Dist. LEXIS 10878, at *13-14 (N.D.N.Y. Dec. 13, 1983); Holy Spirit Ass'n for Unification of World Christianity, Inc. v. U.S. Dep't of State, 526 F. Supp. 1022, 1031 (S.D.N.Y. 1981).	DoS	6,420	6,420
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	Physicians for Human Rights v. DOD, No. RBD-08-273, 2011 WL 1495942, at *7 (D.D.C. Apr. 19, 2011); Miller v. DOJ, 562 F. Supp. 2d 82, 112 (D.D.C. 2008); Wickwire Gavin, P.C. v. Def. Intelligence Agency, 330 F. Supp. 2d 592, 602 (E.D. Va. 2004).	DoS	4	4
22 U.S.C. 2778(e) (Arms	Certain information pertaining to	Council for a Livable World v. U.S.	DoS	4	4

Export Control Act)	export license applications	Dep't of State, No. 96-1807, slip op. at 11 (D.D.C. Jan. 21, 1998), amended (D.D.C. Nov. 23, 1998).			
41 U.S.C. 253b(m)(1) (currently at 41 U.S.C. 4702)	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	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	DoS	1	1
42 U.S.C. 2162 (Atomic Energy Act)	"Restricted Data" pertaining to atomic weapons and special nuclear material	Meeropol v. Smith, No. 75-1121, slip op. at 53-55 (D.D.C. Feb. 29, 1984), aff'd in relevant part & remanded in part on other grounds sub nom., Meeropol v. Meese, 790 F.2d 942 (D.C. Cir. 1992).	DoS	1	1
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	Pub. Citizen, Inc. v. FAA, 988 F.2d 186, 194 (D.C. Cir. 1993); Gordon v. FBI, 390 F. Supp. 2d 897, 900 (N.D. Cal. 2004).	DoS	2	2
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	ACLU v. DOJ, 681 F.3d 61, 72-75 (2d Cir. 2012); Elec. Priv. Info. Ctr. V. NSA, 678 F.3d 926, 931 (D.C.	DoS	3	3

	NSA employees	Cir. 2012); Houghton v. NSA, 378 F. App'x 235, 238-39 (3d Cir. 2010) (per curiam); Lahr v. NTSB, 569 F.3d 964, 985 (9th Cir. 2009); Larson v. Dep't of State, 565 F.3d 857,868-69 (D.C. Cir. 2009); Founding Church of Scientology v. NSA, 610 F.2d 824, 827-28 (D.C. Cir. 1979); Roman v. NSA, 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).			
50 U.S.C. 403g (Central Intelligence 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."	ACLU v. DOJ, 681 F.3d 61, 72-75 (2d Cir. 2012); Larson v. Dep't of State, 565 F.3d 857, 865 n.2 (D.C. Cir. 2009); Berman v. CIA, 501 F.3d 1136, 1137-38, 1140 (9th Cir. 2007); Makky v. Chertoff, 489 F. Supp. 2d 421, 442 (D.N.J. 2007), aff'd on other grounds, 541 F.3d 205 (3d Cir 2008).	DoS	14	14
50 U.S.C. 403-1(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).	DoS	3	3
Pub. L. No. 99-93, 99 Stat. 405, 438-439 (Foreign Relations Authorization Act, Fiscal years 1986 and 1987)	Records regarding arbitration of claims before the Iran-United States Claims Tribunal	No	DoS	2	2

<p>19 U.S.C. 2605(h), 2605(i) (Convention on Cultural Property Implementation Act)</p>	<p>Certain records pertaining to Cultural Property Advisory Committee proceedings where "it is determined by the President or his designee that the disclosure of matters involved in the Committee's proceedings would compromise the Government's negotiating objectives or [certain] bargaining positions"; certain "information (including trade secrets and commercial or financial information which is privileged or confidential) submitted in confidence by the private sector to officers or employees of the United States or to the [Cultural Property Advisory] Committee"</p>	<p>Ancient Coin Collectors Guild v. U.S. Dep't of State, 641 F.3d 504, 511 (D.C. Cir. 2011) (19 U.S.C. 2605(h)); Ancient Coin Collectors Guild v. U.S. Dep't of State, 866 F. Supp. 2d 28, 32 (D.D.C. 2012) (19 U.S.C. 2605(i)).</p>	<p>DoS</p>	<p>1</p>	<p>1</p>

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

The FOIA requests received by the Department are often a mixture of complex subject matters regarding terrorism, armed conflicts, foreign government relations, security, and diplomacy. These complex subjects require multiple searches throughout the Department's 275 domestic offices and posts, often involving the review of classified or highly sensitive materials, as well as coordination with other federal agencies. In many of these cases, particularly those involving contemporary topics, searches locate voluminous amounts of paper and electronic records that must be reviewed by the subject matter experts within the Department and at various agencies in the U.S. Government to determine whether the release of the information would potentially harm U.S. national security or damage relations with a foreign government, among other sensitivities.

In an effort to provide more efficient responses to requesters, the Department typically processes 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 complete. 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 (FY) 2015, the Department faced unprecedented challenges in meeting the demand for access to its records. The Department's FOIA Program experienced a 44 percent increase in the receipt of FOIA and Privacy Act requests, receiving nearly 23,000 requests. At the same time, the Department saw an 84 percent increase in the number of FOIA lawsuits filed against the Department, which necessitated the redirection of resources to meet court-ordered deadlines. In December 2014, former Secretary of State Hillary Rodham Clinton provided to the Department paper copies of approximately 30,000 e-mails and e-mail attachments, comprising approximately 55,000 pages. One FOIA lawsuit, which sought access to all of the emails former Secretary Clinton provided in December 2014, required an enterprise-wide reallocation of resources to meet an aggressive court-ordered production schedule; there are now roughly 300 requests – some in litigation – for records from this collection. This realignment of resources significantly hampered the Department's ability to process other FOIA and Privacy Act requests and FOIA litigation cases, as 60 IPS employees from virtually every IPS division were reassigned to work on processing the Clinton collection.

In September 2015, the Department issued a solicitation for 50 individuals to volunteer for a temporary assignment to IPS to assist in responding to this and other FOIA-related requests. Given the nature of the Department's records, these individuals needed a TOP SECRET clearance. For this reason, this effort targeted Department employees and family members of Foreign Service Officers who already were eligible for access to TOP SECRET information and, accordingly, could be brought on board quickly. IPS expects to have a total of 33 individuals temporarily assigned to assist in State's FOIA-processing efforts in FY 2016.

Late in Fiscal Year 2015, IPS and the Bureau of Consular Affairs (CA) began to collaborate on a plan to reduce the FOIA backlog. Approximately one third of the Department's FOIA backlog consisted of requests that sought access to CA-related records. Unlike other Department bureaus, CA has three decentralized FOIA components - the Office of Overseas Citizens Services, the Office of Passport

Services, and the Office of Visa Services - which process requests for access to records originating in, or most closely associated with, these components. This project included augmented teams of employees in each component working to process backlogged cases. CA worked with IPS to ensure that IPS's case management database was properly annotated when a case was closed. We anticipate IPS's Department-wide efforts, and CA's efforts in particular, to improve the efficiency of FOIA operations and reduce or avoid backlogs will be enhanced significantly by the work of State Department's new Transparency Coordinator, appointed in September 2015. The Coordinator is leading cross-bureau collaborative efforts to build more efficient internal FOIA administrative processes throughout the Department and taking best advantage of available technology.

Throughout FY 2015, the Department continued to add previously released FOIA records to its FOIA website at www.foia.state.gov. 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 100,000 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. In Fiscal Year 2015, the Department added approximately 18,000 documents to the website, including over 11,000 Clinton emails, 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 the millions of pages of declassified Department records available online at the National Archives and Records Administration. In FY 2015, the website hosted an average of over 1000 visitors daily, up from approximately 400 daily visitors in FY 2014.

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 FY 2015, the number of requests received increased at the same time as resources were being reallocated to assist with processing the aforementioned Clinton material. 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, mostly contemporary, 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. This fiscal year the Department received over 16,000 referrals and consultations, a majority of which originated with the U.S. Citizenship and Immigration Service (USCIS). The large volume of these referrals has resulted in slower turnaround times for simple requests. In May 2015, with the reassignment of IPS employees to work on processing the Clinton collection, IPS stopped entering new USCIS referrals in its case management database. IPS estimates that since May 2015 approximately 6,209 USCIS referrals have not been entered in the case management database. In estimating the number of USCIS referrals received this fiscal year, IPS used the number of referrals received from October 1, 2014 through May 1, 2015 to extrapolate the number of referrals received for the remainder of the fiscal year.

During this fiscal year the Department also experienced an 84 percent increase in FOIA lawsuits over FY 2014. The new lawsuits continued to involve voluminous sensitive and mostly contemporary records

that require careful coordination with other federal agencies. To meet the demands of this upswing in FOIA lawsuits, the Department has assigned five individuals who are temporarily assigned to IPS to serve as litigation case analysts and seven newly hired reviewers to assist with the FOIA review of documents in litigation cases.

Despite all efforts to keep up with the rising influx of direct FOIA requests and referrals, the Department's FOIA request backlog rose by 50 percent. In Fiscal Year 2015, the Department closed 9 of the 10 oldest direct requests and the 10 oldest consultations.

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	10,916	24,747	13,913	21,750
OIG	8	90	89	9
AGENCY OVERALL	10,924	24,837	14,002	21,759

**The Department of State's FOIA Annual Report for FY 2014 reported that the number of cases pending at the end of the fiscal year for State was 10,974. As a result of our data reconciliation and validation efforts, we have determined that the number should have been 10,924; 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.*

**** An estimated 6209 referrals from DHS/USCIS were not entered in the Department's case management system from May 2015 through September 2015 due to the reassignment of personnel to litigation. The estimate is based on the average number of referrals received per month in the previous 7 months of the fiscal year, and the estimate is included in the number of requests pending as of the end of the fiscal year.*

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	1,853	2,238	5,157	441	233	217	2	2,431	556	648	132	5	13,913
OIG	11	50	8	18	1	1	0	0	0	0	0	0	89
AGENCY OVERALL	1,864	2,288	5,165	459	234	218	2	2,431	556	648	132	5	14,002

**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	Litigation	4	5
	Combined with another case	1	
AGENCY OVERALL			5

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	271	12	6,430	54	147	1,722	20	1	178	17	244	8	0	0
OIG	1	0	0	1	17	49	6	0	39	2	6	1	0	0
AGENCY OVERALL	272	12	6,430	55	164	1,771	26	1	217	19	250	9	0	0

**As noted in Section IV., almost all of the Departments' withholdings under Exemption 3 relate to information pertaining to the issuance or 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	260	242	118	384
OIG	8	1	0	9
AGENCY OVERALL	268	243	118	393

**The Department of State's FOIA Annual Report for FY 2014 reported that the number of appeals pending at the end of the fiscal year for State was 270. As a result of our data reconciliation and validation efforts, we have determined that the number should have been 268; 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	92	6	13	7	118
OIG	0	0	0	0	0
AGENCY OVERALL	92	6	13	7	118

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	10	2	77	1	8	27	1	0	2	0	7	0	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	10	2	77	1	8	27	1	0	2	0	7	0	0	0

**As noted in Section IV., almost all of the Departments' withholdings under Exemption 3 relate to information pertaining to the issuance or 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	6	1	2	23	0	0	0	0	1	22	3
OIG	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	6	1	2	23	0	0	0	0	1	22	3

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	No component response to adjudicate	1	3
	Improper appeal	1	
	Records referred at the appellate level	1	
AGENCY OVERALL			3

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	129.99	202.51	2.14	1,490.13
OIG	0.00	0.00	0.00	0.00
AGENCY OVERALL	129.99	202.51	2.14	1,490.13

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	2011-05-12	2011-03-10	2011-02-23	2011-02-11	2010-11-15	2010-10-18	2010-09-24	2010-09-01	2010-07-14	2009-09-14
	Number of Days Pending	1142	1187	1197	1206	1269	1289	1306	1322	1357	1573
OIG	Date of Appeal	N/A	2015-08-05	2015-07-10	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	39	308	375	400	413	430	502	553	561
AGENCY OVERALL	Date of Appeal	2011-05-12	2011-03-10	2011-02-23	2011-02-11	2010-11-15	2010-10-18	2010-09-24	2010-09-01	2010-07-14	2009-09-14
	Number of Days Pending	1142	1187	1197	1206	1269	1289	1306	1322	1357	1573

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
DoS	84	113	5	1781	373	511	11	2374	61	102	41	203
OIG	17	30	1	132	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AGENCY OVERALL	84	111	1	1781	373	511	11	2374	61	102	41	203

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	155	167	10	1781	408	589	11	2374	40	40	40	40
OIG	22	35	1	132	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
AGENCY OVERALL	154	165	1	1781	408	589	11	2374	40	40	40	40

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	12	227	1,616	1,819	2,009	545	186	353	426	275	546	75	193	8,282
OIG	59	19	4	4	2	0	1	0	0	0	0	0	0	89
AGENCY OVERALL	71	246	1,620	1,823	2,011	545	187	353	426	275	546	75	193	8,371

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	3	14	51	58	66	53	56	51	48	57	253	417	875	2,002
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	3	14	51	58	66	53	56	51	48	57	253	417	875	2,002

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	1	1	0	0	0	0	0	0	1	0	0	3
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	1	1	0	0	0	0	0	0	1	0	0	3

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	3045	135.34	269.03	11669	364.7	552.18	147	141.04	169.28
OIG	9	37	77	0	0	0	0	0	0
AGENCY OVERALL	3054	135.34	265.03	11669	364.7	552.18	147	141.04	169.28

** We have not included an estimated 6209 pending referrals from DHS/USCIS in this chart as they have not been entered into the Department's case management system.*

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	2006-08-04	2006-08-03	2006-07-31	2006-07-11	2006-06-27	2006-06-01	2006-05-31	2006-05-19	2006-05-17	2006-04-02
	Number of Days Pending	2382	2383	2385	2400	2410	2428	2429	2437	2439	2471
OIG	Date of Receipt	N/A	2015-09-24	2015-09-17	2015-09-17	2015-09-04	2015-09-03	2015-08-07	2015-08-04	2015-06-11	2015-06-11
	Number of Days Pending	0	3	9	9	18	19	37	42	77	77
AGENCY OVERALL	Date of Receipt	2006-08-04	2006-08-03	2006-07-31	2006-07-11	2006-06-27	2006-06-01	2006-05-31	2006-05-19	2006-05-17	2006-04-02
	Number of Days Pending	2382	2383	2385	2400	2410	2428	2429	2437	2439	2471

**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 to coordinate a response with multiple agencies or governments; (3) the need to search in offices located overseas; (4) the volume of responsive material to be reviewed; and (5) 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	153	480	7	10.49	418
OIG	0	0	N/A	N/A	N/A
AGENCY OVERALL	153	480	7	10.49	418

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	668	374	1	3.43
OIG	0	0	N/A	N/A
AGENCY OVERALL	677	374	1	3.43

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	81	87.25	168.25	\$29,168,751.00	\$3,991,167.00	\$33,159,918.00
OIG	1	0.5	1.5	\$247,858.00	\$0.00	\$247,858.00
AGENCY OVERALL	82	87.75	169.75	\$29,416,609.00	\$3,991,167.00	\$33,407,776.00

X. FEES COLLECTED FOR PROCESSING REQUESTS

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
DoS	\$8,245.26	0.03%
OIG	\$0.00	0.00%
AGENCY OVERALL	\$8,245.26	0.03%

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	20,622	367
OIG	4	9
AGENCY OVERALL	20,626	376

**the Number of Backlogged Requests includes an estimated 6209 referrals received from DHS/USCIS that were not entered into the Department's case management system [see section V.A.]. The estimate is included in the number of requests backlogged as of the end of the fiscal year.*

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	1,482	10,043	8,269	3,256
OIG	0	0	0	0
AGENCY OVERALL	1,482	10,043	8,269	3,256

**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 2014, the number of consultations pending at the end of the fiscal year was 1471. As a result of our data reconciliation and validation efforts, we have determined that the number reported here (1482) 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	2009-05-13	2009-04-08	2009-04-02	2009-04-01	2009-03-27	2009-03-20	2009-03-17	2009-02-18	2009-02-06	2009-02-05
	Number of Days	1661	1686	1690	1691	1695	1700	1702	1721	1729	1730
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	2009-05-13	2009-04-08	2009-04-02	2009-04-01	2009-03-27	2009-03-20	2009-03-17	2009-02-18	2009-02-06	2009-02-05
	Number of Days	1661	1686	1690	1691	1695	1700	1702	1721	1729	1730

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	19,625	24,747	18,023	13,913
OIG	71	90	71	89
AGENCY OVERALL	19,696	24,837	18,094	14,002

**the Number Received During Fiscal Year includes an estimated 6209 referrals from DHS/USCIS that were not entered into the Department's case management system [see section V.A.].*

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	10,041	20,622
OIG	4	4
AGENCY OVERALL	10,045	20,626

**the Number of Backlogged Requests includes an estimated 6209 referrals received from DHS/USCIS that were not entered into the Department's case management system [see section V.A.]*

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	351	242	382	118
OIG	5	1	0	0
AGENCY OVERALL	356	243	382	118

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	227	367
OIG	8	9
AGENCY OVERALL	235	376