



U.S. DEPARTMENT OF STATE

FREEDOM OF INFORMATION ACT

ANNUAL REPORT

FISCAL YEAR 2019

I. BASIC INFORMATION REGARDING REPORT

1. Questions about this report may be addressed to:

Eric F. Stein
Director, Office of Information Programs and Services
A/GIS/IPS
2201 C Street N.W., Suite B-266
U.S. Department of State
Washington, D.C. 20520-0000

Telephone: (202) 261-8484
Fax: (202) 485-1669

2. This report is available on our web site at <https://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 to the Office of Information Programs and Services (IPS):
 - Mail to: Office of Information Programs and Services, A/GIS/IPS, 2201 C Street N.W., Suite B-266, Department of State, Washington, D.C. 20520-0000; **or**
 - Fax to (202) 485-1669; **or**
 - Email to foiarequest@state.gov; **or**
 - On-line at our website: <https://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 office or overseas post 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 broadest access to those records. More information about verification of identity and proper authorization may be found on the Department's FOIA 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 (<https://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 the additional information 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 <https://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
2201 C Street N.W., Suite B-266
Department of State
Washington, D.C. 20520-0000

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 processed by IPS.

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

FOIA Officer
Office of General Counsel
Office of Inspector General
U.S. Department of State
1700 North Moore Street
Suite 800
Arlington, VA 22209

Fax: (703) 284-1866
Phone: (571) 348-3815
E-mail: foia@stateoig.gov
Website: <https://www.stateoig.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 domestically and throughout the world at posts, missions, embassies, and consulates. The Department also maintains records of applications from U.S. citizens for U.S. passports, visa requests from non-citizens, and records of its own employees, as well as other types of records. Because of the nature and scope of its records holdings, including classified and other sensitive material, the Department conducts a rigorous review to determine whether any information must be withheld under one of the nine FOIA exemptions. In implementing the Department's mission, the Department works closely with many other federal agencies and international partners. For this reason, the Department often must consult with other, and 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 by the Department to withhold information are shown in Table V.B.(3). In addition, the Department receives a large volume of FOIA referrals from other agencies, which also contributes to its FOIA processing workload.
3. The Department's FOIA regulations are codified at 22 C.F.R. Part 171. These regulations are available through the Government Printing Office's (GPO) website at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse> or on our website at <http://www.foia.state.gov>. The most recent fee schedule is found in the Information Access Guide at <https://www.foia.state.gov/Request/Guide.aspx>.

III. ABBREVIATIONS, DEFINITIONS, AND EXEMPTIONS

1. Agency-Specific Abbreviations and Basic Terms:
 - a. **A/GIS/IPS** – Bureau of Administration (A), Global Information Services (GIS), Office of Information Programs and Services (IPS).
 - b. **Consulate** – A type of Post; a Consulate is the office and staff of a Consul, who is a diplomatic representative of the U.S. Government, subordinate to the

Ambassador, operating from a facility located within a major city of a foreign country.

- c. **Embassy** – A type of Post; an Embassy is the office and staff of the Ambassador, who is the principal diplomatic representative of the U.S. Government, holding Chief of Mission (COM) authority, typically operating from a facility located within the capital city of a foreign country.
- d. **Mission** – A Mission is a U.S. Government organization; an embassy, legation, or other organization established and maintained to: 1) conduct bilateral relations between the U.S. Government and another government or authority, or multilateral relations with a group of governments or an international organization, or 2) represent the U.S. Government in negotiations and other diplomatic initiatives that are of specific limited scope or objectives and that have other sovereignties or authorities as parties. The U.S. mission is an integrated structure, headed by a Chief of Mission or equivalent authority.
- e. **Post** – A type of Department of State organization; a Post is any Foreign Service diplomatic or consular establishment, or else an establishment having a special designation, maintained in support of a U.S. Mission. It is further designated by a Post type such as Embassy, Consulate, Branch Office, etc., for diplomatic or consular posts, or as a Specially Designated Post for an establishment that has a special purpose that is not primarily diplomatic or consular.
- f. **OIG** – Office of Inspector General.

2. Definitions of terms used in this report:

- a. **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.
- b. **Average Number** – the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, the average of 3, 7, and 14 is 8.
- c. **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.
- d. **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 FOIA Annual Report data for both the agency overall and for each principal component of the agency.

- e. **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.
- f. **Exemption 3 Statute** – a federal statute that specifically exempts information from disclosure that 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. Exemption 3 statutes contain non-discretionary prohibitions against disclosure or establish particular criteria for withholding.
- g. **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).
- h. **Full Grant** – an agency decision to disclose in full all records located in response to a FOIA request.
- i. **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, because the existence or non-existence of records is exempt under one or more of FOIA’s nine exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** – the middle, not average, number. For example, the median of 3, 7, and 14 is 7.
- k. **Multi-Track Processing** – a system in which requests are placed in different processing tracks based on 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 and/or are anticipated to locate more voluminous or complicated responsive records for review. Requests

granted expedited processing are placed in a separate track. 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.
 - l. **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.
 - m. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.
 - n. **Perfect Request** – a request for records that reasonably describes the requested information and is made in accordance with the agency’s published regulations.
 - o. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
 - p. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
 - q. **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 typically responds directly to the FOIA requester.
 - r. **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).
3. 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

4. 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); Assadi v. Dep't of State, No. 12-1111, 2014 WL 4704840, at *6-7 (S.D.N.Y. Sept. 19, 2014); 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).	DOS	3925	3925
10 U.S.C. § 424	Organization or any function of an organization, and certain information pertaining to, employees of the Defense Intelligence Agency, the National Reconnaissance Office, and the National Geospatial Intelligence Agency	Hamdan v. DOJ, 797 F.3d 759, 776 (9th Cir. 2015); Freedom Watch, Inc. v. NSA, 197 F. Supp. 3d 165, 174 (D.D.C. 2016); Wickwire Gavin, P.C. v. Def. Intelligence Agency, 330 F. Supp. 2d 592, 602 (E.D. Va. 2004).	DOS	2	2
41 U.S.C. § 4702 (formerly at 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.	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	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
		WL 1900562 (D.C. Cir. Aug. 25, 2004).			
50 U.S.C. § 3024(i)(1) (formerly at 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).	DOS	3	3
50 U.S.C. § 3507 (formerly at 50 U.S.C. § 403g) (Central Intelligence Agency Act of 1949)	Intelligence sources and methods; certain information pertaining to Agency employees, specifically: “the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency.”	Assassination Archives & Research Ctr. v. CIA, No. 185280, 2019 WL 691517 (D.C. Cir. Feb. 15, 2019) (per curiam); ACLU v. DOJ, 681 F.3d 61, 72-75 (2d Cir. 2012); 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	2	2
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, §2, 91 Stat. 319	Certain records that would reveal some secret aspect pertaining to grand jury proceedings.	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Sorin v. DOJ, No. 18-99, 2018 WL 6431027 (2d Cir. Dec. 6, 2018) (per curium); Widi v. McNeil, No. 12-CV-00188, 2016 WL 4394724, at *23 (D. Me. Aug 16, 2016); Durham v. U.S. Atty. Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O’Connor v. U.S. Dep’t of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	OIG	1	1

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

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
DOS	11269	8482	6438	13313
OIG	55	107	107	55
AGENCY OVERALL	11324	8589	6545	13368

After reviewing its database, The Department of State adjusted OIG's number of requests pending of the start 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	134	2427	945	931	0	136	0	206	1229	389	41	0	6438
OIG	4	32	17	7	23	0	3	6	11	4	0	0	107
AGENCY OVERALL	138	2459	962	938	23	136	3	212	1240	393	41	0	6545

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	36	0	3933	6	25	175	3	0	94	4	15	2	0	0
OIG	0	2	1	1	4	20	4	0	15	0	2	0	0	0
AGENCY OVERALL	36	2	3934	7	29	195	7	0	109	4	17	2	0	0

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

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
DOS	368	233	377	224
OIG	19	2	3	18
AGENCY OVERALL	387	235	380	242

After reviewing its database, The Department of State's adjusted the number of administrative appeals pending at the start of the Fiscal Year.

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	263	61	53	0	377
OIG	1	0	0	2	3
AGENCY OVERALL	264	61	53	2	380

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	8	0	202	0	1	19	0	0	7	0	30	1	0	0
OIG	0	0	0	0	1	1	0	0	1	1	0	0	0	0
AGENCY OVERALL	8	0	202	0	2	20	0	0	8	1	30	1	0	0

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	33	0	13	0	0	1	5	0	1	0	8
OIG	0	0	2	0	0	0	0	0	0	0	0
AGENCY OVERALL	33	0	15	0	0	1	5	0	1	0	8

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	Improper Appeal	8	8
OIG	N/A	0	0
AGENCY OVERALL			8

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	211.00	336.18	2	1870.00
OIG	15	20	2	30
AGENCY OVERALL	211	336.18	2	1870

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	2013-10-11	2013-09-17	2013-09-04	2013-07-17	2013-07-09	2013-05-16	2013-04-11	2013-04-03	2012-10-09	2012-05-25
	Number of Days Pending	1496	1514	1523	1557	1563	1599	1624	1630	1750	1843
OIG	Date of Appeal	2015-10-26	2015-02-06	2014-12-05	2014-06-30	2014-02-25	2013-09-14	2013-06-10	2013-04-18	2013-04-18	2013-03-28
	Number of Days Pending	1182	1204	1226	1335	1423	1532	1600	1636	1636	1651
AGENCY OVERALL	Date of Appeal	2013-09-14	2013-07-17	2013-07-09	2013-05-16	2013-06-10	2013-04-11	2013-04-03	2013-04-18	2012-10-09	2012-05-25
	Number of Days Pending	1532	1557	1563	1599	1600	1624	1630	1636	1750	1843

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	40.50	119.01	4	2073	113	307.07	5	3136.06	459.50	484.25	427.00	591.00
OIG	20	30	1	61	34.5	35	15	54	N/A	N/A	N/A	N/A
AGENCY OVERALL	30.50	74.51	1	2073	73.75	171.04	5	3136.06	454.91	479.41	427	591

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	38.00	108.42	11.00	1267.00	125.00	340.54	7.00	3136.00	459.50	484.25	427.00	591.00
OIG	11	28.1	1	184	61	103.7	5	328	N/A	N/A	N/A	N/A
AGENCY OVERALL	27	80.42	1	1267	64	234.97	5	3136	459.50	484.25	427	591

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	18	62	34	15	7	3	2	1	1	1	2	2	11	159
OIG	44	7	3	1	0	1	0	0	0	0	0	0	0	56
AGENCY OVERALL	62	69	37	16	7	4	2	1	1	1	2	2	11	215

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	27	61	235	542	252	96	57	57	84	235	67	437	2153
OIG	8	6	3	2	1	2	0	2	2	0	3	2	1	32
AGENCY OVERALL	11	33	64	237	543	254	96	59	59	84	238	69	438	2185

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	321	356.00	611.53	10612	629.00	813.58	153	670.00	725.99
OIG	0	N/A	N/A	55	142	172.4	0	N/A	N/A
AGENCY OVERALL	321	352.44	605.42	10667	478.04	626.46	153	663.30	718.73

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	2007-04-25	2007-04-23	2007-04-16	2007-03-28	2007-03-12	2007-02-07	2007-01-11	2006-11-27	2006-11-26	2006-10-10
	Number of Days Pending	3119	3121	3126	3139	3151	3173	3191	3222	3222	3254
OIG	Date of Receipt	2018-05-09	2018-04-09	2018-02-06	2018-03-23	2017-12-18	2017-08-07	2017-06-30	2017-06-14	2017-03-28	2017-03-08
	Number of Days Pending	382	404	405	415	480	571	596	608	663	667
AGENCY OVERALL	Date of Receipt	2007-04-25	2007-04-23	2007-04-16	2007-03-28	2007-03-12	2007-02-07	2007-01-11	2006-11-27	2006-11-26	2006-10-10
	Number of Days Pending	3119	3121	3126	3139	3151	3173	3191	3222	3222	3254

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	48	551	4.00	10.75	412.00
OIG	0	11	8	13.5	8
AGENCY OVERALL	48	562	6	12.13	420

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	537	198	1.00	13.35
OIG	0	3	4	4.7
AGENCY OVERALL	537	201	3	9

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	140	65.61	205.61	26157074.69	1133455.00	27290529.69
OIG	1	1.07	2.07	469065.00	0.00	469065.00
AGENCY OVERALL	141	66.68	207.68	26626139.69	1133455.00	27759594.69

X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
DOS	984.00	0.0000
OIG	0.00	
AGENCY OVERALL	984.00	0.0000

XI.A. Number of Times Subsection (C) Used

Agency / Component	Number of Times Subsection Used
DOS	0
OIG	0
AGENCY OVERALL	0

XI.B. Number of Subsection (A)(2) Postings

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
DOS	14307	0
OIG	0	0
AGENCY OVERALL	14307	0

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	11086	223
OIG	20	0
AGENCY OVERALL	11106	223

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 <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 <u>End</u> of the Fiscal Year
DOS	368	233	377	224
OIG	1	6	7	0
AGENCY OVERALL	369	239	384	224

After reviewing its database, State adjusted the number of consults pending at the start of the Fiscal Year.

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	2014-09-17	2014-09-17	2014-09-10	2014-08-22	2014-07-09	2014-06-16	2014-05-20	2014-05-14	2014-04-28	2014-03-26
	Number of Days	1263	1263	1268	1280	1312	1328	1346	1350	1362	1385
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	2014-09-17	2014-09-17	2014-09-10	2014-08-22	2014-07-09	2014-06-16	2014-05-20	2014-05-14	2014-04-28	2014-03-26
	Number of Days	1263	1263	1268	1280	1312	1328	1346	1350	1362	1385

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	8357	8482	10837	6438
OIG	91	107	91	107
AGENCY OVERALL	8448	8589	10928	6545

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	10380	11086
OIG	20	20
AGENCY OVERALL	10400	11106

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	195	233	228	377
OIG	5	2	0	3
AGENCY OVERALL	200	235	228	380

**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	348	223
OIG	19	0
AGENCY OVERALL	367	223