



Brian Carr &lt;carrbp@gmail.com&gt;

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**Error on PAL FOIA submission**

1 message

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**Brian Carr** <carrbp@gmail.com>

Wed, Dec 20, 2023 at 7:07 AM

To: FOIARequest@state.gov

Cc: DoS FOIA Status &lt;Foiastatus@state.gov&gt;

Submitted as BrianPCarr with the above email but there was an error of "Something went wrong while processing your action. Please contact [foiastatus@state.gov](mailto:foiastatus@state.gov) for assistance if the problem persists."

The text of the actual request was as follows:

I seeking data about the processing of non-immigrant B1 or B2 visas by the Department of State (DoS) Visa Services (VS). It is cumulative data without information concerning any particular candidate.

1. For each year from 1 Jan 2018 to 31 Dec 2023 (six years), can you please query the number of non immigrant visa application (DS-160) for B1 or B2 visas interviews conducted and completed. Can you also break down the number with number approved, number denied, and other (not approved or denied but also closed without rescheduling).

2. Can you also break down the first query results by the Country where the Passport or Travel Document was issued? As there may be numerous countries with a small number of applications it is acceptable to truncate the list with the 99 most common countries with all lesser countries grouped as 'Other' (e.g. Monaco and Luxemburg could be grouped together with other countries in the Other entry as they likely won't have a significant number of visa applications). This would be a simple Group By Clause in SQL in a traditional normalized database.

3. Please repeat the above queries 1 and 2 but count only records where the applicant is 56 years old or older.

4. Please repeat the above queries 1 and 2 but count only records where the applicant is 56 years old or older and has a marital status of widowed or widower.

5. Please repeat the above queries 1 and 2 but count only records where the applicant is 56 years old or older, has a marital status of widowed or widower and the deceased spouse has a different country of origin from the applicant.

6. Please repeat the above queries 1 and 2 but count only records where the applicant is 56 years old or older, has a marital status of widowed or widower and the deceased spouse has a country of origin of the United States.

While almost all of the information in these databases is privileged or confidential the cumulative totals are not and represent important measures of the performance of DoS visa services. As such they should be accessible under the FOIA as public interest into agency performance.

Also, while the FOIA does not require any agency to retain or produce new records, queries against existing databases to produce cumulative totals is not considered new records.

See the 9th Circuit Decision in THE CENTER FOR INVESTIGATIVE REPORTING, v. UNITED STATES DEPARTMENT OF JUSTICE, Case: 18-17356, 12/03/2020, ID: 11913401, DktEntry: 64-1 which can be retrieved from <https://www.eff.org/document/cir-v-doj-9th-cir-opinion> and states 'the use of a query to search for and extract a particular arrangement or subset of existing data from the ... [agency] database does not require the creation of a "new" agency record under FOIA.'

I prefer electronic documents via email [bcarr@gmail.com](mailto:bcarr@gmail.com), or ftp / web access. Downloading via PAL is perfect.

Your attention to this matter is appreciated.

Brian Carr

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This email has been checked for viruses by Avast antivirus software.

[www.avast.com](http://www.avast.com)