



Office of Information Programs & Services  
A/GIS/IPS/RL  
Room 8100  
Department of State  
515 22<sup>nd</sup> St., NW  
Washington, DC 20522-8100

February 1, 2017

Re: FOIA Case No. F-2014-06682

To whom it may concern:

The purpose of this letter is to appeal the State Department's determination that it has completed the processing of the case referenced above.

In April 2014, I filed a request for all certificates of demonstrated competency for all individuals nominated to the office of ambassador within the period of January 1, 1980 to April 16, 2014. (Exhibit A.) The State Department granted this request and, in December 2015, delivered a portion of the requested records—namely, the certificates for individuals nominated to the office of ambassador within the period of January 2001 to April 2014. (Exhibit B.) This amounted to approximately 600 certificates. After additional correspondence, the State Department explained that it would separately deliver the certificates covering the earlier period of 1980 to January 2001. (Exhibit C.)

On January 13th, 2017, I received a letter explaining that a search for those remaining certificates had been “completed” and had “resulted in the retrieval of 286 documents responsive to [my] request.” (Exhibit D.) Of these, the Department concluded that 277 could be released in full. (*Id.*) The letter goes on to explain that the State Department “[has] now completed the processing of [my] case.” (*Id.*) Copies of the 277 certificates were enclosed.

I appreciate the Department's work on this matter, but it is unlikely that all of the releasable, responsive certificates have now been produced. According to the American Foreign Service Association, over 1,000 people were appointed to the office of ambassador from 1980 to 2000.<sup>1</sup> Thus, assuming the Department complied with the

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<sup>1</sup> See American Foreign Service Association, *Appointments – Ronald Reagan*, <http://www.afsa.org/ambassadorial-appointments-ronald-reagan> (reporting 420 appointments during the Reagan Administration); American Foreign

statutory mandate to create a certificate for each of these individuals, there should be over 1,000 certificates for the period of 1980 to 2000. The 277 that I recently received constitute roughly 25% of that total.

I raised this issue by email with the FOIA Requester Service Center on January 25 of this year. (Exhibit E.) Two days later, the Center responded by stating that I must file a new FOIA request in order to obtain the remaining documents. (Exhibit F.)

This amounts to an unauthorized withholding of documents under 5 U.S.C. § 552(b). Plainly, the remaining certificates fall within the scope of my April 2014 request. Moreover, the Department has provided no reason to believe that they are exempt from disclosure.

I hereby request that the Department re-open my case and produce the remainder of the responsive, non-exempt certificates for the period of January 1, 1980 to January 1, 2001. If the Department cannot produce those documents for any reason, I hereby request an explanation as to why.

I appreciate your prompt attention to this matter.

Sincerely,

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Enclosures