



United States Department of State

Washington, D.C. 20520

November 17, 2025

Request No.: F-2025-30612

David Burger
Covenant for Forgotten Warriors
Sent via email: foia@covenantforwarriors.org

Dear David Burger:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request received by the U.S. Department of State, Information Access Programs Directorate on September 29, 2025. This Office assigned your request the subject reference number and placed it in the complex processing track where it will be processed as quickly as possible.

This Office will not be able to respond within the 20 days provided by the statute due to “unusual circumstances.” In this instance, the unusual circumstances include the need to search for and collect requested records from other Department offices or Foreign Service posts.

You requested expedited processing of this request. According to 22 CFR § 171.11(f), requests shall receive expedited processing when a requester demonstrates a “compelling need” for the information exists for one of the following reasons: (1) failure to obtain the requested information on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; (2) the information is urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal government activity; or (3) failure to release the information would impair substantial due process rights or harm substantial humanitarian interests. Your request does not demonstrate a “compelling need” for the requested information. Therefore, this Office denies your request for expedited processing.

You requested a waiver for all fees associated with the processing of your request. Fees shall be waived or in rare cases; perhaps involving exceptional burden or expenditure of public resources in the context of a request that minimally satisfies the "public interest" requirement, it may be possible to give effect to the language of the statute providing for "a charge reduced below the fees" by granting a reduction rather than a complete waiver of fees, if the Department determines that disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester. Your request does not meet the public interest standard set forth in § 22 CFR 171.16(j)(2)(ii). Therefore, this Office denies your request for a fee waiver.

The Department has determined that you fall within the "All Other Requesters" fee category. All Other requesters are charged fees which recover the full reasonable direct cost of searching for and reproducing records that are responsive to the request. Except that the first 100 pages of reproduction and the first two hours of search time shall be furnished without charge. OMB's Uniform Freedom of Information Act (FOIA) Fee Schedule and Guidelines allow agencies to recover the "reasonable direct cost of duplication" for all fee categories of FOIA requesters. The term "duplication" refers to "the process of making a copy of a document necessary to respond to a FOIA request." Department of State FOIA regulations, 22 CFR Part 171.16(b), define "direct costs" as "those expenses the Department incurs...duplicating...in response to a FOIA request. For example, direct costs include the salary of the employee performing the work (i.e., the basic rate of pay for the employee, plus 16 percent of that rate to cover benefits) and the cost of operating computers and other electronic equipment, such as photocopiers and scanners. The term does not include overhead expenses such as the costs of space and of heating or lighting of a facility."

If you have any questions regarding your request, would like to narrow the scope or arrange an alternative time frame to speed its processing, or would like an estimated date of completion, please contact Randall H., at FOIA_Inquiry@state.gov or our FOIA Public Liaison via email at FOIAStatus@state.gov or telephone at (202) 261-8484.

If you are not satisfied with this determination, you may administratively appeal by writing to: Appeals Officer, Information Access Programs Directorate (A/SKS/IAP), U.S. Department of State, 2201 C Street, NW, Washington, D.C. 20520; by fax to (202) 485-1718; or by email to FOIAAppeals@state.gov. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this correspondence. Please include a copy of this correspondence with your written appeal and clearly state why you disagree with the determinations set forth in this response.

Additionally, if you are not satisfied with the Department's determination in response to your request, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA Mediation Services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email address: ogis@nara.gov; telephone: (202) 741-5770; toll free number: 1-877-684-6448

Sincerely,

Megan Farrell

Megan Farrell
Lead Government Information Specialist
FOIA Case Processing Office
Information Access Programs Directorate

Enclosures: As stated herein.