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DEPARTMENT OF STATE

22 CFR Part 171

[Public Notice: 13124]

RIN 1400-AG32

Public Access to Information

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: The Department of State revises its regulations governing the availability to the public of information that is under the control of the Department. This rule reflects changes in the Department's organization and procedures since the last revision of the Department's regulations on public access to information, including relating to the use of email to submit requests for information under this part.

DATES: The rule is in effect on [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Susan Weetman, FOIA Public Liaison, Information Access Programs Directorate, U.S. Department of State, FOIAStatus@state.gov, 202-261-8484.

SUPPLEMENTARY INFORMATION: This final rule implements the Freedom of Information Act (FOIA) Improvement Act of 2016, Pub. L. 114-185, and updates the Department's FOIA regulations at 22 CFR part 171. The following is a summary of the substantive changes.

The final rule, in § 171.4(a)(1), encourages the public to search the agency's FOIA Library to determine whether the records they seek are already publicly available prior to submitting a request. Due to the Department's release-to-one, release-to-all policy, in many cases this

provision would enable the public to locate records immediately and without the need to file a FOIA request.

The final rule, in § 171.4(a)(2) and § 171.15(a)(2) and (3), directs the public to the agency's FOIA webpage for the list of components accepting FOIA requests, administrative appeals, and the corresponding contact information. This will enable the Department to more easily keep component contact information up to date.

The final rule, in § 171.4(a)(2), provides updated procedures for submitting FOIA requests to the Department. Specifically, the Department will only accept electronic FOIA and Privacy Act request submissions for the Information Access Programs Directorate and the Directorate for Passport Services via FOIA.gov or the Department's FOIA website.

The final rule, in § 171.4(b), simplifies and consolidates the procedures for reasonably describing records sought; for example, what information should be provided when requesting visa records. This update aims to increase efficiency in processing requests by reducing the need to manually enter data into the Department's case management system and reduce the need to request information that is often missing from submissions.

The final rule, in § 171.11(a), removes redundant information regarding IAP's role in making initial determinations.

Subpart C contains the rule's Privacy Act provisions. The final rule, in § 171.22(c) and (e), clarifies the methods used to verify identity for first-party information or a third party's information requests. The rule consolidates these requirements in this section that were previously repeated or spread across several subsections. The final change aims to make it easier for requesters to understand what information is required to verify their identity and how this information can be submitted. This update will minimize the number of requests that do not include proper verification of identity and increase the number of properly verified first and third-party requests the Department receives and reduce the administrative burden on the agency of following up with requesters that have not properly verified their identity.

In § 171.26(a), the final rule updates the list of SORNS and exemptions.

Finally, the final rule makes numerous minor changes throughout, to update references to the Office of Information Programs and Services to Information Access Programs Directorate.

Regulatory Findings

Administrative Procedure Act.

This rulemaking is exempt from notice and comment procedures under the provisions of 5 U.S.C. 553(b), since it is related to Department organization, procedure, and practice.

Regulatory Flexibility Act.

The Department of State, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 605(b), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Act of 1995.

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Executive Order 12988—Civil Justice Reform.

The Department has reviewed this regulation in light of Executive Order 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

Executive Orders 12372 and 13132—Federalism.

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to require consultations or warrant the preparation of a federalism summary impact

statement. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this regulation.

Executive Order 13175—Consultation and Coordination with Indian Tribal Governments.

The Department has determined that this rulemaking will not have tribal implications, will not impose substantial direct compliance costs on Indian tribal governments, and will not pre-empt tribal law. Accordingly, the requirements of Executive Order 13175 do not apply to this rulemaking.

Executive Orders 12866 and 13563—Improving Regulation and Regulatory Review.

The Department has considered this rule in light of these Executive Orders and affirms that this regulation is consistent with the guidance therein. The benefits of this rulemaking for the public include, but are not limited to, providing an up-to-date procedure for requesting information from the Department that is consistent with the FOIA Improvement Act of 2016. The Department is aware of no more than a minimal cost to the public from this rulemaking. The Office of Information and Regulatory Affairs has not designated this rule as "significant" within the meaning of E.O. 12866.

Executive Order 14192 – Unleashing Prosperity Through Deregulation

Since this rule was not deemed "significant" under Executive Order 12866, it is not subject to the provisions of Executive Order 14192.

Paperwork Reduction Act.

This rule does not impose or revise any reporting or recordkeeping requirements subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

List of Subjects in 22 CFR Part 171

Administrative practice and procedure, Freedom of information, Privacy.

Accordingly, for the reasons set forth in the preamble, the State Department amends 22 CFR part 171 as follows:

PART 171—PUBLIC ACCESS TO INFORMATION

1. The authority citation for part 171 continues to read as follows:

Authority: 22 U.S.C. 2651a; 5 U.S.C. 552, 552a; E.O. 12600 (52 FR 23781); Pub. L. 114-185; Pub. L. 95-521, 92 Stat. 1824 (codified as amended at 5 U.S.C. Ch. 131); 5 CFR part 2634.

2. In § 171.1 amend paragraph (b) by revising the definition of "Component" to read as follows:

§ 171.1 General provisions.

* * * * *

(b) * * *

Component means each separate bureau, office, division, commission, service, center, or administration within an agency that is responsible for processing FOIA or PA requests concerning records under their jurisdiction. The rules described in this regulation that apply to agencies also apply to components.

* * * * *

3. Revise § 171.2 to read as follows:

§ 171.2 Types of records maintained.

Most of the records maintained by the Department pertain to the formulation and execution of U.S. foreign policy. The Department also maintains certain records that pertain to individuals, such as applications for U.S. passports issued from March 1925 to present, applications for U.S. visas, records on consular assistance given abroad by U.S. Foreign Service posts to U.S. citizens and lawful permanent residents, and records on Department employees. Further information on the types of records maintained by the Department may be obtained by reviewing the Department's records disposition schedules, which are available on the Department's FOIA website at https://foia.state.gov/.

§ 171.3 [Amended]

4. Amend § 171.3(a) by removing the words "www.state.gov/privacy" and adding in their place "www.state.gov/system-of-records-notices-privacy-office".

5. Revise § 171.4 to read as follows:

§ 171.4 Requests for information—types and how made.

(a) *General information.* (1) Prior to filing a request for records, please determine if the information you are seeking is already available on the Department's website (www.state.gov) or the FOIA Library (https://foia.state.gov/FOIALIBRARY/FOIALIB2.aspx).

(2) Requests for records made in accordance with this part must be made in writing via the Department's FOIA website (https://foia.state.gov/), the National FOIA Portal (www.foia.gov), or by mail to the component address as listed on the Department's FOIA website. A request will receive the quickest possible response if it is addressed to the FOIA office of the component that maintains the records sought. A list of the Department's components that accept FOIA requests, including descriptions of the types of records maintained, as well as FOIA contact information can be found at https://foia.state.gov/.

(3) Requesters must provide contact information, such as their phone number, email address, and/or mailing address, to assist the Department in communicating with them and providing released records.

(4) Requests for records of the OIG must be made in writing via the National FOIA Portal (www.foia.gov), email, or mail. Guidance and contact information are available on the OIG's website at www.stateoig.gov/foiarequest.

(5) The requester should provide the specific citation to the authority under which he or she is requesting information (e.g., the FOIA, the PA, or Mandatory Declassification Review (MDR) under the current Executive Order on classification). This will facilitate the processing of the request.

(b) *Description of records sought.* Although no particular format is required, a request must reasonably describe the Department record(s) that the requester seeks. Requesters must

describe the records sought in sufficient detail to enable agency personnel to locate them with a reasonable amount of effort. To the extent possible, requesters should include specific information that may assist the Department in identifying the requested record(s), such as the bureau or office; date or timeframe; title or name of the custodian, author, or recipient; subject matter; case number; or file designation reference number. Requests for visa records should include the following information for the applicant and, if applicable, the petitioner: full name, as well as any aliases used; current address; email; and date and place of birth (including city, state, and country). Additional information describing the records sought will assist the Department in properly identifying the responsive records and in processing the request. If after receiving a request the Department determines that the request does not reasonably describe the records sought, the Department will inform the requester that the request is insufficient and shall inform the requester what additional information is needed or why the request is otherwise insufficient. If a request does not reasonably describe the records sought, the agency's response to the request may be delayed. Any records provided in response to a request will be provided in the form or format requested if a releasable form of the records is readily reproducible in that form or format. Before submitting their requests, requesters are encouraged to contact the component's FOIA contact or FOIA Public Liaison to discuss the records they seek and to receive assistance in describing the records or narrowing the scope of their request.

(c) *Privacy Act versus FOIA.* While the Department makes every effort to provide the greatest possible access to all requested records regardless of the statute(s) under which the information is requested, the following guidance is provided for the benefit of requesters:

(1) The Freedom of Information Act applies to requests for records concerning the general activities of government and of the Department in particular (see subpart B of this part).

(2) The Privacy Act applies to requests from U.S. citizens or lawful permanent residents for records about them that are maintained by the Department in a system of records retrievable by the individual's name or personal identifier (see subpart C of this part).

(3) Requests made by individuals for records about themselves under the Privacy Act of 1974, 5 U.S.C. 552a, are processed in accordance with the Department's Privacy Act regulations in subpart C, as well as under this subpart. Information in such records will be withheld only if it is exempt from access under both laws; if the information is exempt under only one of the laws, it will be released. Responsive records that are not maintained in a Privacy Act system of records are processed only under the FOIA.

(4) A requester who requests records about himself or herself must comply with the verification of identity requirements as set forth in § 171.22 of Subpart C (the Privacy Act Provisions) of this part in order for the request to be processed.

6. Revise § 171.5 to read as follows:

§ 171.5 Archival records.

The Department ordinarily transfers records designated as historically significant to the National Archives when they are 25 years old. Accordingly, requests for some Department records 25 years old or older should be submitted to the National Archives. More information about requesting such records can be found in NARA's FOIA Reference Guide (*https://www.archives.gov/foia/foia-guide#toc-iii-how-to-make-a-foia-request*). The Department's website, https://foia.state.gov/, has additional information regarding archival records.

7. Amend § 171.11 by:

a. In paragraph (a)(1) removing the words "Office of Information Programs and Services (A/GIS/IPS)" and adding in their place "Information Access Programs Directorate (A/SKS/IAP)";

b. Removing and reserving paragraphs (a)(2) and (3);

c. Revising paragraph (b); and

d. Revising last sentence of paragraph (d)(3).

The revisions read as follows:

§ 171.11 Processing requests.

* * * * *

(b) *Receipt of request.* The Department is in receipt of a request when the request is received by a component designated to receive FOIA requests (see § 171.4(a)(2)). At that time, the Department must send an acknowledgment letter to the requester that identifies the date of receipt of the request in the proper component, and the case tracking number. When one of these components determines that a request was misdirected within the Department, that office must promptly route the request to the proper component(s) within the Department.

* * * * *

(d) * * *

(3) * * * The release determination for the record that is the subject of such coordination will be conveyed to the requester by the component that originally received the request.

* * * * *

8. Amend § 171.12 by:

a. In paragraph (a):

i. Removing the first instance of the word “office” and adding in its place “component”;

ii. Removing the words “(A/GIS/IPS, OIG, or PPT)”;

iii. Removing the words “any of these three offices” and adding in their place “any component”.

b. In paragraph (b) removing the words “An intake office (A/GIS/IPS, OIG, or PPT)” in the second sentence and adding in their place “The component”;

c. Revising paragraph (d)(2);

d. In paragraph (d)(4) removing the words “office (whether A/GIS/IPS, OIG, or PPT)” and adding in their place the word “component”.

The revision reads as follows:

§ 171.12 Timing of responses to requests.

* * * * *

(d) * * *

(2) A request for expedited processing may be made at the time of the initial request for records or at any later time. When making a request for expedited processing of an administrative appeal, the request must be submitted to A/SKS/IAP, or OIG in the case of appeals of OIG decisions (see § 171.15). A Department component that receives a misdirected request for expedited processing must forward it promptly to the correct component responsible for receiving requests for its determination.

* * * * *

9. Amend § 171.13

a. In paragraph (e) by revising the second sentence;

b. In paragraph (g):

i. Removing the word "deleted" and adding in its place the word "withheld";

ii. Removing the word "deletion" and adding in its place the word "withholding"; and

c. In paragraph (h)(1) by removing the words "A/GIS/IPS or OIG" and adding in their place "The component".

The revision reads as follows:

§ 171.13 Responses to requests.

* * * * *

(e) * * * Adverse determinations, or denials of requests, include but are not limited to decisions that: the requested record is exempt from disclosure, in whole or in part; the request does not reasonably describe the records sought; the information requested is not a record subject to the FOIA; the requested record does not exist, cannot be located, or has been destroyed; or the requested record is not readily reproducible in the form or format sought by the requester. * * * * * * * * * *

10. Amend § 171.15 by revising paragraphs (a)(2), (3), (4), and (b)(1) it to read as follows:

§ 171.15 Administrative appeals.

(a) * * *

(2) To appeal any adverse determinations made by a component other than OIG, requesters must submit an administrative appeal to the A/SKS/IAP FOIA Appeals Office by email to FOIAAppeals@state.gov or by mail to the address listed on the Department's FOIA website.

(3) To appeal any adverse determinations made by OIG, requesters must submit an administrative appeal to OIG via email to foiaappeals@stateoig.gov or by mail to the address on OIG's FOIA website at www.stateoig.gov/foiaappeals. For those cases in which OIG and another component provided written denials to the requester, the requester may administratively appeal to both A/SKS/IAP and OIG, and each office will handle its respective portion of the appeal.

(4) To appeal any adverse determinations made by the FSGB, requesters must submit an administrative appeal to A/SKS/IAP using the methods listed above in paragraph (2). A/SKS/IAP will assign a tracking number to the appeal and forward it to the FSGB, which is an independent body, for adjudication.

(b) * * *

(1) The A/SKS/IAP/LA Director or designee will act on behalf of the Assistant Secretary for Administration on all appeals of A/SKS/IAP FOIA determinations under this section. Likewise, the General Counsel of OIG or his/her designee will act on behalf of the Inspector General on all appeals of OIG FOIA determinations under this section.

* * * * *

11. Revise and republish § 171.22 to read as follows:

§ 171.22 Request for access to records.

(a) *In general.* Requests for access to records under the PA must be made in writing to the FOIA component listed in § 171.4(a)(2). A request will receive the quickest possible response if it is addressed to the component that maintains the records sought. A list of the Department's

components that accept PA requests, as well as contact information, can be found at https://foia.state.gov/. Each component is responsible for acting on all PA requests for Department records as described in § 171.1(b).

(b) *Description of records sought.* Requests for access should describe the requested record(s) in sufficient detail to permit identification of the record(s). At a minimum, requests should include the individual's full name (including maiden name, if appropriate) and any other names used, current complete mailing address, and date and place of birth (city, state, and country). Helpful information includes the approximate time period of the record and the circumstances that give the individual reason to believe that the Department maintains a record under the individual's name or personal identifier, and, if known, the system of records in which the record is maintained. In certain instances, it may be necessary for the Department to request additional information from the requester, either to ensure a full search, or to ensure that a record retrieved does in fact pertain to the individual.

(c) *Verification of personal identity.* The Department will require reasonable identification of individuals requesting records about themselves under the PA's access provisions to ensure that records are only accessed by the proper persons. Requesters must state their full name, current address, citizenship or lawful permanent resident alien status, and date and place of birth (city, state, and country). The requester must include a statement verifying that he/she is the person requesting the records. The statement must be signed and dated within 6 months of the date of the request and be made under penalty of perjury pursuant to 28 U.S.C. 1746. The preferred methods for verification of identity are to certify under penalty of perjury in the request form on the Department's FOIA website (https://foia.state.gov/), the National FOIA Portal (www.foia.gov), or to submit a completed DS-4240-R, Request for Individual Access to Records Protected Under the Privacy Act (https://foia.state.gov/Request/forms/DS-4240-R.pdf). Forms created by other Federal agencies will not be accepted. If the requester seeks records under another name the requester has used, a statement, under penalty of perjury, that the requester has

also used the other name must be included. In addition to the requirements in this paragraph (c) and paragraph (e) of this section, requesters seeking access to copies of the Passport Services' passport records must meet the requirements in paragraph (d) of this section. As an exercise of administrative discretion, the component can require a requester to supply additional information if necessary in order to verify that a particular individual has consented to disclosure.

(d) *Special requirements for passport records.* Given the sensitive nature of passport records and their use, requests seeking access to copies of passport records from Passport Services under the PA must include the full name at birth and any subsequent name changes of the individual whose records are being requested (if submitting the request on behalf of a minor, provide the representative's full name as well); the date and place of birth of the individual whose records are being requested; the requester's current mailing address; and, if available, daytime telephone number and email address; the date or estimated date the passport(s) was issued; the passport number of the person whose records are being sought, if known; and any other information that will help to locate the records. The requester must also include a clear copy of both sides of the requester's valid government-issued photo identification, e.g., a driver's license.

(e) *Authorized third party access.* The Department shall process all properly authorized third party requests, as described in this section, under the PA. In the absence of proper authorization from the individual to whom the records pertain, the Department will process third party requests under the FOIA. The preferred method for verification of identity is for the subject of the records being requested to certify under penalty of perjury in the request form on the Department's FOIA website (https://foia.state.gov/), the National FOIA Portal (www.foia.gov), or to submit a completed DS-4240-C, Consent for Disclosure of Records Protected Under the Privacy Act (https://foia.state.gov/Request/forms/DS-4240-C.pdf), authorizing release of the requested information to another person or entity. Forms created by other Federal agencies will not be accepted. Attorneys or other legal representatives requesting visa information on behalf

of a visa applicant should submit a statement with the request made under penalty of perjury pursuant to 28 U.S.C. 1746 by the applicant (and the petitioner if the records sought pertain to a petition) authorizing release of the requested visa information to the representative. Third party requesters seeking access to copies of the Passport Office's records must submit a clear copy of both sides of a valid government-issued photo identification (e.g., a driver's license) in addition to the other information described above. As an exercise of administrative discretion, the component can require a requester to supply additional information, if necessary, in order to verify that a particular individual has consented to disclosure.

(1) *Parents and guardians of minor children.* Upon presentation of acceptable documentation of the parental or guardian relationship, a parent or guardian of a U.S. citizen or LPR minor (an unmarried person under the age of 18) may, on behalf of the minor, request records under the PA pertaining to the minor. In any case, U.S. citizen or LPR minors may request such records on their own behalf. When making a request as the parent or guardian of a minor child, for access to records about that individual, a requester must establish:

(i) The identity of the individual who is the subject of the records, by stating the name, current address, date and place of birth;

(ii) The requester's own identity, as required in paragraph (c) of this section;

(iii) That the requester is the parent of that individual, which the requester may prove by providing a copy of the individual's birth certificate showing parentage, or by providing a court order establishing guardianship; and

(iv) That the requester is acting on behalf of that individual in making the request. A parent's right to access their minor child's record is not absolute.

(2) *Guardians of incompetent adults.* A guardian of an individual who has been declared by a court to be incompetent may act for and on behalf of the incompetent individual upon presentation of appropriate documentation of the guardian relationship. When making a request

as the guardian of someone determined by a court to be incompetent, for access to records about that individual, a requester must establish:

(i) The identity of the individual who is the subject of the records, by stating the name, current address, date and place of birth;

(ii) The requester's own identity, as required in paragraph (c) of this section;

(iii) That the requester is the guardian of that individual, which the requester may prove by providing a copy of a court order establishing guardianship; and

(iv) That the requester is acting on behalf of that individual in making the request.

(f) *Referrals and consultations.* If the Department determines that records retrieved as responsive to the request were created by another agency, it ordinarily will refer the records to the originating agency for direct response to the requester. If the Department determines that Department records retrieved as responsive to the request are of interest to another agency, it may consult with the other agency before responding to the request. The Department may make agreements with other agencies to eliminate the need for consultations or referrals for particular types of records.

(g) *Records relating to civil actions.* Nothing in this subpart entitles an individual to access any information compiled in reasonable anticipation of a civil action or proceeding.

(h) *Time limits.* The Department will acknowledge the request promptly and furnish the requested information as soon as possible thereafter.

12. Revise § 171.23(b) to read as follows:

§ 171.23 Request to amend or correct records.

* * * * *

(b) Requests to amend records must be in writing and submitted to A/SKS/IAP by email to FOIAAppeals@state.gov or by mail to the address listed on the Department's FOIA website. Requests to amend OIG records must be made in writing and submitted to OIG by email or mail to the address provided on OIG's website (https://www.stateoig.gov/freedom-information-act-

foia-0). To facilitate handling, the requester should mark both the letter and envelope, or subject line of the electronic transmission, "Privacy Act Amendment Request." A/SKS/IAP or OIG will coordinate the review of the request with the appropriate offices under its purview. The Department will require verification of personal identity as provided in § 171.22(c) before it will initiate action to amend a record. Amendment requests should contain, at a minimum, identifying information needed to locate the record in question, a description of the specific correction requested, and an explanation of why the existing record is not accurate, relevant, timely, or complete. The requester should submit as much pertinent documentation, other information, and explanation as possible to support the request for amendment.

* * * * *

§ 171.24 [Amended]

13. Amend § 171.24(a) by removing the words "A/GIS/IPS" in the last sentence and adding in their place "A/SKS/IAP".

14. Amend § 171.25 by revising paragraphs (b), (c), (d), (e), (g), and (h) introductory text to read as follows:

§ 171.25 Appeals from denials of PA amendment requests.

* * * * *

(b) To appeal any decisions made by a component other than OIG, requesters must submit an administrative appeal to the A/SKS/IAP FOIA Appeals Office by email to FOIAAppeals@state.gov or by mail to the address as listed on the Department's FOIA website. To facilitate handling, the requester should mark both the appeal letter and envelope, or subject line of the electronic transmission, "Privacy Act Appeal."

(c) For decisions made by OIG, requesters should submit their appeal to the OIG. The contact information for OIG is available at https://www.stateoig.gov/foia-appeals. To facilitate handling, the requester should mark both the appeal letter and envelope, or subject line of the electronic transmission, "Privacy Act Appeal."

(d) Appellants should submit an administrative appeal of any denial, in whole or in part, of a request for access to FSGB records under the PA to the A/SKS/IAP Appeals Office by email to FOIAAppeals@state.gov or by mail to address as listed on the Department's FOIA website. A/SKS/IAP will assign a tracking number to the appeal and forward it to the FSGB, which is an independent body, for adjudication.

(e) A/SKS/IAP, OIG, or FSGB will decide appeals from denials of PA amendment requests within 30 working days from the date when the appeal is received, unless an extension of that period for good cause shown is needed.

* * * * *

(g) If the decision is that a record shall be amended in accordance with the appellant's request, A/SKS/IAP, OIG, or FSGB shall direct the office under its purview that is responsible for the record to amend the record, advise all previous recipients of the record of the amendment and its substance (if an accounting of previous disclosures has been made), and so advise the individual in writing.

(h) If the decision is that the amendment request is denied, in addition to the notification required by paragraph (f) of this section, A/SKS/IAP, OIG, or FSGB shall advise the appellant:

* * * * *

15. Amend § 171.26 by revising table 1 to paragraph (a)(2)(iii) and paragraph (b) to read as follows:

§ 171.26 Exemptions.]

* * * * *

(a) ***

(2) ***

(iii) ***

Table 1 to Paragraph (a)(2)(iii)

Title	No.
Office of Inspector General Investigation Management System	STATE-53.
Risk Analysis and Management	STATE-78.
Security Records	STATE-36.

(b) *Specific exemptions.* Portions of the following systems of records are exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), and (4), (G), (H), and (I), and (f). The names of the systems correspond to those published in the Federal Register by the Department.

(1) *Exempt under 5 U.S.C. 552a(k)(1).* Records contained within the following systems of records are exempt under this section to the extent that they are subject to the provisions of 5 U.S.C. 552(b)(1).

Table 2 to Paragraph (b)(1)

Title	No.
Congressional Correspondence	STATE-43.
Congressional Travel Records	STATE-44.
Coordinator for the Combating of Terrorism Records	STATE-06.
Extradition Records	STATE-11.
Family Advocacy Case Records	STATE-75.
Foreign Assistance Inspection Records	STATE-48.
Human Resources Records	STATE-31.
Intelligence and Research Records	STATE-15.
International Organizations Records	STATE-17.

Table 2 to Paragraph (b)(1)

Title	No.
Legal Case Management Records	STATE-21.
Munitions Control Records	STATE-42.
Office of Inspector General Investigation Management System	STATE-53.
Overseas Citizens Services Records and Other Overseas Records	STATE-05.
Passport Records	STATE-26.
Personnel Payroll Records	STATE-30.
Records of Domestic Accounts Receivable	STATE-23.
Records of the Office of the Assistant Legal Adviser for International Claims and Investment Disputes	STATE-54.
Records of the Office of White House Liaison	STATE-34.
Refugee Records	STATE-59.
Risk Analysis and Management Records	STATE-78.
Rover Records	STATE-41.
Security Records	STATE-36.
Visa Records	STATE-39.

(2) *Exempt under 5 U.S.C. 552a(k)(2).* Records contained within the following systems of records are exempt under this section to the extent that they consist of investigatory material compiled for law enforcement purposes, subject to the limitations set forth in 5 U.S.C. 552a(k)(2).

Table 3 to Paragraph (b)(2)

Title	No.
Coordinator for the Combating of Terrorism Records	STATE-06.
Extradition Records	STATE-11.
Family Advocacy Case Records	STATE-75.
Foreign Assistance Inspection Records	STATE-48.
Garnishment of Wages Records	STATE-61.
Intelligence and Research Records	STATE-15.
Munitions Control Records	STATE-42.
Office of Foreign Missions Records	STATE-81.
Office of Inspector General Investigation Management System	STATE-53.
Overseas Citizens Services Records and Other Overseas Records	STATE-05.
Passport Records	STATE-26.
Risk Analysis and Management Records	STATE-78.
Security Records	STATE-36.
Visa Records	STATE-39.

(3) *Exempt under 5 U.S.C. 552a(k)(3).* Records contained within the following systems of records are exempt under this section to the extent that they are maintained in connection with providing protective services pursuant to 18 U.S.C. 3056.

Table 4 to Paragraph (b)(3)

Title	No.
Extradition Records	STATE-11.

Table 4 to Paragraph (b)(3)

Title	No.
Intelligence and Research Records	STATE-15.
Overseas Citizens Services Records and Other Overseas Records	STATE-05.
Passport Records	STATE-26.
Security Records	STATE-36.
Visa Records	STATE-39.

(4) *Exempt under 5 U.S.C. 552a(k)(4).* Records contained within the following systems of records are exempt under this section to the extent that they are required by statute to be maintained and are used solely as statistical records.

Table 5 to Paragraph (b)(4)

Title	No.
Foreign Service Institute Records	STATE-14.
Human Resources Records	STATE-31.
Overseas Citizens Services Records and Other Overseas Records	STATE-05.
Personnel Payroll Records	STATE-30.
Security Records	STATE-36.

(5) *Exempt under 5 U.S.C. 552a(k)(5).* Records contained within the following systems of records are exempt under this section to the extent that they consist of investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified

information, but only to the extent that disclosure of such material would reveal the identity of a confidential informant.

Table 6 to Paragraph (b)(5)

Title	No.
Foreign Assistance Inspection Records	STATE-48.
Foreign Service Grievance Board Records	STATE-13.
Human Resources Records	STATE-31.
Legal Adviser Attorney Employment Application Records	STATE-20.
Office of Inspector General Investigation Management System	STATE-53.
Overseas Citizens Services Records and Other Overseas Records	STATE-05.
Records Maintained by the Office of Civil Rights	STATE-09.
Records of the Office of White House Liaison	STATE-34.
Risk Analysis and Management Records	STATE-78.
Rover Records	STATE-41.
Security Records	STATE-36.
Senior Personnel Appointments Records	STATE-47.

(6) *Exempt under 5 U.S.C. 552a(k)(6).* Records contained within the following systems of records are exempt under this section to the extent that they consist of testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Table 7 to Paragraph (b)(6)

Title	No.
Foreign Service Institute Records	STATE-14.
Human Resources Records	STATE-31.
Records Maintained by the Office of Civil Rights	STATE-09.
Security Records	STATE-36.

(7) *Exempt under 5 U.S.C. 552a(k)(7).* Records contained within the following systems of records are exempt under this section to the extent that they consist of evaluation material used to determine potential for promotion in the armed services, but only to the extent that such disclosure would reveal the identity of a confidential informant.

Table 8 to Paragraph (b)(7)

Title	No.
Human Resources Records	STATE-31.
Overseas Citizens Services Records and Other Overseas Records	STATE-05.
Security Records	STATE-36.

Signing Authority

The Assistant Secretary for Administration, Jose Cunningham, reviewed and approved this document and has authorized the undersigned to electronically sign and submit this document to the Office of the Federal Register for publication.

Alice M. Kottmyer
Attorney-Adviser,
Office of the Legal Adviser,
U.S. Department of State.

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