



United States Department of State

Washington, D.C. 20520

www.state.gov

DEC 29 2004

Case No. 200303827

Segment L005

Mr. Amrit Singh
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004-2400

Dear Mr. Singh:

I refer to our previous correspondence regarding the release of certain Department of State material you had requested under the Freedom of Information Act (Title 5 USC Section 552) in your letters of October 7, 2003, and May 25, 2004.

An additional search of the Office of the Legal Adviser has been completed and resulted in the retrieval of 399 documents that appear responsive to your request. The documents have been grouped as Segment L005. Other searches also have been completed and as soon as the resulting segments have been reviewed, we will let you know.

After reviewing the documents of Segment L005, we have determined that 23 may be released in full, 12 may be released in part, and 256 may not be released. The released documents are enclosed.

Sixty-nine documents originated with other government agencies and have been referred to those agencies for review and direct reply to you. A decision on the remaining 39 documents requires interagency coordination. We will inform you when we receive the results of that coordination.

Material in the excised portions of seven of the documents released in part and in 158 of the documents withheld in full is currently and properly classified under Executive Order 12958 in the interest of national defense or foreign relations. As such, it is exempt from release under subsection (b)(1) of the Freedom of Information Act.

Material in the excised portions of one of the documents released in part is related solely to the internal personnel rules and practices of an agency. As such, it is exempt

from release under subsection (b) (2) of the Freedom of Information Act.

Information in the excised portion of one of the documents released in part and in 135 documents withheld in full is exempt from release under subsection (b) (5) of the Freedom of Information Act because it is protected by the deliberative process privilege, attorney client privilege, attorney work product privilege, and/or another privilege incorporated by subsection (b) (5).

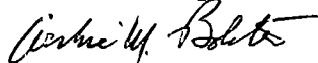
Material in the excised portions of five of the documents released in part is of such a nature that its release would constitute a clearly unwarranted invasion of personal privacy. As such, it is exempt from release under subsection (b) (6) of the Freedom of Information Act.

Material in the excised portions of one of the documents released in part is information compiled for law enforcement purposes which, if produced, could reasonably be expected to interfere with enforcement proceedings. As such, it is exempt from release under subsection (b) (7) (A) of the Freedom of Information Act.

Material in the excised portions of one of the documents released in part is information compiled for law enforcement purposes which, if produced, could reasonably be expected to constitute an unwarranted invasion of personal privacy. As such, it is exempt from release under subsection (b) (7) (C) of the Freedom of Information Act.

In some cases, two or more exemptions apply to the same document. In the case of a document released in part, all non-exempt material that is reasonably segregable from the exempt material has been released.

Sincerely,



MP

Margaret P. Grafeld

Director

Office of Information Programs
and Services

Enclosures: As stated.

DOS-000567