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ICRC

INTERNATIONAL COMMITTEE OF THE RED CROSS  
DELEGATION WASHINGTON

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RELEASED IN PART  
B1, 1.4(D)

1/16  
December 23, 2003

The Honorable William Howard Taft IV  
The Legal Adviser  
Department of State  
Washington DC 20520

Dear Will:

Enclosed is the ICRC Working Paper on our Fifth Visit to the internment facilities at Guantanamo Bay, Cuba August 18-October 10, 2003. The original has been sent to General Miller at Guantanamo, with copies to Chuck Allen, John Bellinger, and General Benjamin Mixon at SOUTHCOM.

As always, this Paper is strictly confidential and intended only for the authorities to whom it is presented. I hope it is useful and look forward to our future discussions.

With personal regards,

Yours sincerely,

Christophe Girod  
Head of Delegation

UNITED STATES DEPARTMENT OF STATE  
CLASSIFIED BY DEPT. OF STATE, L. R. LOHMAN, DAS, A/RPS  
REVIEW AUTHORITY: CHARLES L DARIS  
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(D)  
DECLASSIFY AFTER: 23 DEC 2013  
DATE/CASE ID: 22 DEC 2004 200303827

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**United States Department of State**

*Washington, D.C. 20520*

Case No. 200303827  
Segment L022

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

DEC 27 2004

Dear Mr. Singh:

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

We have retrieved 166 additional documents from the Office of the Legal Adviser that appear responsive to your request, and have grouped them as Segment L022. After reviewing these documents, we have determined that three may be released in full, three may be released with excisions, and 153 must be withheld in full. All released material is enclosed. Seven documents originated with other government agencies and have been referred to those agencies for review and direct reply to you.

Material in the excised portions of two of the documents released in part and in 45 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.


Information in the excised portions of one of the documents released in part and in 146 of the 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 in subsection (b)(5).

Material in the excised portions of one 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.

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.

The search of the other files has been completed, and we will let you know as the review of the various segments has been accomplished.

Sincerely,

  
Margaret P. Grafeld  
Director  
Office of Information Programs  
and Services

Enclosures:  
As stated.