



**United States Department of State**

*Washington, D.C. 20520*

Case No. 200303827 L23

DEC 28 2004

Mr. Amrit Singh  
American Civil Liberties Union Foundation  
125 Broad Street, 18<sup>th</sup> 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.

We have retrieved 106 additional documents from the Office of the Legal Advisor, which we have grouped as Segment L023. After reviewing the documents we retrieved, we have determined that 15 may be released in full, three may be released with excisions, and 28 may not be released. A decision on 15 documents requires interagency or intra-agency coordination. We will inform you when we receive the results of that coordination. Forty-five documents originated with other government agencies and have been referred to those agencies for review and direct reply to you.

Material in the three documents released in part and in 20 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 21 of the documents withheld in full and in one released in part 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).

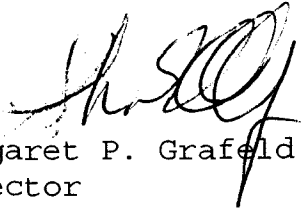
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In some cases, two or more exemptions may apply to the same document. In the case of a document released in part, all non-exempt material that is reasonably segregable from the exempt material is released.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Margaret P. Grafeld', written over the typed name.

Margaret P. Grafeld  
Director  
Office of Information Programs  
and Services

Enclosures:  
As stated.

DOS-001385