

**United States Department of State****Washington, D.C. 20520*****www.state.gov***

DEC 29 2004

Case No. 200303827

Segment L0034

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.

We have retrieved 107 additional documents from the Office of the Legal Adviser that appear responsive to your request, and have grouped them as Segment L0034. After reviewing these documents, we have determined that 13 may be released in full, eight may be released with excisions, and 73 must be withheld in full. All released material is enclosed. A decision on four documents requires interagency or intra-agency coordination. We will inform you when we receive the results of that coordination. Nine 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 three of the documents released in part and in 27 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 one of the documents withheld in full is specifically exempted from disclosure by statute, to wit, the Central Intelligence Agency Act of 1949 (Title 50 USC

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Section 403g). As such, it is exempt from release under subsection (b) (3) of the Freedom of Information Act.

Information in six of the documents released in part and in 71 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 by subsection (b) (5).

Material in four of the documents withheld in full 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 four of the documents withheld in full 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 four of the documents withheld in full 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.

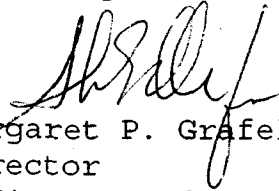
In some cases, two or more exemptions may apply to the same document. In the case of a document released in part, all

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non-exempt material that is reasonably segregable from the exempt material has been released.

Sincerely,



Margaret P. Grafeld
Director
Office of Information Programs
and Services

Enclosures:
As stated.

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