



**United States Department of State**

*Washington, D.C. 20520*

*www.state.gov*

DEC 29 2004

Case No. 200303827 L36

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 123 additional documents from the Office of the Legal Adviser that appear responsive to your request, and have grouped them as Segment L36. After reviewing these documents, we have determined that nine may be released in full, three may be released with excisions, and 103 must be withheld in full. All released material is enclosed. A decision on four documents requires interagency coordination; we will inform you when we receive the results of that coordination. Four documents originated with another government agency and have been referred to that agency for review and direct reply to you.

Material in the excised portions of the two documents released in part and in 29 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 100 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 the excised portions of one of the documents released in part and of one of the documents withheld in

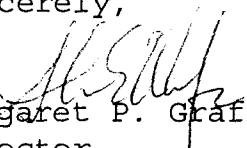
full is of such a nature that its release would constitute a clearly unwarranted invasion of personal privacy. As such, it is exempt from release under subsection (b)(6) of the Freedom of Information Act.

Material in the excised portions of one of the documents released in part and in 20 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 excised portions of one of the documents released in part and 20 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 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.

DOS-001731