



United States Department of State

Washington, D.C. 20520

www.state.gov

Case No. 200303827

Segment L039

Mr. Amrit Singh
American Civil Liberties Union Foundation
1235 Broad Street, 18th Floor
New York, NY 10004-2400

DEC 11 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 102 additional documents from the Office of the Legal Adviser that appear responsive to your request, and have grouped them as Segment L039. After reviewing these documents, we have determined that three may be released in full, four may be released with excisions, and 69 must be withheld in full. All released material is enclosed. Twenty-six documents originated with another government agency and have been referred to that agency for review and direct reply to you.

Material in 36 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 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 four documents released in part and in 64 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

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privilege, attorney client privilege, attorney work product privilege, and/or another privilege incorporated by subsection (b) (5).

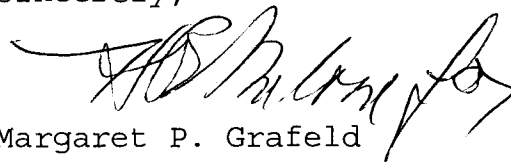
Material in three of the documents released in part and in 28 of the documents withheld in full is information compiled for law enforcement purposes which, if produced, could reasonably be expected to interfere with enforcement proceedings. As such, it is exempt from release under subsection (b) (7) (A) of the Freedom of Information Act.

Material in 14 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 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.

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