United States Department of State

Washington, D.C. 20520

September 21, 2018

Case No.: F-2016-17168
Segments: INR-00051C1
INR-00062C1
INR-0006C4
INR-00071C1

Ms. Scarlet Kim
Privacy International
62 Britton Street
London, Great Britain

Dear Ms. Kim:

I refer to our letter, dated June 27, 2018, regarding the release of certain Department of State material under the Freedom of Information Act (the “FOIA”), 5 U.S.C. § 552. Due to interagency consults, the Department’s processing of records potentially responsive to your request is ongoing. The Department has processed ten additional responsive documents. We have determined that two documents may be released in part and seven documents must be withheld in full. After further review, the document that was referred to the CIA for direct reply in our previous letter, dated March, 15, 2018, must be withheld in full and is part of this production. Additionally, since the last production one document was referred to the Department of Defense for direct reply to you and released in their 7/11/18 response before State had a chance to inform you of the direct reply.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on each document. In some cases, two or more exemptions may apply to the same document. All non-exempt material that is reasonably segregable from the exempt material has been released. The seven documents withheld in full were withheld pursuant to FOIA Exemptions 1, 3, and 5 U.S.C. §§ 552 (b)(1), (b)(3), and (b)(5).

We will keep you informed as your case progresses. We are currently aiming to resolve the remaining interagency consults by October 9. If you have any questions, you may contact Trial Attorney Marcia Sowles at marcia.sowles@usdoj.gov or (202) 514-4960. Please refer to the case number, F-2016-17168, and the civil action number, 17-cv-01324, in all correspondence about this case.

Sincerely,

[Signature]

Eric F. Stein, Director
Office of Information Programs and Services

Enclosures: As stated
The Freedom of Information Act (5 USC 552)

FOIA Exemptions

(b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:

1.4(a) Military plans, systems, or operations
1.4(b) Foreign government information
1.4(c) Intelligence activities, sources or methods, or cryptology
1.4(d) Foreign relations or foreign activities of the US, including confidential sources
1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
1.4(h) Weapons of mass destruction

(b)(2) Related solely to the internal personnel rules and practices of an agency

(b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

- ARMSEXP: Arms Export Control Act, 50a USC 2411(e)
- CIA PERS/ORG: Central Intelligence Agency Act of 1949, 50 USC 403(g)
- EXPORT CONTROL: Export Administration Act of 1979, 50 USC App. Sec. 2411(e)
- FS ACT: Foreign Service Act of 1980, 22 USC 4004
- INA: Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f)
- IRAN: Iran Claims Settlement Act, Public Law 99-99, Sec. 505

(b)(4) Trade secrets and confidential commercial or financial information

(b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product

(b)(6) Personal privacy information

(b)(7) Law enforcement information whose disclosure would:
   (A) Interfere with enforcement proceedings
   (B) Deprive a person of a fair trial
   (C) Constitute an unwarranted invasion of personal privacy
   (D) Disclose confidential sources
   (E) Disclose investigation techniques
   (F) Endanger life or physical safety of an individual

(b)(8) Prepared by or for a government agency regulating or supervising financial institutions

(b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

NR Material not responsive to a FOIA request excised with the agreement of the requester
SECRET

Department of State

ACTION: INSC-02
INFO: LOG-01 ADS-00 CCO-00 000 W
O: 311714Z JUL 98
FM: AMBASSADOR OTTAWA
TO: SECSTATE WASHDC IMMEDIATE 7984
SECRET OTTAWA 06300

SECRET OTTAWA 06300

Classification Extended on: 08/23/2018 ~ Class: SECRET ~ Authority: DSCG 11-1 ~ Declassify on: 08/23/3028

SECRET ENTIRE TEXT

2. EMBASSY AMBASSADOR, ACTING DCM, [REDACTED], ACTING LEGATT, AND ACTING POL MINISTER-COUNSELOR HAS FURTHER

6. WE RECOGNIZE THAT THIS RECOMMENDATION IS SOMEWHAT DIFFERENT FROM THAT CONTAINED IN REF C.

REVIEW AUTHORITY: Charles Lahiguera, Senior Reviewer

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