



**United States Department of State**

*Washington, D.C. 20520*

October 6, 2023

Case No. FL-2023-00048

Shaiba Rather  
American Civil Liberties Union Foundation  
125 Broad Street, 18<sup>th</sup> Floor  
New York, NY 10004

Dear Ms. Rather:

As we noted in our letter dated August 10, 2023, we are processing your request for material under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department of State (“Department”) has identified an additional 11 responsive records subject to the FOIA. We have determined eight records must be withheld in their entirety and three records originated with another U.S. Government agency. We have referred the latter three records to the relevant agency with a request to respond to you directly upon making a release determination.

An enclosure explains the FOIA exemptions and other grounds for withholding material. The records withheld in full are exempt from release pursuant to FOIA Exemptions 1, 5, and 6, 5 U.S.C. §§ 552(b)(1), (b)(5), and (b)(6). The document identification numbers for the records withheld in full are: B-00002592686, B-00002592684, B-0000259259, B-00002592544, B-00002592542, B-00002592832, B-00002592530, and B-00002592526. Where applicable, the Department has considered the foreseeable harm standard when reviewing these records and applying FOIA exemptions.

This concludes the processing of your request. If you have any questions, your attorney may contact Stephen Elliott, Attorney, at [Stephen.M.Elliott@usdoj.gov](mailto:Stephen.M.Elliott@usdoj.gov). Please refer to the case number, FL-2023-00048, and the civil action number, 23-cv-00644, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink, appearing to read 'Diamonece Hickson', with a stylized flourish at the end.

Diamonece Hickson  
Chief, Litigation and Appeals Branch  
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(c)
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(c)
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

Withheld pursuant to exemption

(b)(1)

Withheld pursuant to exemption

(b)(1); (b)(5)

Withheld pursuant to exemption

(b)(1); (b)(5)

Withheld pursuant to exemption

(b)(1)

Withheld pursuant to exemption

(b)(1); (b)(5)



Withheld pursuant to exemption

(b)(1); (b)(5)

Withheld pursuant to exemption

(b)(1)

Withheld pursuant to exemption

(b)(1); (b)(5); (b)(6)