



United States Department of State

Washington, D.C. 20520

Case No. 200303827
Segment SA001

DEC 21 2004

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.

The search of the records of the Bureau of South Asian Affairs has now been completed, resulting in the retrieval of 269 documents that are responsive to your request. We have grouped those documents as Segment SA001.

After reviewing the documents of Segment SA001, we have determined that 34 may be released in full, 10 may be released with excisions, and 151 must be withheld in full. The released documents are enclosed. A decision on 22 documents requires interagency coordination; we will notify you of the results of that coordination when it has been completed. Fifty-two 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 four of the documents released in part and in 85 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.

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

Information in 137 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 five of the documents released in part and in 56 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 four of the documents released in part and in 71 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 six of the documents released in part and in 77 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 in 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.