



United States Department of State

Washington, D.C. 20520

MAY 9 2005

Case No. 200303827 L40

Ms. Amrit Singh  
American Civil Liberties Union Foundation  
125 Broad Street, 18<sup>th</sup> Floor  
New York, NY 10004-2400

Dear Ms. Singh:

I refer to our letter dated December 28, 2004, regarding the release of certain Department of State material under the Freedom of Information Act (Title 5 USC Section 552).

As you may recall, further coordination was required before a decision could be made as to the release of five of the documents previously retrieved in response to the L40 segment of your request. The coordination has now been completed for two of them and we find that one may be released and one may not be released. The released document is enclosed. We will inform you when we receive the results of the coordination on the other three documents.

The material in the document 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.

The information in the document 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).

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.

Sincerely,



*for*

Margaret P. Grafeld  
Director  
Office of Information Programs  
and Services

Enclosures:  
As stated.