



United States Department of State

Washington, D.C. 20520

April 16, 2018

Case No.: F-2016-17168
Segments: INR-0006C1
INR-0006C2
INR-7IC1C2IC1

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

Dear Ms. Kim:

I refer to our letter, dated March 15, 2018, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department's processing of records potentially responsive to your request is ongoing and has yielded three responsive documents. We have determined that one document may be released in part and two must be withheld in full. All released material is enclosed.

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 Department withheld the two documents in full under FOIA Exemptions 1, 3, 6, 7(D), and 7(E), 5 U.S.C. §§ 552 1.4(d), 1.4(b), 1.4(c), (b)(3), (b)(6), (b)(7)(D), and (b)(7)(E).

We will keep you informed as your case progresses. 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,

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(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

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OUTGOING TELEGRAM

Department of State

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5. IN SUMMARY, DEPARTMENT IS RELUCTANT TO REFUSE LEGITIMATE CANADIAN REQUESTS THAT DO NOT ENTAIL UNACCEPTABLE RISK. HOWEVER, AFFIRMATIVE RESPONSE TO YOUR RECOMMENDATION REQUIRES REPLIES TO FOREGOING QUESTIONS THAT SATISFY CONSIDERATIONS OF LAW AND POLICY. EAGLEBURGER

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TAGS: P,INR, CA

B7(D)
B7(E)

SUBJECT: [REDACTED]
REF: [REDACTED]

B7(D)
B7(E)

1. ~~SECRET~~ - ENTIRE TEXT.

2. CANADIAN REQUESTS OUTLINED REFEELS RAISE A NUMBER OF SENSITIVE ISSUES. BEFORE MOVING FORWARD TO COORDINATE USG RESPONSE, DEPARTMENT WOULD APPRECIATE EMBASSY COMMENTS ON THE FOLLOWING QUESTIONS:

RELEASE IN PART
B5, B7(D), B7(E)

HAVE THE REQUESTS BEEN APPROPRIATELY COORDINATED AMONG SENIOR GOC POLICY OFFICIALS?

[REDACTED]

B7(D)
B7(E)

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[REDACTED]

B7(D)
B7(E)

REVIEW AUTHORITY: Charles Lahiguera, Senior Reviewer

[REDACTED]

B7(D)
B7(E)

Canada

B5

~~SECRET~~