**United States Department of State**

***Washington, D.C. 20520***

June 13, 2023

Case No. FL-2020-00022

Daniel McGrath
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005

Dear Mr. McGrath:

As we noted in our letter dated May 2, 2023, we are processing your request for material under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The Department of State has identified an additional eight responsive records subject to the FOIA. We have determined all eight records may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made redactions, the applicable FOIA exemptions are marked on each record. 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). Where applicable, the Department has considered the foreseeable harm standard when reviewing these records and applying FOIA exemptions. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

We will keep you informed as your case progresses. If you have any questions, your attorney may contact Trial Attorney Joshua Abbuh at Joshua.Abbuhl@usdoj.gov or at (202) 616-8366. Please refer to the case number, FL-2020-00022, and the civil action number, 19-cv-03387, in all correspondence about this request.

Sincerely,



Jeanne Miller
Chief, Programs and Policies Division
Office of Information Programs and Services

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

Orange B 21:21 66%

1 Gordon

FL-2020-00019 FL-2020-00044 B-00001908 UNCLASSIFIED 2022 6/13/2023

I do not know. (b)(1)

(b)(1)

(b)(1) (b)(1)

Classified Confidential for reason 1.4(d) by DAS, A/GIS on 5/26/2022: Declassify: February 6, 2045

Tue, May 14, 17:30

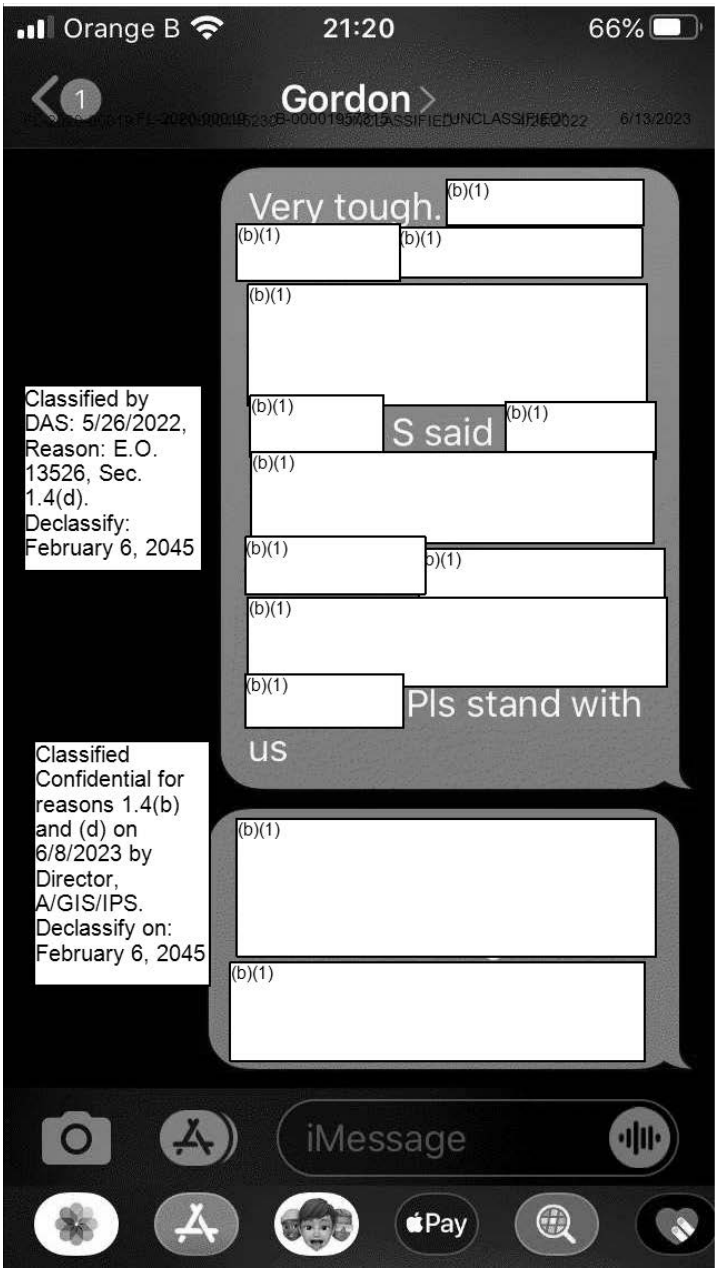


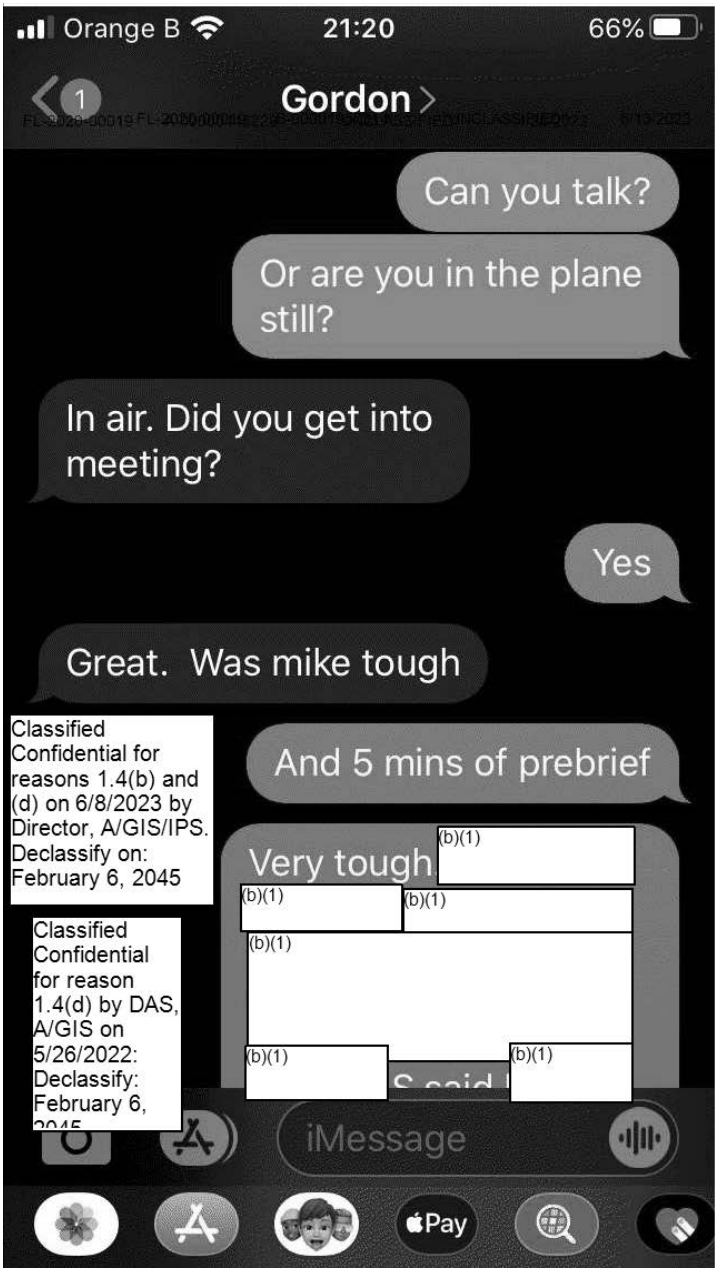
Classified Confidential for reasons 1.4(b) and (d) on 6/8/2023 by Director, A/GIS/IPS. Declassify on: February 6, 2045

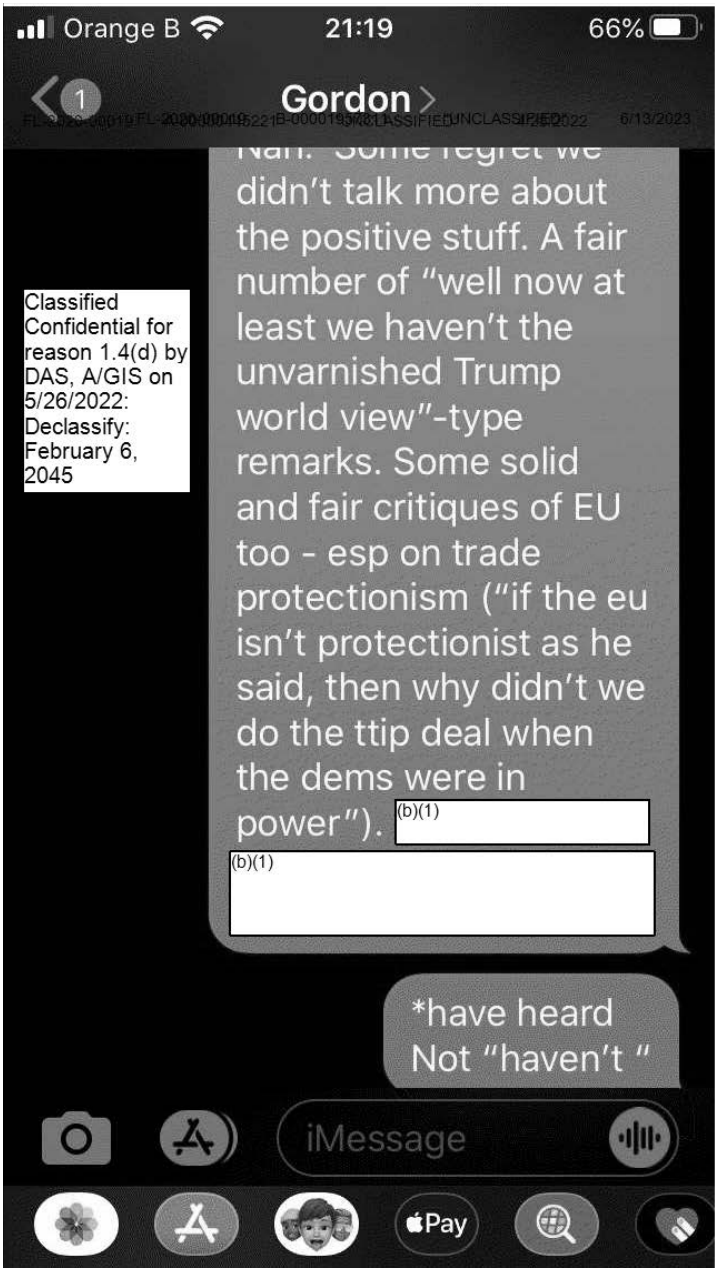
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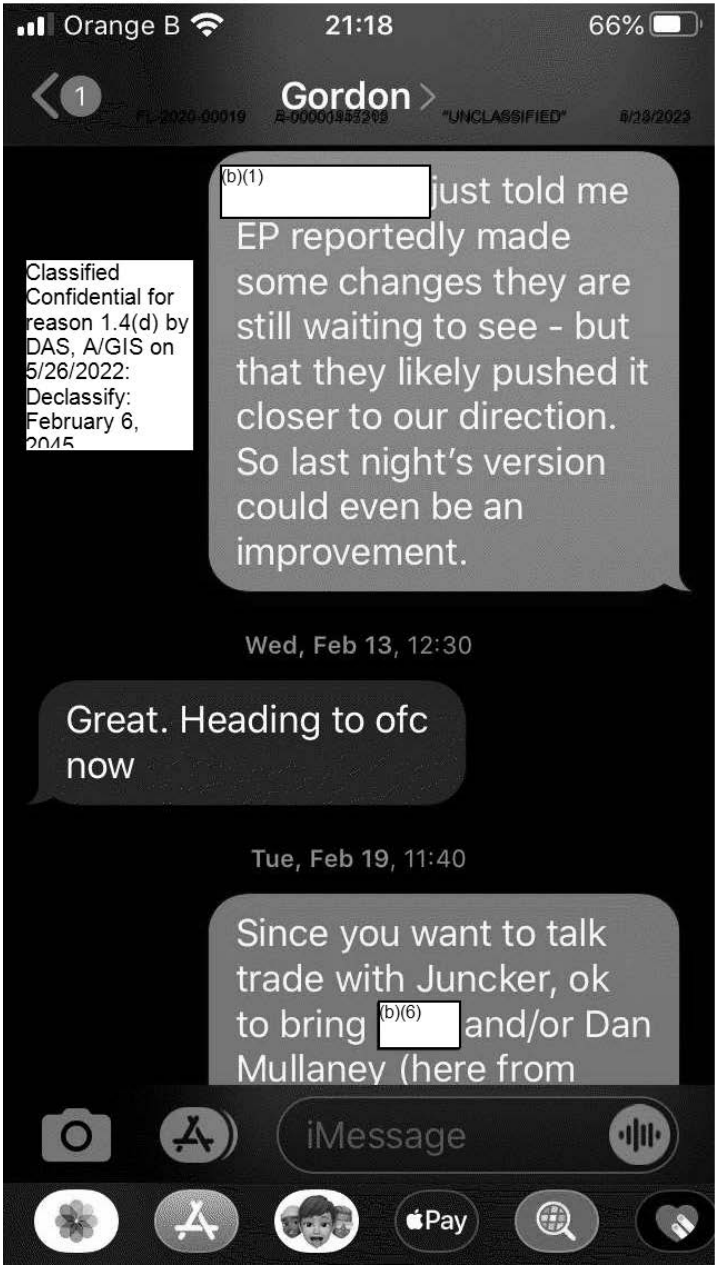

Orange B
21:20
66%
1
Gordon
6/13/2023
Hitting tankers aint no human rights sin
S shared
(b)(5)
(b)(5)
But it's good he did it. Clear and forceful
Classified Confidential for reason 1.4(d) on 6/8/2023 by Director, A/GIS/IPS. Declassify on: February 6, 2045
(b)(1)
Classified Confidential for reason 1.4(d) by DAS, A/GIS on 5/26/2022: Declassify: February 6, 2045
(b)(1); (b)(5)
iMessage
Pay

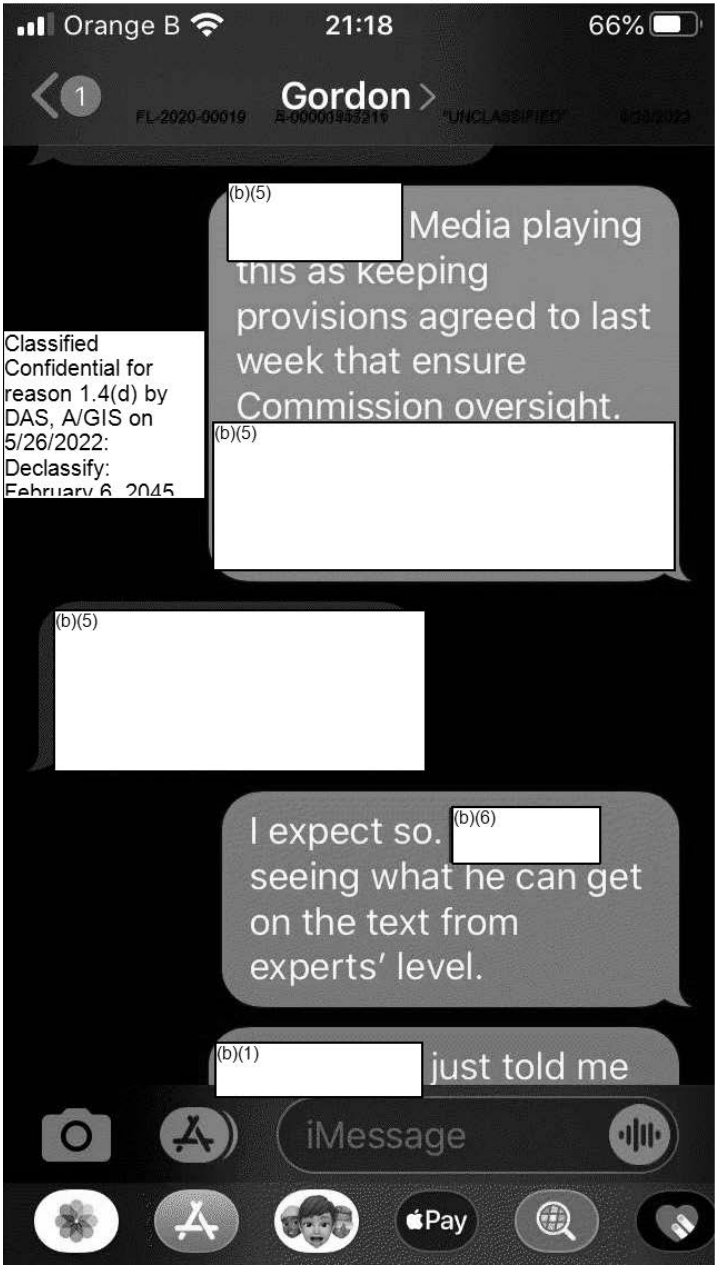

Orange B
21:20
66%
1
Gordon
6/13/2023
Very tough.
(b)(1)
S said
Pls stand with us
Classified by DAS: 5/26/2022, Reason: E.O. 13526, Sec. 1.4(d). Declassify: February 6, 2045
Classified Confidential for reasons 1.4(b) and (d) on 6/8/2023 by Director, A/GIS/IPS. Declassify on: February 6, 2045
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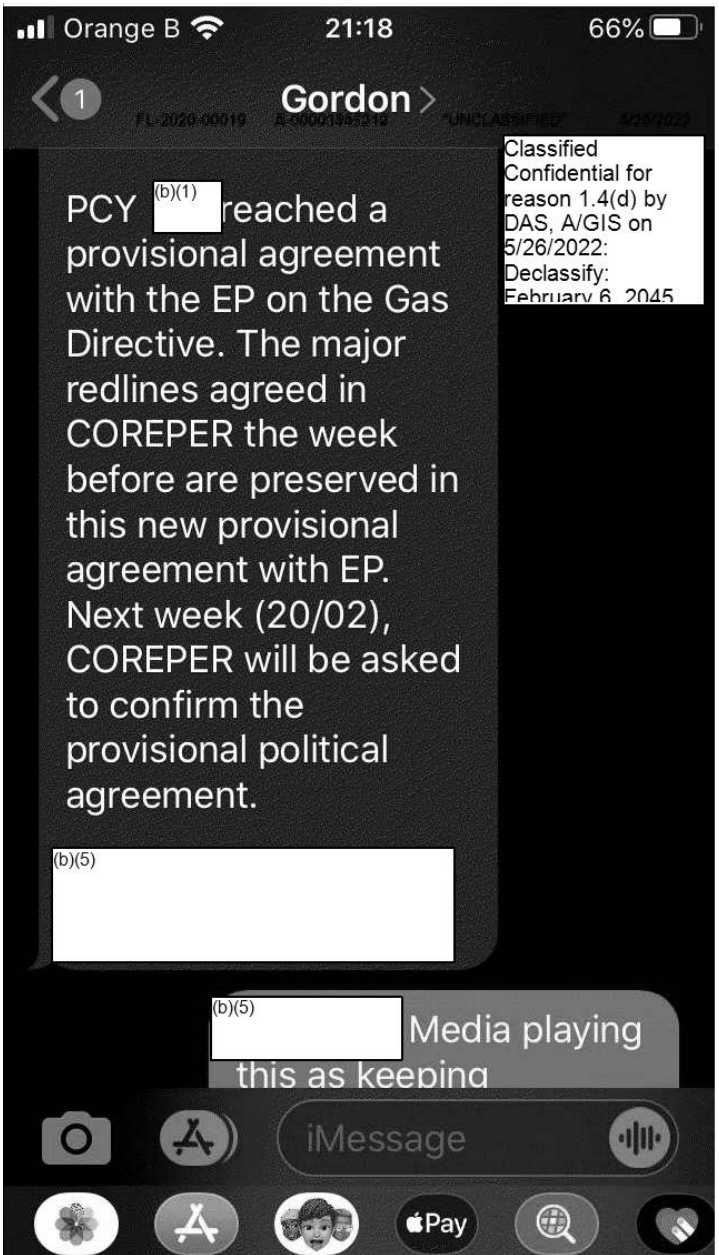

Orange B
21:20
66%
1
Gordon
Can you talk?
Or are you in the plane still?
In air. Did you get into meeting?
Yes
Great. Was mike tough
Classified Confidential for reasons 1.4(b) and (d) on 6/8/2023 by Director, A/GIS/IPS. Declassify on: February 6, 2045
And 5 mins of prebrief
Very tough
(b)(1)
(b)(1)
(b)(1)
(b)(1)
(b)(1)
Classified Confidential for reason 1.4(d) by DAS, A/GIS on 5/26/2022: Declassify: February 6,
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Classified Confidential for reason 1.4(d) by DAS, A/GIS on 5/26/2022: Declassify: February 6, 2045


Orange B
21:18
66%
1
Gordon
FL-2020-00019
A-00000443209
"UNCLASSIFIED"
6/13/2023
(b)(1)
just told me EP reportedly made some changes they are still waiting to see - but that they likely pushed it closer to our direction. So last night's version could even be an improvement.
Classified Confidential for reason 1.4(d) by DAS, A/GIS on 5/26/2022: Declassify: February 6, 2045
Wed, Feb 13, 12:30
Great. Heading to ofc now
Tue, Feb 19, 11:40
Since you want to talk trade with Juncker, ok to bring (b)(6) and/or Dan Mullaney (here from
iMessage
Pay


Orange B
21:18
66%
1
Gordon
FL-2020-00019
"UNCLASSIFIED"
(b)(5)
Media playing this as keeping provisions agreed to last week that ensure Commission oversight.
Classified Confidential for reason 1.4(d) by DAS, A/GIS on 5/26/2022: Declassify: February 6, 2045
(b)(5)
(b)(5)
I expect so.
(b)(6)
seeing what he can get on the text from experts' level.
(b)(1)
just told me
iMessage
Pay


Orange B
21:18
66%
1
Gordon
FL-2020-00019 A-00001943313 "UNCLASSIFIED" 4/28/2023
Classified Confidential for reason 1.4(d) by DAS, A/GIS on 5/26/2022: Declassify: February 6, 2045
PCY (b)(1) reached a provisional agreement with the EP on the Gas Directive. The major redlines agreed in COREPER the week before are preserved in this new provisional agreement with EP. Next week (20/02), COREPER will be asked to confirm the provisional political agreement.
(b)(5)
(b)(5) Media playing this as keeping
iMessage
Pay