



United States Department of State

Washington, D.C. 20520

September 16, 2020

Case No.: FL-2020-00043

Melanie Sloan
American Oversight
1030 15th Street NW, B255
Washington, DC 20005

Dear Ms. Sloan:

As we noted in our letter dated August 14, 2020, we are processing your request for material under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The Department has identified two additional responsive records subject to the FOIA. We have determined one record may be released in part, and one record must be withheld in its entirety.

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 document. The record withheld in full is exempt from release pursuant to FOIA Exemption 5, 5 U.S.C. § 552(b)(5). 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 questions, you may contact Trial Attorney Indraneel Sur, Trial Attorney at Indraneel.Sur@usdoj.gov, or by phone at (202) 616-8488. Please refer to the case number, F-2020-00472/FL-2020-00043, and the civil action number, 20-cv-322, in all correspondence about this case.

Sincerely,

Susan C. Weetman
Deputy Director
Office of Information Programs and Services

Enclosure: 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

From: (b)(6)
Sent: Fri, 30 Aug 2019 17:37:32 +0000
To: Sondland, Gordon D (USEU)
Cc: Libby, Mark W (USEU) (b)(6)
(b)(6)
Subject: Warsaw Update

Ambassador,

It looks like everything is coming together as expected. Your control officer (b)(6) (copied) latest information, (b)(5) is that you are in the official delegation and all of the same events as before (official ceremony, bilateral meeting with Ukraine, and VVIP dinner; Slovenia and Baltic bilats have dropped). (b)(6)
(b)(5) Based on Lisa's last email, I expect that to be forthcoming imminently.

FAIR WARNING: Monday is problematic. The Duda welcome ceremony and bilat run time will likely exceed the drop-dead for when you need to head to the airport. (b)(6) are working options, but you may have to skip that meeting in order to get back here in time for your dinner (18:20 wheels down; 19:30 meal).

The traveling party will be using 2 C-32's (Boeing 757s) to get to Warsaw. You have a confirmed seat on the support plane – and will be seated in the 8-person senior staff cabin (generous recline, biz class equivalent). OVP Ops advises business casual/business professional for check-in, but most change into casual attire during the flight, and business for arrival. Rosie will follow up with further details.

(b)(6)
Chief of Staff
U.S. Mission to the European Union
(b)(6)

SBU