UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

JACQUELINE STEVENS,)	
Plaintiff,))	
)	No. 17 C 2494
V.)	
)	Judge Lee
U.S. DEPARTMENT OF STATE,)	
)	
Defendar	nt.)	

L.R. 56.1 STATEMENT OF MATERIAL FACTS IN SUPPORT OF THE DEPARTMENT'S MOTION FOR SUMMARY JUDGMENT

The United States Department of State, by John R. Lausch, Jr., United States Attorney for the Northern District of Illinois, submits the following statement of material facts as to which there is no genuine issue pursuant to Local Rule 56.1 of the United States District Court for the Northern District of Illinois.

Jurisdiction and Venue

1. This is an action brought under the Freedom of Information Act (FOIA), and the court has subject matter jurisdiction under 5 U.S.C. § 552 and 28 U.S.C. § 1331. Dkt. 12 (Answer) ¶ 3.

2. Venue is proper in this district because plaintiff Jacqueline Stevens resides in this district. *Id.* \P 4.

Parties

3. Plaintiff Jacqueline Stevens is a professor at Northwestern University. *Id.* ¶ 5.

4. The United States Department of State is an executive agency of the United States government. *Id.* \P 6.

Request F-2015-03180

5. Stevens submitted a FOIA request to the Department on February 11, 2015, seeking, from January 1, 2005, to present:

All State HQ and consular Qatar materials in all systems [sic.] records and elsewhere referencing Northwestern University's Qatar campus. Material requested includes but is not limited to memorandums, cables or e-mails, notes, reports, correspondence with other agencies, members of Congress (or staff), and private firms or individuals.

Ex. A (Stein Dec.) \P 5.

6. On February 12, 2015, the Department responded by letter acknowledging receipt of Stevens's FOIA request and assigning control number F-2015-03180 to the request. *Id.* \P 6.

7. The Department determined that the following records systems and offices were reasonably likely to have documents responsive to Request F-2015-03180: the State Archiving System, the Retired Records Inventory Management System, the U.S. Embassy in Doha, the Bureau of Diplomatic Security, the Bureau of Near Eastern Affairs, the Bureau of International Information Programs, the Policy Planning Staff, and the Office of the Undersecretary for Management. *Id.* ¶ 15.

8. A Department specialist knowledgeable of both the request and the State Archiving System searched for documents containing the term "Northwestern" and retrieved 25 responsive documents. *Id.* ¶ 17. The State Archiving system provides the ability to query over 40 million records through a single interface, including cables, diplomatic notes, and official correspondence. *Id.* ¶ 16.

9. A Department specialist knowledgeable of both the request and the Retired Record Inventory Management System conducted a search of the system using the term "Northwestern" and identified no responsive records. *Id.* ¶ 19.

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10. An officer knowledgeable of both the request and the records system of the U.S. Embassy in Doha, Qatar, searched certain locations within the Embassy for documents containing the term "Northwestern" and retrieved 396 responsive documents. *Id.* ¶ 21. The Department later conducted a supplemental search of the records of former Doha Ambassador Dana Smith and made two productions of responsive documents on March 5 and April 5, 2019. *Id.* ¶ 9, 22.

11. A Bureau of Diplomatic Security analyst knowledgeable of both the request and the relevant record systems searched certain locations in the Overseas Security Advisory Council within the Threat Investigations and Analysis Directorate and Policy and Planning Division within the Office of Management for documents containing the terms "Northwestern" or "University" and identified no responsive records. *Id.* ¶¶ 23-26.

12. An adviser in the Bureau of Near Eastern Affairs knowledgeable of both the request and the relevant records systems searched certain locations in the Bureau's Office of Arabian Peninsula Affairs for documents containing the term "Northwestern University" and found no responsive records. *Id.* ¶¶ 27-28.

13. An adviser in the Bureau of International Information Programs knowledgeable of both the request and the relevant records systems searched certain locations within the Bureau for documents containing the term "Northwestern University" and identified no responsive records. *Id.* ¶ 29. Additionally, the Bureau's Director of the Office of the U.S. Speaker Program, who was knowledgeable of both the request and the U.S. Speaker Program's records system, searched certain locations within that office for documents containing the terms "Qatar," "Doha," "Northwestern," "Film," or "Richard Pena" and found no responsive records. *Id.* ¶ 30.

14. A Policy Planning Staff employee knowledgeable of both the request and the relevant records systems searched certain locations within that office for documents containing the

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terms "Northwestern," "University," "Campus," "Qatar," or "Doha," and found no responsive records. *Id.* ¶¶ 31-33.

15. The Undersecretary for Management, who was knowledgeable of both the request and the relevant records systems, searched certain locations within his office for documents containing the term "Northwestern" and found no responsive records. *Id.* ¶¶ 34-35.

16. The Department determined that the following offices and bureaus were not reasonably likely to maintain records responsive to Request F-2015-03180 because the topics of the request were not within the scope of their work: the Policy, Planning, and Resources Office of the Office of the Undersecretary for Public Diplomacy; the Office of the Chief of Protocol; the Bureau of Intelligence and Research; the Office of Overseas Schools in the Bureau of Administration; the Office of Languages Services in the Bureau of Administration; the White House Liaison's Office (which reports to the Office of the Undersecretary for Management); the Office of Management Policy, Rightsizing, and Innovation (same); the Bureau of Budget and Planning (same); the Bureau of the Comptroller and Global Financial Services (same); and the Bureau of Educational and Cultural Affairs. *Id.* ¶ 36. (The Department's March 23, 2016 letter to Stevens said that the Department had conducted searches of the Bureau of Budget and Planning, the Bureau of Educational and Cultural Affairs, and the Office of the Comptroller and Global Financial Services, but in fact those offices had confirmed that they were not reasonably likely to have responsive records. *Id.* ¶ 36 n.6.)

17. Before Stevens filed this lawsuit, the Department made two productions of responsive documents, by letters dated March 23, 2016, and June 13, 2016. *Id.* ¶ 6. Additionally, the Department referred one document to the Defense Intelligence Agency (DIA) for direct reply to Stevens. Ex. B (Williams Dec.) ¶ 4. DIA responded to Stevens on June 28, 2017, denying in

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full the release of that document. *Id.*. DIA operates under guidance from the Director of National Intelligence. *Id.* ¶ 17. The Department also referred one document to the Department of Treasury, which released the document in full on April 12, 2019. Ex. A (Stein Dec.) ¶ 9.

18. In August 2017, the Department told Stevens that its searches for documents responsive to Request F-2015-03180 had located a large number of potentially responsive documents. Ex. A (Stein Dec.) ¶7. The parties agreed that the Department could reduce the number of documents needed to be processed by using keywords to narrow the results of the searches. *Id.*

19. The Department made ten productions of responsive documents after Stevens filed the complaint, by letters dated June 9, 2017; July 7, 2017; August 7, 2017; September 6, 2017; October 5, 2017; November 6, 2017; December 5, 2017; January 4, 2018; February 5, 2018; May 17, 2018; March 5, 2019; and April 5, 2019. *Id.* ¶¶ 8-9.

Request F-2015-03181

20. Stevens submitted a second FOIA request to the Department on February 11, 2015, seeking policy and planning materials relating to establishing American universities abroad. Ex. A (Stein Dec.) ¶ 10. The Department assigned control number F-2015-03181 to the request. *Id.*

21. After Stevens filed this lawsuit, she agreed to narrow the request to read:

[A]ll *policy and planning materials* pertaining to *establishing U.S. university campuses in Qatar, Abu Dhabi, South Korea, China, and Singapore.

Id. The timeframe of the request was 2003 to present. Id.

22. The Department determined that the following records systems and offices were reasonably likely to have documents responsive to Request F-2015-03181: the State Archiving System, the Retired Records Inventory Management System, the Bureau of Diplomatic Security, the U.S. Embassy in Doha, the U.S. Embassy in Abu Dhabi, the U.S. Embassy in Beijing, the U.S.

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Consulate in Shanghai, the U.S. Embassy in Seoul, the U.S. Embassy in Singapore, the Bureau of East Asian and Pacific Affairs, and the Bureau of Near Eastern Affairs. *Id.* ¶ 15.

23. A Department specialist knowledgeable of both the request and the State Archiving System searched for documents containing any of the following terms and found no responsive records:

- "Abu Dhabi" and "University"
- "New York University"
- "University" and "Singapore"
- "Wharton"
- "University of Chicago"
- "Stanford"
- "Georgia Tech"
- "Johns Hopkins"
- "MIT"
- "Duke"
- "Qatar" and "University"
- "Weill"
- "Cornell Medical College"
- "Texas A&M"
- "Carnegie Mellon University"
- "Georgetown"
- "Education City" and "Qatar"
- "Northwestern"
- "SUNY Korea"
- "George Mason Korea"
- "University of Utah" within 2 words of ("w/2") "Asia"
- "Wenzhou-Kean"
- "Duke" w/2 "Kunshan"
- "NYU-Shanghai"
- "New York University" w/2 "Shanghai"
- "Hopkins" w/2 "Nanjing"
- "University of Chicago" w/2 "Shanghai"
- "Savannah College" w/2 "Hong Kong"

Id. ¶¶ 37-38.

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24. A Department specialist knowledgeable of both the request and the Retired Records

Inventory Management System conducted a search of the system using the following terms and

found no responsive records:

- "Abu Dhabi" and "University"
- "New York University"
- "University" and "Singapore"
- "Wharton"
- "University of Chicago"
- "Stanford"
- "Georgia Tech"
- "Johns Hopkins"
- "MIT"
- "Duke"
- "Qatar" and "University"
- "Weill"
- "Cornell Medical College"
- "Texas A&M"
- "Carnegie Mellon University"
- "Georgetown"
- "Education City" and "Qatar"
- "Northwestern"
- "SUNY Korea"
- "George Mason Korea"
- "University of Utah" and "Asia"
- "Wenzhou-Kean"
- "Duke" and "Kunshan"
- "NYU-Shanghai"
- "New York University" and "Shanghai"
- "Hopkins" and "Nanjing"
- "University of Chicago" and "Shanghai"
- "Savannah College" and "Hong Kong"

Id. ¶¶ 39-40.

25. A Bureau of Diplomatic Security analyst knowledgeable of both the request and the relevant records systems searched certain locations in the Policy and Planning Division within

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the Office of Management for documents containing the combination of terms ("University" or "College Campus Overseas") and ("Creation" or "Establishment" or "Setup" or "Assistance") and found no responsive records. *Id.* ¶¶ 41-43. An officer knowledgeable of the request and the relevant records systems also searched certain locations in the Overseas Security Advisory Council within the Threat Investigations and Analysis Directorate for documents containing the combination of terms ("Education City" or "Qatar Foundation" or "Abu Dhabi" or "Singapore") and ("University" or "College Campus") and found no responsive records. *Id.* That officer also searched for documents containing the terms "Assistance" or "University" and found no responsive records. *Id.*

26. An officer knowledgeable of both the request and the records system of the U.S. Embassy in Doha, Qatar, searched certain locations in the Embassy for documents containing the terms "Education City" or "Qatar Foundation" and found no responsive records. *Id.* ¶ 44.

27. An officer knowledgeable of both the request and the records system of the U.S. Embassy in Abu Dhabi, United Arab Emirates, searched certain locations in the Embassy for documents containing the terms "University," "U.S. University," "Branch Campus," "Education City," or "Campus," and found no responsive records. *Id.* ¶¶ 45-46.

28. An officer knowledgeable of both the request and the records system of the U.S. Embassy in Beijing, China, searched certain locations in the Embassy for documents containing any of the following terms and found no responsive records:

- "Kean University"
- "Wenzhou-Kean"
- "Duke University"
- "Duke-Kunshan"
- "NYU-Shanghai"
- "New York University"
- "Hopkins-Nanjing"

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- "University of Chicago"
- "Savannah College"

Id. ¶ 47.

29. Three Department employees knowledgeable of both the request and the records systems of the U.S. Consulate in Shanghai, China, searched certain locations in the Consulate for documents containing any of the following terms and found no responsive records:

- "Kean University"
- "Wenzhou-Kean"
- "Duke University"
- "Duke-Kunshan"
- "NYU-Shanghai"
- "New York University"
- "Hopkins-Nanjing"

Id. ¶ 48.

30. An officer knowledgeable of both the request and the records systems of the U.S. Embassy in Seoul, South Korea, searched certain locations in the Embassy for documents containing the terms "Songdo," "SUNY Korea," "George Mason Korea," or "Utah Asia" and found no responsive records. *Id.* ¶ 49.

31. An officer knowledgeable of both the request and the records systems of the U.S. Embassy in Singapore searched certain locations in the Embassy for documents containing the combination of terms ("College" or "University") and ("Establish" or "Assistance" or "Agreement") and "Campus" and "Singapore" and found no responsive records. *Id.* ¶ 50.

32. An officer knowledgeable of both the request and the records systems of the Office of Korean Affairs within the Bureau of East Asian and Pacific Affairs' searched certain locations within the Office for documents containing the term "University" and found no responsive records. *Id.* ¶¶ 51-52.

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33. An officer knowledgeable of both the request and the records systems of the Office of Maritime of Southeast Asia within the Bureau of East Asian and Pacific Affairs' searched certain locations within the Office for documents containing the term "University" and found no responsive records. *Id.* ¶ 53.

34. An officer knowledgeable of both the request and the records systems of the Office of Arabian Peninsula Affairs within the Bureau of Near Eastern Affairs' searched certain locations within the Office for documents containing the terms ("University" and "Abu Dhabi") or ("Campus" and "Abu Dhabi") and found no responsive records. *Id.* ¶ 54.

35. The Department also contacted the following offices and bureaus, who confirmed that they were not reasonably likely to maintain records responsive to the request because the topic of the request was not within the scope of their work: the Policy, Planning, and Resources Office of the Office of the Undersecretary for Public Diplomacy; the Office of the Chief of Protocol; the Bureau of Intelligence and Research; the Office of Overseas Schools in the Bureau of Administration; the Office of Language Services in the Bureau of Administration; the White House Liaison's Office (which reports to the Office of the Undersecretary for Management); the Bureau of Budget and Planning (same); the Bureau of Budget and Planning (same); the Bureau of Educational and Cultural Affairs; and the Office of Policy planning Staff in the Office of the Secretary. *Id.* ¶ 55.

36. On December 5, 2017, the Department informed Stevens by letter that it had completed its search and found no records responsive to the request. *Id.* \P 11.

Request F-2015-03575

37. Stevens submitted a third FOIA request to the Department on February 18, 2015, seeking documents maintained by either the U.S. Agency International Development (USAID)

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and its components or the Middle East Partnership Initiative (MEPI) and its components regarding government funds transferred to the Independent Center of Journalists, Northwestern University and its components, and the Center(s) for Journalism Excellence. *Id.* ¶ 12. The Department assigned control number F-2015-03575 to the request. *Id.*

- 38. After filing this lawsuit, Stevens agreed to narrow her request to read:
 - 1) All contracts, memoranda, reports, notes, email, documents/correspondence sent to and from USAID and any other material in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning U.S. Government funds transferred to the Independent Center of Journalists.
 - 2) All contracts, memoranda, reports, notes, email, documents/correspondence sent to and from USAID or any other material in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning Northwestern University and its components, including but not limited to the Medill School of Journalism.
 - 3) All contracts, memoranda, reports, notes, email, documents/correspondence set to and from USAID and any other material in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning Center(s) of Journalism Excellence.

Id.

39. The Department determined that the Retired Records Inventory Management

System and the Bureau of Near Eastern Affairs (in which MEPI is located) were reasonably likely

to have documents responsive to Request F-2015-03575. Id. ¶ 15.

40. A specialist with knowledge of both the request and the Retired Records Inventory

Management System conducted a search of the system using the terms, "MEPI," "Northwestern,"

"Medill," "Center for Journalism Excellence," or "Independent Center of Journalists," and found

no responsive records. Id. ¶ 56.

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41. A specialist knowledgeable of both the request and the records systems of the Office of Assistance Coordination within the Bureau of Near Eastern Affairs searched certain locations in the Office for documents containing the terms "Northwestern," "Medill," "Independent Center of Journalists," "Center of Journalism Excellence," "Center," or "Journalism" and retrieved 33 responsive documents. *Id.* ¶ 57-59.

42. The department produced responsive documents on June 9, 2017; July 7, 2017; January 4, 2018; and May 17, 2018. *Id.* ¶ 12.

FOIA Exemption 1 – Classified Information

43. The Department and DIA withheld information under Exemption 1, 5 U.S.C. § 522(b)(1). Ex. A (Stein Dec.) ¶¶ 60-74; Ex. B (Williams Dec.) ¶¶ 4-13. The Department and DIA have determined that the information withheld under Exemption 1: (a) continues to meet the classification criteria of Executive Order 13526, including information currently classified at the "Secret" and "Confidential" levels, because its unauthorized disclosure reasonably could be expected to cause damage or exceptionally grave damage to national security; (b) is classified as foreign government information; (c) concerns intelligence sources and methods; or (d) concerns confidential sources and sensitive aspects of U.S. foreign relations. *Id.*; *see also Vaughn* index (Ex. 1 to Stein Dec.).

FOIA Exemption 3 – Information Protected by Statute

44. The Department has withheld information under Exemption 3, 5 U.S.C. § 552(b)(3). Ex. A (Stein Dec.) ¶¶ 75-78. The Department has withheld information pertaining to the issuance or refusal of visas, because that information is protected from disclosure under Section 222(f) of the Immigration and Nationality Act, 8 U.S.C. § 1202(f). *Id.* The Department has also withheld information that pertains to the Defense Intelligence Agency's organizational

structure and function because that information is protected from disclosure by 10 U.S.C. § 424. *Id.*

45. Similarly, DIA has withheld information under Exemption 3, 5 U.S.C. § 552(b)(3). Ex. B (Williams Dec.) ¶¶ 14-17. DIA has withheld information about the agencies, countries, and organizations with which DIA shares intelligence information, because revealing that information would give insight into how DIA fulfills its intelligence-collection function and would reveal intelligence sources and methods. *Id.* DIA has also withheld phone numbers, email addresses, and office symbols, which individually and combined would shed light on its organizational structure and function. *Id.*

FOIA Exemption 4 – Business Information

46. The Department has withheld information under Exemption 4, 5 U.S.C. § 552(b)(4). Ex. A (Stein Dec.) ¶¶ 79-81. As detailed in the Department's *Vaughn* index, the Department has withheld commercial information that was voluntarily submitted by an individual to demonstrate the type of courses she could teach for an event held by the U.S. Embassy in Doha. *Id.* Due to the submission's voluntary nature, the Department found the information privileged and confidential within the meaning of Exemption 4 because the information would not customarily be disclosed to the public. *Id.*

FOIA Exemption 5 – Litigation Privileges

47. The Department has withheld information under Exemption 5's deliberativeprocess privilege, 5 U.S.C. § 552(b)(5). Ex. A (Stein Dec.) ¶¶ 82-85. As detailed in the Department's *Vaughn* index, the types of material the Department withheld under Exemption 5 includes drafts of official Department communications such as cables and PowerPoint presentations that contain the author's recommendations regarding what text and information the

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documents should include; internal Department discussions, recommendations, and opinions regarding potential agendas for people visiting Doha, Qatar; assessments and opinions by Department employees regarding whom to include on these agendas; and a briefing paper for a senior agency official that was drafted to inform and advise him on his approach to meeting with a foreign counterpart. *Id*.

FOIA Exemption 6 – Personal Privacy

48. The Department withheld information under Exemption 6, 5 U.S.C. § 552(b)(6). *Id.* ¶¶ 86-88. As detailed in the Department's *Vaughn* index, the Department found that a personal privacy interest exists in the withheld information, such as the names, résumés, job applications, immigration status, citizenship status, educational and work history, and email addresses of private individuals. *Id.* The Department also withheld information related to government employees, such as their contact information and their names if it would expose them to the risk of harassment. *Id.* The Department determined that there was no public interest in the information withheld under Exemption 6 because releasing the information would shed no light on the Government's operations and activities. *Id.* As a result, release of the withheld information would constitute an unwarranted invasion of privacy. *Id.*

Summary

49. The Department conducted a thorough search of all Department locations that were reasonably likely to contain records responsive to Stevens's FOIA requests. *Id.* ¶ 89.

50. For request F-2015-03180, the Department retrieved 502 responsive records. *Id.* Of those records, the Department released 128 in full, released 350 in part, and withheld 22 in full. *Id.* Additionally, one document sent for direct reply to the Defense Intelligence Agency was

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denied in full, and one document sent for direct reply to the Department of Treasury was released in full. *Id*.

51. For request F-2015-03181, the Department found no responsive records. *Id.*

52. For request F-2015-03575, the Department retrieved 33 responsive records. *Id.* Of those records, the Department released 29 in full, released 2 in part, and withheld 2 in full. *Id.*

53. The Department has carefully reviewed all of documents containing exempt information for reasonable segregation of non-exempt information and has implemented segregation where possible. For the documents withheld in full, the Department has determined that it cannot segregate meaningful information without disclosing information warranting protection under the law. *Id.* ¶ 90.

54. DIA has carefully reviewed the document it withheld line-by-line for reasonably segregable information and has determined that it cannot reasonably segregate portions of the document. Ex. B (Williams Dec.) \P 18.

Respectfully submitted,

JOHN R. LAUSCH, Jr. United States Attorney

By: s/ Alex Hartzler

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Exhibit A

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

JACQUELINE STEVENS,)
Plaintiff,)
v.) No. 17 C 2494
UNITED STATES DEPARTMENT OF) Judge Lee
STATE,)
Defendant.)

Pursuant to 28 U.S.C. § 1746, I, Eric F. Stein, declare and state as follows:

1. I am the Director of the Office of Information Programs and Services ("IPS") of the United States Department of State (the "Department") and have served in this capacity since January 22, 2017. Previously, I was the Acting Co-Director since March 21, 2016. I am the Department official immediately responsible for responding to requests for records under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552, the Privacy Act of 1974, 5 U.S.C. § 552a, and other applicable records access provisions. As the Director of IPS, I have original classification authority, and I am authorized to classify and declassify national security information. Prior to serving in this capacity, from April 2013, I worked directly for the Department's Deputy Assistant Secretary ("DAS") for Global Information Services ("GIS") and served as a senior advisor and deputy to the DAS on all issues related to GIS' offices and programs, which include IPS.

2. The core responsibilities of IPS include: (1) responding to records access requests made by the public (including under the FOIA, the Privacy Act, and the mandatory declassification review requirements of the Executive Order governing classified national

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security information), by members of Congress, by other government agencies, and those made pursuant to judicial process such as subpoenas, court orders and discovery requests; (2) records management; (3) privacy protection; (4) national security classification management and declassification review; (5) corporate records archives management; (6) research; (7) operation and management of the Department's library; and (8) technology applications that support these activities.

3. I am familiar with the efforts of Department personnel to process the subject requests, and I am in charge of coordinating the agency's search and recovery efforts with respect to those requests. I make the following statements based upon my personal knowledge, which in turn is based upon information furnished to me in the course of my official duties.

4. This declaration explains the Department's search for records responsive to Plaintiff's three FOIA requests and the FOIA exemptions applied in processing the responsive records produced to Plaintiff. Additionally, the Plaintiff in this matter provided the Department a list of withholdings in records responsive to her request that she is challenging. A *Vaughn* Index (Exhibit 1) provides a detailed description of that withheld information and the justifications for those withholdings.

I. <u>ADMINISTRATIVE PROCESSING OF PLAINTIFF'S REQUESTS</u>

Request F-2015-03180

5. Plaintiff submitted a FOIA request to the Department on February 11, 2015,

(Exhibit 2), seeking:

All State HQ and consular Qatar materials in all systems [sic.] records and elsewhere referencing Northwestern University's Qatar campus. Material requested includes but is not limited to memorandums, cables or e-mails, notes, reports, correspondence with other agencies, members of Congress (or staff), and private firms or individuals.

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The timeframe of the request was January 1, 2005, to present.

6. By letter dated February 12, 2015 (Exhibit 3), IPS acknowledged receipt of Plaintiff's FOIA Request and assigned it Case Control Number F-2015-03180. Before the Complaint in this matter was filed, the Department made two productions of responsive documents to Plaintiff by letters dated March 23, 2016, and June 13, 2016 (Exhibits 4-5). Additionally, one document was referred to the Defense Intelligence Agency for direct reply to Plaintiff. The Defense Intelligence Agency replied to Plaintiff on June 28, 2017, denying in full the release of that document.

7. After the Complaint in this matter was filed, the Department informed Plaintiff in August of 2017 that the Department's search for documents responsive to Request F-2015-03180 had located a large number of potentially responsive documents. The parties agreed that the Department could further narrow the results of these searches and reduce the number of documents that it must process in response to Plaintiff's request by applying certain keywords¹ to the initial search results.

8. After the Complaint was filed in this matter, the Department made ten initial productions of responsive documents to Plaintiff by letters dated June 9, 2017; July 7, 2017;

¹ These keywords included the following: "offset*," "contract*," "agreement*," "censor*," "Al Jazeera," "request for Proposal*," "intelligence," "boeing," "natural gas," "optics," "RFP," "sales," "weapons," "train*," "Bienen," "Dennis," "arrest," "jail," "image," "general dynamics," and "caterpillar."

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August 7, 2017; September 6, 2017; October 5, 2017; November 6, 2017; December 5, 2017²; January 4, 2018³; February 5, 2018; and May 17, 2018 (Exhibits 6-15).

9. The Department conducted a supplemental search for records potentially responsive to F-2015-03180, and made two productions of responsive documents to Plaintiff by letters dated March 5, 2019, and April 5, 2019 (Exhibits 25-26). One additional document was referred to the Department of Treasury for direct reply to Plaintiff, and Treasury released that document in full to Plaintiff on April 12, 2019. By letter dated May 3, 2019 (Exhibit 27), the Department released additional information that had been previously withheld in eight documents.

Request F-2015-03181

10. Plaintiff submitted another FOIA request to the Department on February 11, 2015

(Exhibit 16), seeking policy and planning materials pertaining to establishing U.S. universities

abroad. The Department assigned the request Case Control Number F-2015-03181 (Exhibit 17).

After Plaintiff filed her Complaint, she agreed to narrow her request to the following:

[A]ll *policy and planning materials* pertaining to *establishing U.S. university campuses in Qatar, Abu Dhabi, South Korea, China, and Singapore.

The timeframe of the request was January 1, 2003, to present.

 $^{^{2}}$ The letter accompanying this production stated that the Department was releasing 12 documents in full and denying two documents in full in response to Plaintiff's request on that date. In fact, eight documents were released in full and three documents were denied in full as part of that production.

³ The letter accompanying this production stated that the Department was releasing 30 documents in part in response to Plaintiff's request on that date. In fact, 29 documents were released in part as part of that production.

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11. By letter dated December 5, 2017 (Exhibit 18), the Department informed Plaintiff that it had completed its search and found no records responsive to her request.

Request F-2015-03575

12. Plaintiff submitted a third FOIA request to the Department on February 18, 2015

(Exhibit 19), seeking documents maintained by either the U.S. Agency International

Development ("USAID") and its components, or the Middle East Partnership Initiative ("MEPI")

and its components concerning government funds transferred to the Independent Center of

Journalists, Northwestern University and its components, and the Center(s) for Journalism

Excellence. The Department assigned this request Case Control Number F-2015-03575 (Exhibit

20) on February 26, 2015. After Plaintiff filed her Complaint, Plaintiff acknowledged that

requests for documents generated by USAID had to be directed to USAID, and agreed to narrow

her request to the following:

- All contracts, memoranda, reports, notes, email, documents/correspondence sent to and from USAID and any other material in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning U.S. Government funds transferred to the Independent Center of Journalists.
- 2) All contracts, memoranda, reports, notes, email, documents/correspondence sent to and from USAID or any other material in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning Northwestern University and its components, including but not limited to the Medill School of Journalism.
- 3) All contracts, memoranda, reports, notes, email, documents/correspondence sent to and from USAID and any other material in any medium produced, received or maintained by the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning Center(s) of Journalism Excellence.

The Department made four productions of responsive documents to Plaintiff by letters

dated June 9, 2017, July 7, 2017, January 4, 2018, and May 17, 2018 (Exhibits 21-24).

II. THE SEARCH PROCESS

13. When the Department receives a FOIA request, IPS evaluates the request to determine which offices, overseas posts, or other records systems within the Department are reasonably likely to contain the records requested. This determination is based on the description of the records requested and requires a familiarity with the holdings of the Department's records systems, applicable records disposition schedules, and the substantive and functional mandates of numerous Department offices and Foreign Service posts and missions.

14. Each office within the Department, as well as each Foreign Service post and mission, maintains files concerning foreign policy and other functional matters related to the daily operations of that office, post, or mission. These files consist generally of working copies of documents, information copies of documents maintained in the State Archiving System, and other documents prepared by or furnished to the office in connection with the performance of its official duties.

15. After reviewing Plaintiff's requests and consulting with several offices and bureaus within the Department, IPS determined that the following offices or records systems were reasonably likely to have documents responsive to Plaintiff's requests:

- Request F-2015-03180: the State Archiving System, the Retired Records Inventory Management System, the U.S. Embassy in Doha, the Bureau of Diplomatic Security, the Bureau of Near Eastern Affairs, the Bureau of International Information Programs, the Policy and Planning Staff, and the Office of the Undersecretary for Management;
- Request F-2015-03181: the State Archiving System, the Retired Records Inventory Management System, the Bureau of Diplomatic Security, the U.S. Embassy in Doha,

the U.S. Embassy in Abu Dhabi, the U.S. Embassy in Beijing, the U.S. Consulate in Shanghai, the U.S. Embassy in Seoul, the U.S. Embassy in Singapore, the Bureau of East Asian and Pacific Affairs, and the Bureau of Near Eastern Affairs; and

 c. Request F-2015-03575: the Retired Records Inventory Management System and the Bureau of Near Eastern Affairs in which MEPI is located.

<u>A. REQUEST F-2015-03180⁴</u>

State Archiving System

16. The State Archiving System ("SAS") provides the capability to query over 40 million records through a single interface. These records include those documents that discuss or define foreign policy, set precedents, or require action or use by more than one office. More specifically, SAS provides search capability and access to (a) the official record copies of almost all incoming and outgoing cables between the Department and Foreign Service posts; (b) diplomatic notes; (c) correspondence to and from the White House, members of Congress, and other federal agencies; (d) position papers and reports; (e) memoranda of conversations; (f) interoffice memoranda; and (g) retired permanent records maintained in the electronic Records Service Center. The records contained within SAS are commonly referred to as the "Central Foreign Policy Files" or the "Central File." SAS generally allows the Department to conduct full-text searches of records. For all documents in the Central File that are not directly full-text searchable through SAS, including some older correspondence, SAS will search the text of a customized reference index that directs a searcher to a full copy of the document.

⁴ The following sections describe the Department's initial search for documents responsive to Request F-2015-03180. During the course of it processing of this request, the Department applied additional keywords to narrow the results of these searches. *See supra* n. 1.

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17. An IPS Government Information Specialist, who was knowledgeable of both the request and the SAS records system, conducted a search using the term "Northwestern." This search retrieved 25 responsive documents.

The Retired Records Inventory Management System

18. The Department's Retired Record Inventory Management System ("RIMS") is a searchable database that automates the processing of records retired to the Records Service Center and tracks the status of all boxes received at the Records Service Center from the point of receipt to ultimate disposition. IPS Government Information Specialists can search both the full-text of the retired file manifests as well as the metadata (i.e., database fields) in the RIMS database. The retired file manifests serve as an index of the contents of retired paper and electronic files and are used to direct a researcher to particular file folders or documents in retired files. On occasion, manifests do not contain sufficient detail to indicate the exact contents maintained under a given subject. Therefore, when any potentially responsive files are identified, those files or boxes must be retrieved for a more detailed manual search of their entire contents.

19. An IPS Government Information Specialist, who was knowledgeable of both the request and the RIMS system, conducted a search using the term "Northwestern." No responsive records were identified as a result of that search.

U.S. Embassies and Consulates

20. In general, U.S. embassies conduct activities that are aimed at promoting U.S. foreign policy objectives and protecting both U.S. interests and U.S. citizens overseas. These embassies and consulates employ Foreign Service Officers and Specialists, as well as locally employed staff. Each embassy and consulate has unique staffing patterns and records

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management systems. All of the individuals who conducted the searches of the U.S. embassies and consulates at issue were knowledgeable about the records systems of their respective posts.

U.S. Embassy in Doha, Qatar

21. An Information Management Officer ("IMO"), who was knowledgeable of both the request and Embassy Doha records systems, searched the electronic unclassified and classified email records of employees in the Public Affairs Section, Economic Section, and Political section using the search term "Northwestern." He also searched the Embassy's shared drives and all print and exchange servers using the term "Northwestern." No date restrictions were applied to these searches. As a result of these searches and after IPS applied key words provided by Plaintiff, Embassy Doha's search yielded 396 responsive documents.

22. A Supervisory Government Information Specialist conducted a supplemental search of the archived unclassified email records of former Ambassador Dana Smith using the search term "Northwestern." An Information Technology Program Manager conducted a supplemental search of the archived classified email records of former Ambassador Dana Smith using the search term "Northwestern." These searches were limited to August 20, 2015, the date of the Ambassador's earliest archived e-mails, through July 1, 2017, the date by which her tenure with the Department ended. These supplemental searches yielded an additional 81 responsive documents.

Bureau of Diplomatic Security

23. The Bureau of Diplomatic Security ("DS") is responsible for providing a safe and secure environment for the conduct of U.S. foreign policy. Every U.S. diplomatic mission operates under a security program designed and maintained by DS. DS's Freedom of Information and Privacy Act Office ("DS/MGT/FOIA-PA") reviews all incoming FOIA

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requests, determines which DS components are reasonably likely to have responsive records, and then tasks those components with performing searches.

24. The Threat Investigations and Analysis Directorate ("DS/TIA") is comprised of the Office of Intelligence and Threat Analysis, Diplomatic Security Command Center, Office of Overseas Security, and the Office of Protective Intelligence Investigations. DS/TIA analyzes, assesses, and disseminates information to protect American interests worldwide. DS/TIA investigates, mitigates, and manages threats to enhance the safety and security of those engaged in U.S. diplomacy. The Overseas Security Advisory Council ("DS/TIA/OSAC") exists to promote security cooperation with U.S. private-sector interests worldwide. DS/TIA/OSAC's goal is to support U.S. organizations by sharing timely and actionable security information and developing efficient and cost-effective communication networks that provide the private sector with the tools needed to address security-related issues in a foreign environment.

25. The Office of the Executive Director ("DS/EX") is comprised of the Office of Management, the Chief Financial Office, and the Human Resources Management Division. The Office of Management ("DS/EX/MGT") provides a broad range of essential management services and administrative functions in support of the Bureau of Diplomatic Security's strategic goals, which include: (1) improving and enhancing DS infrastructure to support global mission activities; and, (2) developing and leading a diverse, uniquely skilled professional workforce. The mission of the Policy and Planning Division ("DS/MGT/PPD") within the Office of Management is to provide high quality expertise, articulation and counsel in policy, strategic planning, and evaluation in support of Diplomatic Security (DS) operations worldwide.

26. A Policy Analyst in DS/TIA, who was knowledgeable of the FOIA request at issue and the record systems of both DS/TIA/OSAC and DS/MGT/PPD, conducted a search of

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the unclassified and classified DS/TIA/OSAC and DS/MGT/PPD network shared drives using the search terms "Northwestern" or "University." The DS/TIA/OSAC search was limited to January 2010, the earliest date that records were available in this office, through the date of the search. No date restrictions were applied to the DS/MGT/PPD search. No responsive documents were retrieved as a result of these searches.

Bureau of Near Eastern Affairs

27. The Bureau of Near Eastern Affairs ("NEA") is charged with advising the Secretary of State on matters in North Africa and the Middle East. Regional policy issues that NEA handles include Iran, Iraq, peace in the Middle East, terrorism and weapons of mass destruction, and political and economic reform. The Office of Arabian Peninsula Affairs ("NEA/ARP") is responsible for the assisting and promoting diplomatic issues associated with Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, the United Arab Emirates, and Yemen.

28. A Special Adviser responsible for Qatari affairs in NEA/ARP, who was knowledgeable of both the FOIA request at issue and NEA/ARP's records systems, conducted searches of his unclassified and classified email records and the NEA/ARP network shared drive using the search term "Northwestern University." The search was limited to January 1, 2003, through the date of the search. No responsive records were located as a result of this search.

Bureau of International Information Programs

29. The Bureau of International Information Programs ("IIP") provides the Department with a worldwide outreach platform for public diplomacy. This bureau partners with policy experts and missions abroad to design and execute outcome-oriented programs that engage foreign audiences to advance U.S. foreign policy. A Special Adviser in IIP, who was knowledgeable of both the FOIA request at issue and IIP's records systems, conducted a search

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of his unclassified email records, cloud-based platforms, and the IIP network shared drive using the search term "Northwestern University." These searches were limited to the date range of January 1, 2005, through the date of the search. No responsive records were located as a result of this search.

30. The Office of the U.S. Speaker Program in IIP works with posts to arrange incountry and virtual programs that enable more than 600 American experts to engage foreign audiences directly on U.S. foreign policy priorities. The Director of the Office of the U.S. Speaker Program, who was knowledgeable of both the FOIA request at issue and the U.S. Speaker Program's records systems, conducted a search of her unclassified email records, and the U.S. Speaker Program's shared database, Tracker II. Tracker II retains data on programs implemented by the U.S. Speaker Program. The search terms used were "Qatar," "Doha," "Northwestern," "Film," or "Richard Pena." The search was limited to January 1, 2005, through the date the search was conducted. No responsive records were located as a result of these searches.

Policy Planning Staff

31. The Policy Planning Staff ("S/P") serves as a source of independent policy analysis and advice for the Secretary of State. S/P's mission is to take a longer term, strategic view of global trends and frame recommendations for the Secretary of State to advance U.S. interests and American values. The work of S/P is divided into six areas: analysis, special projects, policy coordination, policy articulation, liaison, planning talks, and dissent.

32. An employee in S/P, who was knowledgeable of both the FOIA request at issue and S/P's records systems conducted a search of the unclassified and classified S/P network shared drives using the following search terms:

- "Northwestern"
- "University"
- "Campus"
- "Qatar"
- "Doha"

33. These searches were limited to January 1, 2005, through the date of the search.No responsive records were located as a result of these searches.

Office of the Undersecretary for Management

34. The Under Secretary for Management ("M") oversees the activities of ten bureaus and offices that are responsible for management improvement initiatives; security; the Department's information technology infrastructure; support services for domestic and overseas operations; consular affairs; and personnel matters, including, recruitment, career development, training, medical services, and retirement programs.

35. The Under Secretary for Management, who was knowledgeable of both the request and the M records systems, conducted a search of unclassified state.gov email records and Everest⁵ using the term "Northwestern." These searches were limited to the date range of December 19, 2005, through June 28, 2015. No responsive records were located as a result of these searches.

⁵ Everest is a Microsoft SharePoint-based enterprise system used to task, track, control and archive documents containing substantive foreign policy information passing to, from, and through the offices of the Secretary of State, the Deputy Secretaries of State and other Department principal officers. The documents in Everest are full-text searchable. Everest includes information for the period 2009 to the present.

Bureaus and Offices not Reasonably Likely to Maintain Records Responsive to Requests

36. IPS undertook further efforts to locate records to request F-2015-03180 by contacting the offices and bureaus listed below. Each of these offices and bureaus confirmed that they were not reasonably likely to maintain records responsive to this request because the topic of this request was not within the scope of their work:

- The Policy, Planning, and Resources Office of the Office of the Under Secretary for Public Diplomacy
- The Office of the Chief of Protocol
- The Bureau of Intelligence and Research
- The Office of Overseas Schools in the Bureau of Administration
- The Office of Language Services in the Bureau of Administration
- The White House Liaison's Office, which reports to the Office of the Undersecretary for Management
- The Office of Management Policy, Rightsizing, and Innovation, which reports to the Office of the Undersecretary for Management
- The Bureau of Budget and Planning, which reports to the Office of the Undersecretary for Management.
- The Bureau of the Comptroller and Global Financial Services, which reports to the Office of the Undersecretary for Management
- The Bureau of Educational and Cultural Affairs⁶

As a result, the Department did not conduct searches of these offices and bureaus for records

responsive to request F-2015-03180.

⁶ In its March 23, 2016, letter to Plaintiff, the Department stated it had conducted searches of the Bureau of Budget and Planning, the Bureau of Educational and Cultural Affairs, and the Office of the Comptroller & Global Financial Services. In fact, these offices had not conducted searches, but instead had confirmed to IPS that they were not reasonably likely to have records responsive to this request.

B. REQUEST F-2015-03181

State Archiving System

37. An IPS Government Information Specialist, who was knowledgeable of both the

request and the SAS records system, conducted searches in SAS using the following terms or

combination of terms:

- "Abu Dhabi" and "University"
- "New York University"
- "University" and "Singapore"
- "Wharton"
- "University of Chicago"
- "Stanford"
- "Georgia Tech"
- "Johns Hopkins"
- "MIT"
- "Duke"
- "Qatar" and "University"
- "Weill"
- "Cornell Medical College"
- "Texas A&M"
- "Carnegie Mellon University"
- "Georgetown"
- "Education City" and "Qatar"
- "Northwestern"
- "SUNY Korea"
- "George Mason Korea"
- "University of Utah" w/2⁷ "Asia"
- "Wenzhou-Kean"
- "Duke" w/2 "Kunshan"
- "NYU-Shanghai"

⁷ The use of "w/2"in SAS allows for searches to locate documents in which terms are within two words of each other.

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- "New York University" w/2 "Shanghai"
- "Hopkins" w/2 "Nanjing"
- "University of Chicago" w/2 "Shanghai"
- "Savannah College" w/2 "Hong Kong"

38. No responsive records were located as a result of these searches.

The Retired Records Inventory Management System

39. An IPS Government Information Specialist, who was knowledgeable of the FOIA

request and the RIMS database, searched RIMS using the following terms or combination of

terms:

- "Abu Dhabi" and "University"
- "New York University"
- University and Singapore
- "Wharton"
- "University of Chicago"
- "Stanford"
- "Georgia Tech"
- "Johns Hopkins"
- "MIT"
- "Duke"
- "Qatar" and "University"
- "Weill"
- "Cornell Medical College"
- "Texas A&M"
- "Carnegie Mellon University"
- "Georgetown"
- "Education City" and "Qatar"
- "Northwestern"
- "SUNY Korea"
- "George Mason Korea"
- "University of Utah" and "Asia"
- "Wenzhou-Kean"
- "Duke" and "Kunshan"
- "NYU-Shanghai"

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- "New York University" and "Shanghai"
- "Hopkins" and "Nanjing"
- "University of Chicago" and "Shanghai"
- "Savannah College" and "Hong Kong"

40. No responsive records were located as a result of these searches.

Bureau of Diplomatic Security

41. A DS Policy Analyst who was knowledgeable of the FOIA request at issue and DS/MGT/PPD's record systems conducted a search of DS/MGT/PPD's unclassified and classified shared drives and Office Sharepoint site using the following combination of search terms ("University" or "College Campus Overseas") and ("Creation" or "Establishment" or "Setup" or "Assistance"). These searches were restricted to January 2003 through the date of the search.

42. A Foreign Affairs Officer who was knowledgeable of the FOIA request at issue and DS/TIA/OSAC's record systems conducted a search of the DS/TIA/OSAC unclassified and classified shared drives and OSAC.gov records repository using the following combination of search terms ("Education City" or "Qatar Foundation" or "Abu Dhabi" or "Singapore") and ("University" or "College Campus"). The Foreign Affairs Officer also conducted searches using the terms "Assistance" and "University." These searches were limited to January 2010, the earliest date that records were available in this office, through the date of the search.

43. No responsive records were located as a result of these searches.

U.S. Embassy in Doha, Qatar

44. An Information Management Officer ("IMO"), who was knowledgeable of both the request and Embassy Doha's records systems, searched electronic unclassified and classified

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email records of employees in the Public Affairs Section, Economic Section, and Political Section. The IMO also searched all of Embassy Doha's shared drives and print and exchange servers. The IMO used the terms "Education City" or "Qatar Foundation," in each search. No date restrictions were applied to these searches. No responsive records were located as a result of these searches.

U.S. Embassy in Abu Dhabi, United Arab Emirates

45. A Cultural Affairs Officer and Cultural Specialist, who were knowledgeable of both the request and Embassy Abu Dhabi's records systems, searched the Public Affairs and Public Diplomacy Sections of the Embassy. Educational and Cultural Affairs matters are maintained within the portfolio of the Public Affairs and Public Diplomacy Sections.

46. The Cultural Affairs Officer and Cultural Specialist in the Public Affairs Section searched their unclassified email records. Additionally, the Cultural Affairs Officer searched the shared drives of the Public Affairs and Public Diplomacy sections, from January 1, 2005, the earliest date available at Embassy Abu Dhabi, through the date of the search. The Cultural Affairs Officer also searched the paper files of the Public Affairs and Public Diplomacy sections from January 1, 2013, the earliest date of records available at Embassy Abu Dhabi, through the date of the search. The searches of paper files, unclassified email records, and shared drives used the terms "University," "U.S. University," "Branch Campus," "Education City," or "Campus." No responsive records were located as a result of these searches.

U.S. Embassy in Beijing, China

47. A Cultural Affairs Officer, an Information Systems Officer, and an Office Management Specialist, who were knowledgeable of both the FOIA request at issue and Embassy Beijing's records systems, searched the paper files of the Public Affairs Officers,

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Education Officer, and Grant Files; the unclassified email and .pst files of the Senior Cultural Affairs Officer, Public Affairs Officer, and the Education Officer; and the shared drives for the Public Affairs Section, the Economic Section, the Political Section, and the Executive Office using the following search terms:

- "Kean University"
- "Wenzhou-Kean"
- "Duke University"
- "Duke-Kunshan"
- "NYU-Shanghai"
- "New York University"
- "Hopkins-Nanjing"
- "University of Chicago"
- "Savannah College"

These searches were limited to January 1, 2003, through the date they were conducted. No responsive records were located as a result of these searches.

U.S. Consulate in Shanghai, China

48. An Information Management Specialist, an Acting Cultural Affairs Officer, and a Program Assistant, who were knowledgeable of both the FOIA request at issue and Consulate Shanghai's records systems, conducted searches of their unclassified email records, and shared drives of the Public Affairs Section, the Economic Section, the Political Section, and the Executive Office using the following search terms⁸:

⁸ Consulate Shanghai's search terms were limited, as some of the universities pertinent to the Embassy in Beijing were not active in Shanghai's consular district.

- "Kean University"
- "Wenzhou-Kean"
- "Duke University"
- "Duke-Kunshan"
- "NYU-Shanghai"
- "New York University"
- "Hopkins-Nanjing"

No date restrictions were applied to the electronic or paper searches. No responsive records were located as a result of these searches.

U.S. Embassy in Seoul, South Korea

49. The Cultural Affairs Officer in the Public Affairs Section, who was

knowledgeable of both the FOIA request at issue and Embassy Seoul's records systems, conducted searches of his unclassified email records and the Public Affairs Section's shared drive using the search terms "Songdo," "SUNY Korea," "George Mason Korea," or "Utah Asia." There was no date range restriction applied to the shared drive search. The e-mail search was limited to June 1, 2015, the date of the arrival of the Cultural Affairs Officer at Embassy Seoul, through the date the search was conducted. Paper records of the Public Affairs Section were not searched because these records would already be captured in the electronic search. No responsive records were located as a result of these searches.

U.S. Embassy in Singapore

50. An Information Management Officer, who was knowledgeable of both the FOIA request at issue and Embassy Singapore's records systems, conducted searches of the paper files, unclassified email records, and shared drives for the Public Affairs Section, Economic Section, Political Section, and Executive Office for documents responsive to the following combination

of search terms ("College" or "University") and ("Establish" or "Assistance" or "Agreement") and "Campus" and "Singapore." No responsive records were located as a result of these searches.

Bureau of East Asian and Pacific Affairs

51. The Bureau of East Asian and Pacific Affairs ("EAP") is charged with advising the Secretary of State on U.S. foreign policy and U.S. relations with the countries in the Asia-Pacific region.

52. The Office of Korean Affairs ("EAP/K") manages U.S. foreign policy in relation to the Republic of Korea and the Democratic People's Republic of Korea. The Deputy Director of the Office of Korea, who was knowledgeable of both the FOIA request at issue and EAP/K's records systems, conducted a search of the EAP/K network shared drive using the search term "University." This search was limited to the date range of January 1, 2000, through the date on which the search was conducted. EAP/K does not have any paper files for the time period of the request; all records are maintained electronically. No responsive records were located as a result of this search.

53. A Singapore Desk Officer in the Office of Maritime of Southeast Asia ("EAP/MTS"), who was knowledgeable of both the FOIA request at issue and EAP/MTS's records systems, conducted a search of her unclassified and classified email records and the EAP/MTS unclassified and classified shared drives using the search term "University." The Desk Officer's email search was limited to the beginning of his employment in EAP/MTS, January 1, 2017, through the date on which the search was conducted. The searches of the EAP/MTS's shared drives were limited to January 1, 2003, through the date on which the search was conducted. No responsive records were located as a result of these searches.

Bureau of Near Eastern Affairs

54. The United Arab Emirates Desk Officer in the Office of Arabian Peninsula Affairs ("NEA/ARP"), who was knowledgeable of both the FOIA request at issue and NEA/ARP's records systems, conducted searches of her unclassified and classified email records, NEA/ARP paper files, and the NEA/ARP shared drive using the search term combinations ("University" and "Abu Dhabi") or ("Campus" and "Abu Dhabi"). The search was limited to January 1, 2003, through the date on which the search was conducted. No responsive records were located as a result of these searches.

Bureaus and Offices not Reasonably Likely to Maintain Records Responsive to Requests

55. IPS undertook further efforts to locate records to request F-2015-03181 by contacting the offices and bureaus below. Each of these offices and bureaus confirmed that they were not reasonably likely to maintain records responsive to this request because the topics of this request were not within the scope of their work.

- The Policy, Planning, and Resources Office of the Office of the Under Secretary for Public Diplomacy
- The Office of the Chief of Protocol
- The Bureau of Intelligence and Research
- The Office of Overseas Schools in the Bureau of Administration
- The Office of Language Services in the Bureau of Administration
- The White House Liaison's Office, which reports to the Office of the Undersecretary for Management
- The Bureau of Budget and Planning, which reports to the Office of the Undersecretary for Management.
- The Bureau of International Information Programs
- The Bureau of Educational and Cultural Affairs

• The Office of Policy Planning Staff in the Office of the Secretary

As a result, the Department did not conduct searches of these offices and bureaus for

records responsive to request F-2015-03181.

C. REQUEST F-2015-03575

The Retired Records Inventory Management System

- 56. An IPS Government Information Specialist with knowledge of the FOIA request and RIMS searched RIMS using the following terms:
 - "MEPI"
 - "Northwestern"
 - "Medill"
 - "Center of Journalism Excellence"
 - "Independent Center of Journalists"

No responsive records were located as a result of these searches.

Bureau of Near Eastern Affairs

57. The Bureau of Near Eastern Affairs, Office of Assistance Coordination ("NEA/AC") was created in 2014 to coordinate and align U.S. assistance in the Middle East and North Africa with U.S. foreign policy priorities and regional economic, security, governance and stabilization needs. NEA/AC also directly programs and oversees critical projects across the region. The Middle Eastern Partnership Initiative ("MEPI") is housed in NEA/AC. NEA/AC staff are also assigned to two regional MEPI offices based at US Embassies in Kuwait and Rabat to program and oversee \$9 million in grants annually to local civil society organizations.

58. Award documents from NEA/AC are stored on the NEA/AC shared drives and the Assistance Coordination Performance Reporting System ("ACPRS").

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59. A Grants Management Specialist in NEA/AC, who was knowledgeable of both the FOIA request at issue and NEA/AC's records systems, conducted searches of the relevant Program Officer's e-mail records, the NEA/AC network shared drive, and the ACPRS using the search terms "Northwestern," "Medill," or "Independent Center of Journalists." The Grants Management Specialist also searched the terms "Center of Journalism Excellence," "Center," or "Journalism" in the NEA/AC network shared drive and in the ACPRS. These searches were limited to January 1, 2003, through the date of the search. As a result of these searches, NEA/AC located 33 responsive documents.

II. FOIA EXEMPTIONS CLAIMED

FOIA Exemption 1 – Classified Information

60. 5 U.S.C. § 552(b)(1) states that the FOIA does not apply to matters that are:

(A) specifically authorized under criteria established by Executive order ("E.O.") to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order.

61. Based upon my personal review of the documents and information furnished to

me in the course of my official duties, including the sources of the information marked as classified, I have determined that the information withheld under Exemption 1, 5 U.S.C. § 552(b)(1), continues to meet the classification criteria of E.O. 13526. This includes information currently classified at the SECRET and CONFIDENTIAL levels. Section 1.2 of E.O. 13526 states:

"Secret" shall be applied to information regarding intelligence sources and methods, potential military plans or operations, and foreign relations or foreign activities of the U.S. government, the release of which reasonably could be expected to cause exceptionally grave damage to the national security. "Confidential" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security that the original classification authority is able to identify or describe.

62. Section 6.1(l) of E.O. 13526 defines "damage to the national security" as follows:

"Damage to the national security" means harm to the national defense or foreign relations of the United States from the unauthorized disclosure of information, taking into consideration such aspects of the information as the sensitivity, value, utility, and provenance of that information.

63. Information withheld in this case under Exemption 1 is properly classified

pursuant to Sections 1.4(b) and 1.4(d) of E.O. 13526. Section 1.4 states:

Information shall not be considered for classification unless its unauthorized disclosure could reasonably be expected to cause identifiable or describable damage to the national security in accordance with section 1.2 of this order, and it pertains to one or more of the following: . . .(b) foreign government information ...(d) foreign relations or foreign activities of the United States, including confidential sources . . .

64. For information to be properly classified and withheld from disclosure pursuant to

Exemption 1, the information must meet all of the following requirements set forth in Section

1.1(a) of E.O. 13526:

- (1) an original classification authority is classifying the information;
- (2) the information is owned by, produced by or for, or is under the control of the United States Government;
- (3) the information falls within one or more of the categories listed in section 1.4 of [E.O. 13526]; and
- (4) the original classification authority determines that the unauthorized disclosure of the information reasonably could be expected to result in damage to the national security, which includes defense against transnational terrorism, and the original classification authority is able to identify or describe the damage.
- 65. In my role as an original classification authority, I have determined that the

information withheld pursuant to Exemption 1 meets these criteria. It is under the control of the

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United States Government, falls within Sections 1.4(b) and (d) of E.O. 13526, and requires classification at the CONFIDENTIAL or SECRET level because its unauthorized disclosure reasonably could be expected to cause damage or exceptionally grave damage to national security.

66. Section 1.7(d) of E.O. 13526 contemplates that in certain situations decisions to classify or reclassify information may be made after the information has been requested under the FOIA. In January of 2016, in the course of processing records that were responsive to Request F-2015-03180, pursuant to the provisions of Section 1.7(d), the Department properly classified as SECRET or CONFIDENTIAL certain information in four documents that was originally UNCLASSIFIED. Additionally, in May of 2018, the Department properly classified as SECRET or CONFIDENTIAL, pursuant to Section 1.7(d), information in two documents that was previously classified but that had passed its declassification date.

67. The Department's Senior Agency Official responsible for directing and administering the Department's information security program under Section 5.4(d) of Executive Order 13526 is the Under Secretary of State for Management. See 22 C.F.R. § 9.3. The Under Secretary for Management has delegated the authority for classifying or reclassifying information under Sections 1.7(d) to the DAS for GIS and to the Director of IPS. Under standard procedures, all recommendations to classify information come to the DAS or IPS Director after review by subject matter experts and, when considered appropriate, also by officials in the offices in the Department with current responsibility for the subject of the information, in addition to other agency representatives as appropriate. In reaching a decision whether to classify, the classifying official carefully scrutinizes the documents and the information at issue and then determines whether the information should be classified.

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68. In connection with my official duties in supervising the Department's responses

to FOIA requests, I have been informed that in January of 2016, the previous DAS for GIS, Ms.

Margaret Grafeld, personally reviewed the previously unclassified information in four

documents and determined their current classification status, consistent with Section 1.1(a) of

Executive Order 13526. In May of 2018, in my official capacity as the Director of IPS, I

personally reviewed two additional unclassified documents and determined their current

classification status, consistent with Section 1.1(a) of Executive Order 13526.

69. I have apprised the Acting Under Secretary for Management, Ambassador

William Todd, of Ms. Grafeld's and my decisions to classify the aforementioned documents in

accordance with E.O. 13526, Section 1.7(d).

Section 1.4(b) Foreign Government Information

70. Section 6.1(s) of E.O. 13526 defines "foreign government information" to

include:

(1) information provided to the United States Government by a foreign government or governments, an international organization of governments, or any element thereof, with the expectation that the information, the source of the information, or both, are to be held in confidence;

(2) information produced by the United States Government pursuant to or as a result of a joint arrangement with a foreign government or governments, or an international organization of governments, or any element thereof, requiring that the information, the arrangement, or both, are to be held in confidence; or

(3) information received and treated as "foreign government information" under the terms of a predecessor order.

71. Section 1.1(d) of E.O. 13,526 states:

The unauthorized disclosure of foreign government information is presumed to cause damage to the national security.

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72. The ability to obtain information from foreign governments is essential to the formulation and successful implementation of U.S. foreign policy. Release of foreign government information provided in confidence, either voluntarily by the Department or by order of a court, would cause foreign officials to believe that U.S. officials are not able or willing to observe the confidentiality expected in such exchanges. Governments could reasonably be expected to be less willing in the future to furnish information important to the conduct of U.S. foreign relations, and in general be less disposed to cooperate with the United States in the achievement of foreign policy objectives of common interest. Protecting foreign government information, and in some cases even the fact that information has been provided, is critical to our diplomatic relationships and the conduct of foreign relations. As detailed in the attached *Vaughn* Index, certain information withheld in this case is currently and properly classified pursuant to Section 1.4(b) of E.O. 13526 and is therefore exempt from disclosure under Exemption 1, 5 U.S.C. § 552(b)(1).

Section 1.4(d) - Foreign Relations or Foreign Activities of the United States

73. Diplomatic exchanges are premised upon, and depend upon, an expectation of confidentiality. Mutual trust between governments in this realm is vital to U.S. foreign relations. The inability of the United States to maintain confidentiality in its diplomatic exchanges would inevitably chill relations with other governments, and could reasonably be expected to damage U.S. national security by diminishing our access to vital sources of information.

74. Some of the withheld information is classified under Section 1.4(d) of E.O. 13526. This information concerns both confidential sources and sensitive aspects of U.S. foreign relations. Release of this classified information has the potential to inject friction into, or cause damage to, a number of our bilateral relationships with Middle Eastern countries whose cooperation is important to U.S. national security, including some in which public opinion might not currently favor close cooperation with the United States. Moreover, the risk of harm to national security from disclosure of this information is exacerbated by the political and security instability in the region in question, such that release of this information could pose a direct threat to the national security of the United States. As detailed in the attached *Vaughn* Index, certain information withheld in this case is currently and properly classified pursuant to Section 1.4(d) of E.O. 13526 and is therefore exempt from disclosure under Exemption 1, 5 U.S.C. § 552(b)(1).

FOIA Exemption 3 – Exempt by Statute

75. 5 U.S.C. § 552(b)(3) states that the FOIA does not apply to matters that are:

specifically exempted from disclosure by statute (other than section 552(b) of this title), if that statute—(A)(i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue; or (ii) establishes particular criteria for withholding or refers to particular types of matters to be withheld; and (B) if enacted after the date of enactment of the Open FOIA Act of 2009, specifically cites to this paragraph.

76. Section 222(f) of the Immigration and Nationality Act ("INA"), 8 U.S.C. §

1202(f), states in pertinent part:

The records of the Department of State and of diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States <u>shall be</u> <u>considered confidential</u> and shall be used only for the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States, except that - (1) in the discretion of the Secretary of State certified copies of such records may be made available to a court which certifies that the information contained in such records is needed by the court in the interest of the ends of justice in a case pending before the court. (Emphasis added). 77. Section 222(f) of the INA qualifies as a withholding statute under FOIA

Exemption (b)(3), 5 U.S.C. § 552(b)(3).⁹ "Under section 222(f) the Secretary of State has no authority to disclose material to the public. In that sense the confidentiality mandate is absolute; all matters covered by the statute 'shall be considered confidential." *Medina-Hincapie v. Dep't of State*, 700 F.2d 737, 742 (D.C. Cir. 1983). Section 222(f) applies not only to the information supplied by the visa applicant, but also applies to any "information revealing the thought-processes of those who rule on the application." *Id.* at 744. The Department has withheld information in number of documents that pertains to the issuance or refusal of visas, which is exempt from disclosure under Exemption 3 pursuant to INA § 222(f).

78. The Department also withheld information under Exemption 3 pursuant to 10 U.S.C. § 424. This statute states, in pertinent part, that "no provision of law shall be construed to require the disclosure of...the organization or any function of" the Defense Intelligence Agency, the National Reconnaissance Office, and/or the National Geospaital Intelligence Agency. 10 U.S.C. § 424(a)-(b). The statute qualifies as a withholding statute under FOIA Exemption (b)(3) because withholding the information described in the statute is "mandatory."¹⁰ In this case, the Department withheld information that would reveal the Defense Intelligence Agency's organizational structure and function pursuant to 10 U.S.C. § 424.

FOIA Exemption 4 – Business Information

79. 5 U.S.C. § 552(b)(4) states that the FOIA does not apply to matters that are:

trade secrets and commercial or financial information obtained from a person and privileged or confidential;

⁹ See Medina-Hincapie v. Dep't of State, 700 F.2d 737, 741-42 (D.C. Cir. 1983); see also Wiener v. *F.B.I.*, 943 F.2d 972, 982 (9th Cir. 1991).

¹⁰ *Miller v. U.S. Dep't of Justice*, 562 F. Supp. 2d 82, 112 (D.D.C. 2008).

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80. This exemption is intended to protect the interests of both the government and submitters of information. The exemption covers two broad categories of information in federal agency records: (1) trade secrets; and (2) information that is (a) commercial or financial, and (b) obtained from a person, and (c) privileged or confidential. Its very existence encourages submitters to voluntarily furnish useful commercial or financial information to the government and it correspondingly provides the government with an assurance that such information will be reliable. The exemption also affords protection to those submitters who are required to furnish commercial or financial information to the government by safeguarding them from the competitive disadvantages that could result from disclosure.

81. The Department withheld commercial information that was voluntarily submitted by an individual to demonstrate the type of courses she could teach for an event held by the U.S. Embassy in Doha. Due to the voluntary nature the submission, the Department found that this information is privileged and confidential within the meaning FOIA Exemption 4, 5 U.S.C. § 552(b)(4) because this information would not customarily be disclosed to the public. *See Critical Mass Energy Project v. NRC*, 975 F.2d 871 (D.C. Cir. 1992). The basses for the Department's withholdings are described further in the attached *Vaughn* Index.

FOIA Exemption 5 – Litigation Privileges

82. 5 U.S.C. § 552(b)(5) states that the FOIA does not apply to:

inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency....

83. Exemption 5, 5 U.S.C. § 552(b)(5), protects from disclosure information that is normally privileged in the civil discovery context, including information that is protected by the

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deliberative process, attorney-client, and attorney work product privileges. The deliberative process privilege protects the confidentiality of candid views and advice of U.S. Government officials in their internal deliberations related to policy formulation and administrative direction.

84. The Department withheld information, as detailed in the attached *Vaughn* Index, on the basis of this exemption in a number of documents in this case pursuant to the deliberative process privilege. For example, certain information withheld in response to Plaintiff's FOIA request consists of drafts of official Department communications such as cables and powerpoints that contain the author's recommendations regarding what text and information the documents should include. Other withheld material contains internal Department discussions, recommendations, and opinions regarding potential agendas for organizations and individuals visiting Doha, Qatar. This material includes Department employees' assessments and opinions regarding which individual and groups to include on these agendas. The Department also withheld a briefing paper for a senior agency official that was drafted in order to inform and advise him on his approach to a meeting with a foreign counterpart.

85. This material contains details of internal discussions held in the course of formulating a policy and agency action and is pre-decisional and deliberative. Its disclosure could reasonably be expected to chill the open and frank exchange of comments and opinions that occurs between Department officials at these critical times. In addition, disclosure of these details would severely hamper the ability of responsible Department officials to formulate and carry out executive branch programs. The withheld information is, accordingly, exempt from release under Exemption 5, 5 U.S.C. § 552(b)(5), pursuant to the deliberative process privilege.

FOIA Exemption 6

86. 5 U.S.C. § 552(b)(6) states that the FOIA does not apply to:

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...personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy....

87. The courts have interpreted the language of Exemption 6 broadly to encompass all information that applies to an individual without regard to whether it was located in a particular type of file. The Department has withheld, among other pieces of information, the names, résumés, job applications, immigration status, citizenship status, educational and work history, and e-mail addresses of private individuals. The Department also withheld the personal family information of a Department employee, personal e-mail addresses of Department employees, and the names of employees of the Department of Defense due to the risk of harrasment that they face.

88. Inasmuch as the information the Department withheld under Exemption 6 is personal to an individual, a personal privacy interest exists in the information. The Department is required to balance the privacy interests of individuals whose information appears in these records against any public interest in disclosure. As explained further in the attached *Vaughn* Index, the Department determined that the individual privacy interest outweighed the public interest in the information withheld under FOIA Exemption 6. Indeed, the Department determined that there is no public interest in such information because release of the information would shed no light on the Government's operations and activities. In each instance, the privacy interests clearly outweigh any public interest in disclosure. Thus, release of this information would constitute a clearly unwarranted invasion of personal privacy, and the information is therefore exempt from release under FOIA Exemption 6, 5 U.S.C. § 552(b)(6).

IV. CONCLUSION

89. In summary, the Department conducted a thorough search of all Department locations that were reasonably likely to contain records responsive to Plaintiff's FOIA Request. For Request F-2015-03180, the Department retrieved 502 responsive records. Of those records, 128 were released in full, 350 were released in part, and 22 were denied in full by the Department. Additionally, one document sent for direct reply to the Defense Intelligence Agency was denied in full, and one document sent for direct reply to the Department of Treasury was released in full. For Request F-2015-03575, the Department retrieved 33 responsive records. Of those records, 29 were released in full, 2 were released in part, and 2 were denied in full. No responsive records were located for Request F-2015-03181.

90. The Department has carefully reviewed all of the documents addressed herein for reasonable segregation of non-exempt information and has implemented segregation when possible. Otherwise, the Department determined that no segregation of meaningful information in the documents could be made without disclosing information warranting protection under the law.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 3rd day of May 2019, Washington, D.C.

Eric F. Stein

Stevens v. Department of State No. 1:17-cv-02494 Stein Declaration

Stevens v. U.S. Dep't of State, No. 17-cv-02494¹

FOIA Request F-2015-03180

					Review	State FOIA Exemptions
Doc. No.	Doc Type	Pages	Date/Date Range	<u>Author(s)/Recipient(s)</u>	<u>Result</u>	<u>Claimed</u>
(1)						
C06339690	Draft memo	2	1/12/2017	Department officials	Denied in	(b)(5) <i>,</i>
					Full	Deliberative
					("DIF")	Process Privilege
						("DPP")
DESCRIPTION : This docume	ent is a draft actio	n memo p	providing a recommendat	ion to the Ambassador concerni	ng a requeste	ed speaking
engagement. The docume	nt contains redline	e edits. Th	ne Department withheld	the document in full under Freed	om of Inforn	nation Act
			-	privilege. Release of the withhe		•
	•			pursue the particular option und		
				tion. Disclosure of this informat		
				y inhibiting candid discussion and		
				reasons, the withheld informati	•	
				epartment conducted a line-by-li		the document
	is no meaningful,	non-exen	npt information that can	be reasonably segregated and re	leased.	
(2-3)	1	I	I		I	
C06340036	Employment	7	December 2015	Individual	DIF	(b)(6)
(attached to C06340035)	Application					
C06340206						
(attached to C06340205)						

¹ This *Vaughn* Index describes withholdings that Plaintiff noted she is challenging. If a described withholding is not challenged by Plaintiff, that is also noted. The Department released the information under challenge in documents C06339759, C06339995, C06341506, C06341507, C06341508, C06701172, and C0701328. As a result, there are no withholdings pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, described for those documents in this *Vaughn* Index. Document C06339759 was previously denied in full to Plaintiff.

Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> Result	State FOIA Exemptions Claimed
				h the Department. The Departm	nent withheld	
	•			nformation would reveal the app		
nformation including, but r	not limited to, nar	ne, birthp	lace, address, Social Secu	irity number, phone numbers, ar	nd education	al background.
Release of this information	could subject the	individua	I to identity theft, unwan	ted attention, or harassing or un	solicited con	munications. In
the absence of any indication	on that the applic	ant was se	elected, the Department	determined that release of this in	nformation w	ould not shed
ight on the operations of th	ne U.S. Governme	nt. As a r	esult, release of this info	rmation would constitute an unw	varranted inv	asion of persona
privacy, and the informatio	n is exempt from	disclosure	e under FOIA Exemption 6	5. The Department conducted a	line-by-line r	eview of the
Jocuments and determined	that there is n	eaningfu	ul, non-exempt information	on that can be reasonably segreg	ated and rel	eased.
(4-6)						
06340037	Resume	2	Undated	Individual	DIF	(b)(6)
attached to C06340035)						
06340207						
attached to C06340205)						
206343861						
attached to C06343861)						
DESCRIPTION: These docum	nents are resume	s submitte	ed as part of applications	for employment with the Depart	tment. Docu	ments C0634003
nd C06340207 are duplica	tes of each other.	The Dep	artment withheld the do	cuments in full under FOIA Exem	ption 6, 5 U.S	5.C. § 552(b)(6),
ecause disclosure of this in	nformation would	reveal pe	ersonally identifiable info	rmation including, but not limite	d to, the indi	viduals' name,
ddress, phone numbers ar	nd educational/pr	ofessiona	l background. Release of	this information could subject the	ne individuals	to identity theft
inwanted attention, or har	assing or unsolicit	ted comm	unications. In the absend	ce of any indication that the appl	icants were s	elected the
•			-	n the operations of the U.S. Gove		
				cy, and the information is exemp		
		•		ts and determined that there is r	no meaning <mark>r</mark>	non-exempt
information that can be rea	sonably segregate	ed and rel	eased.			<u> </u>
7)						
06340047	Draft	20	April 2017	Department Officials	DIF	(b)(5), DPP
attached to C06340046)	PowerPoint					
	•	•		t was awaiting approval for use.	•	
locument in full under FOI/	A Exemption 5, 5	U.S.C. § 55	52(b)(5), pursuant to the	deliberative process privilege. R	elease of the	withheld

					Review	State FOIA Exemptions
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		•		ns regarding the presentation ar		
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	is no meaningful,	non-exen	npt information that can	be reasonably segregated and re	leased.	
8-10)	· · · ·	[
06340130	Draft Cable	3	Undated	Department Officials	DIF	(b)(5), DPP
attached to C06340129)		_				
06340384		5				
attached to C06340383)						
206343857		4				
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11 06340769	Course	65	Undated	Alix Madigan/ Embassy	DIF	(b)(4)
(attached to C06340765)	Handouts	0.5		Officials		(~)(~)
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			-	taught for a fee and the associat		•
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					Review	State FOIA Exemptions
Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	Result	Claimed
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e ,				s commercial in nature because i		••
				comarily disclose to the public. F		
· ·	••			e meaning of Exemption 4, 5 U.S		
-		-		that there is no meaningful, non-		
be reasonably segregated a	•			0 , 1		
(12-13)						
C06340770	Syllabus	3	Undated	Alix Madigan/ Embassy	DIF	(b)(4)
attached to C06340765)				Officials		
06347365						
attached to C06347364)						
DESCRIPTION: These docur	nents are duplicat	te syllabi f	or a film class conducted	by Ms. Alix Madigan that is norr	nally taught	for a fee and is n
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shared by Ms. Madigan bey demonstrate the types of c relates to the individual's p For these reasons, the Dep 552(b)(4). The Department nformation that can be read (14) C06347167 fattached to C06347166) DESCRIPTION: This docume FOIA Exemption 5, 5 U.S.C. decisional and deliberative regarding the cable and co	yond students in h ourses that she co aid profession, an artment found that t conducted a line asonably segregate Draft Cable ent is a draft cable § 552(b)(5), pursu with respect to a uld reasonably be	er classes ould teach id is also t at this info -by-line re ed and rel 11 11 e regarding uant to the final dete expected	for an Embassy event. The type of information the type of information the type of the document are eased. Undated g the Qatari media enviro e deliberative process pri rmination on the final test to have a chilling effect of	rovided voluntarily to the Depart The withheld information is comm nat the individual does not custor d confidential within the meaning and determined that there is no m Department Officials onment. The Department withhe vilege. Release of the withheld r xt of the cable, would reveal the	nercial in nat marily disclos g of Exemption eaningful, no DIF eld the docum material, whi author's prelo	Madigan to sure because it se to the public. on 4, 5 U.S.C. § on-exempt (b)(5), DPP nent in full under ch is pre- iminary ideas commendations,
shared by Ms. Madigan bey demonstrate the types of c relates to the individual's p For these reasons, the Dep 552(b)(4). The Department nformation that can be rea (14) C06347167 (attached to C06347166) DESCRIPTION: This docume FOIA Exemption 5, 5 U.S.C. decisional and deliberative regarding the cable and cou and opinions that occurs w	yond students in h ourses that she co aid profession, an artment found that t conducted a line asonably segregate Draft Cable ent is a draft cable § 552(b)(5), pursu with respect to a uld reasonably be hen Department o	er classes ould teach id is also t at this info -by-line re ed and rel 11 11 e regarding uant to the final dete expected officials ar	for an Embassy event. The type of information the type of information the type of the document are eview of the document are eased. Undated g the Qatari media envirous edeliberative process pri rmination on the final test to have a chilling effect of the test regarding text r	rovided voluntarily to the Depart The withheld information is comm nat the individual does not custor d confidential within the meaning and determined that there is no m Department Officials onment. The Department withhe vilege. Release of the withheld r vi of the cable, would reveal the on the open and frank expression	nercial in nat marily disclos g of Exemptic leaningful, no DIF eld the docum material, whi author's pred of ideas, rec for dissemin	Madigan to sure because it se to the public. on 4, 5 U.S.C. § on-exempt (b)(5), DPP nent in full unde ch is pre- iminary ideas commendations, ation. Disclosure
shared by Ms. Madigan bey demonstrate the types of c relates to the individual's p for these reasons, the Dep 552(b)(4). The Department nformation that can be rea 14) C06347167 (attached to C06347166) DESCRIPTION: This docume FOIA Exemption 5, 5 U.S.C. decisional and deliberative regarding the cable and cor and opinions that occurs w of this information would in	yond students in h ourses that she co aid profession, an artment found that t conducted a line asonably segregate Draft Cable ent is a draft cable § 552(b)(5), pursu with respect to a uld reasonably be hen Department of mpede the ability	er classes build teach id is also t at this info -by-line re ed and rel 11 11 e regarding uant to the final dete expected officials ar of respon	o for an Embassy event. The type of information the type of information the formation is privileged and eview of the document areased. Undated g the Qatari media envirous e deliberative process pri rmination on the final test to have a chilling effect of e crafting text regarding sible executive branch of	rovided voluntarily to the Depart The withheld information is comm nat the individual does not custor d confidential within the meaning and determined that there is no m Department Officials onment. The Department withhe vilege. Release of the withheld r st of the cable, would reveal the on the open and frank expression substantive foreign policy issues	nercial in nat marily disclos g of Exemption eaningful, no DIF eld the docum material, whi author's pre- n of ideas, rea for dissemin t programs b	Madigan to sure because it se to the public. on 4, 5 U.S.C. § on-exempt (b)(5), DPP (b)(5), DPP (b)(5), DPP (c) (b)(5), DPP (c) (c) (c) (c) (c) (c) (c) (c) (c) (c)

					Review	State FOIA Exemptions
Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	Result	Claimed
line-by-line review of the d	ocuments and de	termined	that there is no meaning	ful, non-exempt information that	can be reaso	onably segregated
and released.						
(15-19)						
C06347177	Draft Report	9	Undated	Department Officials	DIF	(b)(5), DPP
(attached to C06347176)						
C06347179		9				
(attached to C06347178)						
C06347182		7				
(attached to C06347181)						
C06347184		5				
(attached to C06347183)						
C06701330		11				
(attached to C06701324)						
DESCRIPTION: These docur	ments are drafts o	outlining th	ne content and language	needed for an internal Departme	ent report, th	e Public
Diplomacy Country Contex	t for Doha, Qatar	("PDCC"),	and proposed text for th	e PDCC. These documents conta	in redline ed	its and editing

Diplomacy Country Context for Doha, Qatar ("PDCC"), and proposed text for the PDCC. These documents contain redline edits and editing comments. The PDCC collects from U.S. Embassies and Consulates, otherwise known as posts, views of country-specific information related to public outreach and engagement including demographics and analysis. It is designed to give interested stakeholders an immediate understanding of the societal, political, economic, and cultural environments that exist within a country and of the key audiences a post is trying to reach. The Department withheld the documents in full under FOIA Exemption 5, 5 U.S.C. § 552(b)(5), pursuant to the deliberative process privilege. Release of the withheld material, which is pre-decisional and deliberative with respect to a final determination on the text of the report, would reveal the authors' preliminary ideas regarding the report and details of intra-agency discussions on U.S. strategic planning. Release could reasonably be expected to have a chilling effect on the open and frank expression of ideas, recommendations, and opinions that occurs when Department officials are developing a preferred course of action. Disclosure of this information would impede the ability of responsible executive branch officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regarding future courses of action. For these reasons, the withheld information is exempt from disclosure under FOIA Exemption 5, pursuant to the deliberative process privilege. The Department conducted a line-by-line review of the document and determined that there is no meaningful, non-exempt information that can be reasonably segregated and released.

Stevens v. U.S. Dep't of State No. 17-cv-02494 Vaughn Index Exhibit 1

					Review	<u>State FOIA</u> Exemptions
Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	Result	Claimed
C06347166	E-mail	7	May-July 2016	Department Officials	Release in	(b)(5), DPP
C06347171		7			Part	
C06347175		6			("RIP")	
C06347176		6				
C06347178		6				
C06347181		5				
C06347183		6				
DESCRIPTION: These docu	ments are intra-a	gency ema	ail exchanges with the sul	bject line "RE: Relaunching the P	ublic Diploma	acy Country
researching, drafting and f recommendations, and op principals. Disclosure of th programs by inhibiting can For these reasons, the with	inal content of the inions that occur v nis information wo did discussion and nheld information d a line-by-line rev	PDCC, co vhen Depa uld imped I the expre is exempt view of the	uld reasonably be expect artment officials are deve le the ability of responsib ession of recommendatio from disclosure under FO	deliberative with respect to a fin ed to chill the open and frank ex loping a preferred course of acti le executive branch officials to fo ns and judgments regarding futu DIA Exemption 5 pursuant to the ned there is no additional meaning	pression of ic on content fo ormulate and ire proposed deliberative	leas, or Department carry out courses of action process privilege
C05829752	Cable	4	01/31/2013	U.S. Embassy	DIF	(b)(1), 1.4 (d);
000020702	Cubic	-	01/31/2013	0.5. Embassy		
				Doha/Department		(b)(6)
CONFIDENTIAL. The Depart 1.4(d), which pertains to fer information in this docume sensitive national security successful foreign relations counterparts regarding ser	rtment withheld th oreign relations or ent that concerns I topics involving U. s. In particular, U. nsitive national sec	his docum foreign a both confi S. interes S. Govern curity topi	ent in full under FOIA Exe ctivities of the United Sta dential sources and sensi ts in the Middle East. Cor ment officials must be ab cs without fear that those	Doha/Department atar. The document was original emption 1, 5 U.S.C. § 552(b)(1), p tes, including confidential source tive aspects of U.S. foreign relati infidentiality of this information is le to conduct candid conversation conversations will be made put serious damage to, a number of	ursuant to E. es. The Depa ons, includin s vital to the ns with forei olic. Disclosu	(b)(6) ently classified a O. 13526 section rtment withheld g discussions of conduct of gn leaders and re of this

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			_		Review	State FOIA Exemptions
Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	Result	Claimed
•	•		•	over, the risk of harm to national	•	
	• •			gion in question, such that releas	e of this info	rmation could
pose a direct threat to the r	hational security of	of the Unit	ted States.			
The Department also withh	eld the name of a	n educati	on official under EOIA Exe	emption 6, 5 U.S.C. § 552(b)(6),	hecause rele	ase of this
•				because of his relationship with t		
				operations of the U.S. Governme	-	
-			-	the information is exempt from		
				rranted invasion of personal priv		
-				a line-by-line review of the docur	•	
no meaningful, non-exempt	•		-	-		
(28)						
C05829760	Cable	3	01/17/2007	U.S. Embassy	DIF	(b)(1), 1.4(b),
				Doha/Department		(d); (b)(6)
DESCRIPTION: This docume	ent is a cable repo	orting on a	discussions between the U	U.S. Ambassador to Qatar and a	Qatari Gover	nment official.
The document was original	ly and is currently	classified	as CONFIDENTIAL. The o	original declassification date for t	this documer	nt was January 17,
•		•		f E.O. 13526, the Department cla		
-				emption 1, 5 U.S.C. § 552(b)(1), p		
			•	lations or foreign activities of the		
	•			its is essential to the formulation		
-				mation in this document, either		
-	-			are not able or willing to observe		
-			-	lling in the future to furnish info	•	
				n the United States in the achieve		• • •
-				his document that concerns both		
-	-	-		onal security topics involving U.S		
-			-	elations. In particular, U.S. Gover		
	-			al security topics without fear th		
made public. Disclosure of	this information a	at this tim	e could have the potentia	al to inject friction into, or cause	serious dam	age to, a number

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Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> Result	State FOIA Exemptions Claimed
				U.S. national security, including s		
•			• •	the risk of harm to national secu		• •
•	•			in question, such that release of	•	
direct threat to the nationa	• •					·
The Department also withh	eld personal infor	rmation re	egarding an individual un	der FOIA Exemption 6, 5 U.S.C. §	552(b)(6), be	ecause release of
this information would reve	eal personal detai	ls concern	ing that individual's life a	and would not shed light on the c	perations of	the U.S.
				rranted invasion of personal priv	•	
-			•	a line-by-line review of the docur	nent and det	ermined there is
no meaningful, non-exempt	t information that	t can be re	easonably segregated and	l released.		
(29)	I		I			T
C05829767 ²	Cable	5		U.S. Embassy	RIP	(b)(1), 1.4(b),
				Doha/Department		(d); b(5) DPP
	-	-		y the Assistant Secretary for Nea		
				2015, the Department extended		
	•			under FOIA Exemption 1, 5 U.S.C.		•
	•	-	-	n and foreign relations or foreign ormulation and successful impler		
-	-	-		voluntarily by the Department c		-
			•	erve the confidentiality expected	•	•
-			_	irnish information important to t		-
			-	e achievement of foreign policy		-
· · ·	•	•		cern sensitive aspects of U.S. fore	•	
•				iddle East. Confidentiality of this	•	
	• •		-	must be able to conduct candid		
				versations will be made public. D		-
		•		hage to, a number of our bilatera		

² This document was previously denied in full to Plaintiff.

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					Review	State FOIA Exemptions
<u>Doc. No.</u>	Doc Type	Pages	Date/Date Range	<u>Author(s)/Recipient(s)</u>	<u>Result</u>	<u>Claimed</u>
with the United States. Mo	reover, the risk o	f harm to	national security from di	ch public opinion might not curre sclosure of this information is exa n could pose a direct threat to th	acerbated by	the political and
privilege. The withheld mat to Qatar, is pre-decisional a visit and would reveal the could reasonably be expect when Department officials to formulate and carry out courses of action. For these	erial, which containd deliberative w details of internal ed to have a chilli are developing a programs by inhib e reasons, the wit ge. The Departme	ains recom rith respect Departmong ong effect preferred piting cano hheld info ent condu	nmendations from Depart of to a final determination ent discussions on how to on the open and frank ex course of action and wou did discussion and the exp ormation is exempt from oted a line-by-line review	n 5, 5 U.S.C. § 552(b)(5), pursuan ment employees to the Assistan of on what policies to pursue during prepare and pursue U.S. policy. pression of ideas, recommendation and impede the ability of responsion pression of recommendations an disclosure under FOIA Exemption of the document and determine leased.	t Secretary r ng the Assist Release of t ions, and opi ble executive d judgments n 5, pursuant	egarding his visit ant Secretary's his information nions that occurs e branch officials regarding future to the
C05829754	Cable	5	3/3/2014	U.S. Embassy Doha/Department	RIP	(b)(1), 1.4(d); b(5) DPP
document were originally a U.S.C. § 552(b)(1), pursuant withheld information conce the political climate and for particular, U.S. Governmen which the United States con information at this time con with countries whose coop	nd are currently of t to E.O. 13526 se erns sensitive aspe reign policy in Qat t officials must be nducts foreign rel uld have the poter eration is importa	ction 1.4(ects of U.S ar. Config able to p ations wit ntial to inj nt to U.S.	SECRET. The Department d), which pertains to fore 5. foreign relations, incluc dentiality of this informat rovide policymakers with hout fear that those inter ject friction into, or cause national security, includi	ommerce Secretary Pritzker's Vis withheld this document in part of ign relations or foreign activities ling discussions of sensitive natio ion is vital to the conduct of succe candid assessments of the vario rnal assessments will be made put serious damage to, a number of ng some in which public opinion al security from disclosure of this	under FOIA E of the Unite onal security cessful foreig us nations o ublic. Disclos our bilatera might not cu	xemption 1, 5 d States. The topics involving n relations. In r leaders with sure of this I relationships nrrently favor

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<u>Doc. No.</u>	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> <u>Result</u>	State FOIA Exemptions Claimed
by the political and security security of the United State	•	region in	question, such that relea	se of this information could pose	a direct thr	eat to the national
privilege. Release of the wiregarding his visit to Qatar Secretary's visit to Qatar ar of this information could re opinions that occurs when	ithheld material, with held material, with a pre-decisional and would reveal the asonably be experiment officient.	which con and delibe ne details ected to ha ials are de	tains recommendations f rative with respect to a f of internal Department d ave a chilling effect on th veloping a preferred cou	n 5, 5 U.S.C. § 552(b)(5), pursuan rom Department employees to t inal determination on what polic iscussions on how to prepare and e open and frank expression of ic rse of action and disclosure of th programs by inhibiting candid dis	he Commer ies to pursu d pursue U.S leas, recomi is informatio	ce Secretary e during the 5. policy. Release mendations, and on would impede
under FOIA Exemption 5, p	ursuant to the de	liberative	process privilege. The De	e reasons, the withheld informati epartment conducted a line-by-li n that can be reasonably segrega	ne review of	f the document
C05829756	Cable	5	5/8/2013	U.S. Embassy Doha/Department Officials	RIP	(b)(1), 1.4(d)
Day." Portions of the docu requirements of Section 1.7 UNCLASSIFIED. The Depart 1.4(d), which pertains to fo concerns both confidential involving U.S. interests in O by U.S. officials regarding th particular, U.S. Governmen which the United States con information at this time con whose cooperation is impo	ment were origina 7(d) of E.O. 13526 ment withheld th reign relations or sources and sens tatar. This materi nose engagement t officials must be nducts foreign rel uld have the pote rtant to U.S. natio	ally and ar , the Depa is docume foreign ac itive aspec al reflects s. Confide able to p ations wit ntial to inj onal secur	e currently classified as (artment classified portion ent in part under FOIA Ex- ctivities of the United Sta cts of U.S. foreign relation information about the n entiality of this information rovide policymakers with hout fear that those inter ject friction into, or cause ity with the United States	bebate on Restricted Media in Ho CONFIDENTIAL. On January 8, 20 hs of the document as CONFIDEN emption 1, 5 U.S.C. § 552(b)(1), p tes, including confidential source hs, including discussions of sensit ature of U.S. engagement with of on is vital to the conduct of succe a candid assessments of the vario rnal assessments will be made put e serious damage to, our bilateral 5. Moreover, the risk of harm to ility in the region in question, suc	16, in accord TIAL that has oursuant to les. The with vive national ther countri- essful foreign ous nations coublic. Disclo l relationship national sec	dance with the ad been E.O. 13526 section held information security topics es and evaluations n relations. In or leaders with sure of this o with Qatar urity from

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Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> Result	State FOIA Exemptions Claimed
information could pose a	direct threat to the			ites. The Department conducted	l a line-by-li	ne review of the
document and determine	d there is no addit	ional mea	ningful, non-exempt infor	mation that can be reasonably s	egregated a	nd released.
(32)						
C05829757	Cable	5	11/19/2014	U.S. Embassy	RIP	(b)(1), 1.4(b), (d)
				Doha/Department		
DESCRIPTION: This docur	nent is a cable wit	h the subje	ect line "Scenesetter for S	Senator Barrasso's November Vis	it to Qatar."	On January 8,
2016, with the requireme	nts of Section 1.7(d) of E.O. 1	13526, the Department cl	assified portions of the documer	nt as CONFIE	DENTIAL that had
been UNCLASSIFIED. The	Department withh	eld this do	ocument in part under FC	0IA Exemption 1, 5 U.S.C. § 552(b)(1), pursua	nt to E.O. 13526
	•			preign relations or foreign activit		
including confidential sou	rces. The ability to	obtain in	formation from foreign g	overnments is essential to the fo	rmulation a	nd successful
-	• • •			mation in this document, either	•	• •
or by order of a court, wo	uld cause foreign c	officials to	believe that U.S. officials	are not able or willing to observe	e the confid	entiality expected
in such interchanges. Gov	ernments could re	easonably	be expected to be less wi	lling in the future to furnish info	rmation imp	ortant to the
_	-			n the United States in the achieve		
•	•			his document that concerns both		
•	-	-		ional security topics involving U.S		
-	•			t of successful foreign relations.	•	
	•			nents of the various nations or le		
-				will be made public. Disclosure c		
•	•		-	Imber of our bilateral relationshi		
• •		•	•	lic opinion might not currently fa		•
			-	of this information is exacerbate		
				pose a direct threat to the natior		
•				determined there is no additiona	l meaningfu	l, non-exempt
information that can be re	asonably segregat	ed and re	leased.			
(33)		1			1	-
C05829758	Cable	4	6/26/2014	U.S. Embassy	RIP	(b)(1), 1.4(b), (d)
				Doha/Department		

Doc. No.Doc TypePagesDate/Date RangeAuthor(s)/Recipient(s)DESCRIPTION: This document is a cable with the subject line "Qatar: Scenesetter for June 27-28 Visit of2016, in accordance with the requirements of Section 1.7(d) of E.O. 13526, the Department classified pCONFIDENTIAL that had been UNCLASSIFIED. The Department withheld this document in part under FCpursuant to E.O. 13526 sections 1.4(b) and (d), which pertain to foreign government information and fcthe United States. The ability to obtain information from foreign governments is essential to the formuof U.S. foreign policy. Release of the foreign government information in this document, either voluntarcourt, would cause foreign officials to believe that U.S. officials are not able or willing to observe the cointerchanges. Governments could reasonably be expected to be less willing in the future to furnish information in this document that concerns both comof U.S. foreign relations, and in general less disposed to cooperate with the United States in the achievemcommon interest. The Department also withheld information in this document that concerns both comof U.S. foreign relations, including discussions of sensitive national security topics involving U.S. interessthis information is vital to the conduct of successful foreign relations. In particular, U.S. Government ofpolicymakers with candid assessments of the various nations or leaders with which the United States cothis information is vital to the conduct of successful foreign relations, into at this time could hor cause serious damage to, a number of our bilateral relationships with countries whose cooperation iincluding some in which public opinion might not currentl	Senator Graham."	Exemptions Claimed
DESCRIPTION : This document is a cable with the subject line "Qatar: Scenesetter for June 27-28 Visit o 2016, in accordance with the requirements of Section 1.7(d) of E.O. 13526, the Department classified p CONFIDENTIAL that had been UNCLASSIFIED. The Department withheld this document in part under FC pursuant to E.O. 13526 sections 1.4(b) and (d), which pertain to foreign government information and fc the United States. The ability to obtain information from foreign governments is essential to the formu of U.S. foreign policy. Release of the foreign government information in this document, either voluntar court, would cause foreign officials to believe that U.S. officials are not able or willing to observe the co interchanges. Governments could reasonably be expected to be less willing in the future to furnish infor U.S. foreign relations, and in general less disposed to cooperate with the United States in the achievem common interest. The Department also withheld information in this document that concerns both con of U.S. foreign relations, including discussions of sensitive national security topics involving U.S. interest this information is vital to the conduct of successful foreign relations. In particular, U.S. Government of policymakers with candid assessments of the various nations or leaders with which the United States co that those internal assessments will be made public. Disclosure of this information at this time could h or cause serious damage to, a number of our bilateral relationships with countries whose cooperation i including some in which public opinion might not currently favor close cooperation with the United States. The review of the document and determined there is no additional meaningful, non-exempt information the	Senator Graham."	
2016, in accordance with the requirements of Section 1.7(d) of E.O. 13526, the Department classified p CONFIDENTIAL that had been UNCLASSIFIED. The Department withheld this document in part under FG pursuant to E.O. 13526 sections 1.4(b) and (d), which pertain to foreign government information and for the United States. The ability to obtain information from foreign governments is essential to the formula of U.S. foreign policy. Release of the foreign government information in this document, either voluntar court, would cause foreign officials to believe that U.S. officials are not able or willing to observe the coninterchanges. Governments could reasonably be expected to be less willing in the future to furnish information interest. The Department also withheld information in this document that concerns both con of U.S. foreign relations, and in general less disposed to cooperate with the United States in the achievem common interest. The Department also withheld information in this document that concerns both con of U.S. foreign relations, including discussions of sensitive national security topics involving U.S. interest this information is vital to the conduct of successful foreign relations. In particular, U.S. Government of policymakers with candid assessments of the various nations or leaders with which the United States con that those internal assessments will be made public. Disclosure of this information at this time could h or cause serious damage to, a number of our bilateral relationships with countries whose cooperation i including some in which public opinion might not currently favor close cooperation with the United States. The review of the document and determined there is no additional meaningful, non-exempt information th		
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C05829759 Cable 4 12/13/2013 U.S. Embassy		(b)(1), 1.4(d)
Doha/Department	RIP	

Reform." The document was originally and is currently classified as CONFIDENTIAL. The Department withheld this document in part under FOIA Exemption 1, 5 U.S.C. § 552(b)(1), pursuant to E.O. 13526 section 1.4(d), which pertains to foreign relations or foreign activities of the United States, including confidential sources. The Department withheld information in this document that concerns both confidential sources and sensitive aspects of U.S. foreign relations, including discussions of sensitive national security topics involving U.S. interests in Qatar. Confidentiality of this information is vital to the conduct of successful foreign relations. In particular, U.S. Government officials must be able

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to conduct candid conversations with foreign counterparts regarding sensitive national security topics without fear that those conversations will be made public. Disclosure of this information at this time could have the potential to inject friction into, or cause serious damage to, a							
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been previously classified b U.S.C. § 552(b)(1), pursuant	ut had past their to E.O. 13526 se	declassific tions 1.4	ation date. The Departm (b) and (d), which pertain	tment classified portions of the openations of the openation of the dent withheld this document in p to foreign government information of the provided the second of the provided the second of the se	art under FC tion and fore	DIA Exemption 1, 5 ign relations or	

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 65 of 132 PageID #:403

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C05829772	Cable	3	05/16/2008	Department/U.S. Embassy	RIP	(b)(1), 1.4(d)
				Doha		
DESCRIPTION: This docume	ent is a cable with	the subje	ect line "Democracy Strat	egy and Goals: Qatar." Portions	of the docun	nent were
originally and are currently	classified as CON	FIDENTIAL	. On November 3, 2015,	the Department extended classi	fication on p	ortions of the
document at the CONFIDEN	ITIAL level. The D	epartmer	nt withheld this documen	t in part under FOIA Exemption 1	, 5 U.S.C. § 5	52(b)(1) <i>,</i>
pursuant to E.O. 13526 sect	tion 1.4(d), which	pertains t	to foreign relations or for	eign activities of the United State	es. The with	held information
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Stevens v. U.S. Dep't of State No. 17-cv-02494 Vaughn Index Exhibit 1

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Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> Result	Exemptions Claimed		
C05899057	Cable	5	08/21/2008	U.S. Embassy DOHA/Dep't of	RIP	(b)(1), 1.4 (b),		
				State		(d)		
DESCRIPTION: This docum	ent is a cable with	the subje	ect line "Scenesetter for L	J/S Glassman's Visit to Doha." Po	ortions of the	e document were		
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552(b)(1), pursuant to E.O.	13526 sections 1.	4(b) and (d), which pertain to forei	gn government information and	foreign relat	tions or foreign		
activities of the United Stat	es. The ability to	obtain inf	ormation from foreign go	overnments is essential to the for	rmulation an	d successful		
implementation of U.S. fore	eign policy. Relea	se of the f	oreign government infor	mation in this document, either	voluntarily by	y the Department		
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C06340023	Email	4	9/9/2015	Department Officials	RIP	(b)(5), DPP		
				nbassador Dana Shell Smith on U				
			-	552(b)(5), pursuant to the delibe	•			
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C06340030	Email	1	11/22/2015	Department Officials	RIP	(b)(5), DPP; (b)(6)
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C06340790	Email	11	9/10/2015	Department	RIP	(b)(6)
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DESCRIPTION: This docu	ment is an email wi	ith the sub	oject line "RE: Ambassado	r's Smith Presentation at Qatar L	eadership (Conference, Oct.
2015." The Department	withheld this docur	nent in pa	irt under FOIA Exemption	6, 5 U.S.C. § 552(b)(6). The Depa	artment wit	hheld personally
identifying information ir	cluding the email a	ddress an	d phone numbers of the	Head of THIMUN Qatar and the e	e-mail addre	ess of a member of
the Qatar Academy facul	ty. It also withheld	personal	family information, and s	ensitive, personal details regardir	ng the Qata	r Academy faculty
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of this information could As a result, release of this disclosure under FOIA Exe additional meaningful, no (45-46) C06341605 C06341607 DESCRIPTION: These doo internal Embassy recommen ployee's assessments withheld the documents withheld material, which	subject the individu s information would emption 6. The Dep on-exempt informat Email cuments are intra-a nendations and sug and opinions regard in part under FOIA is pre-decisional ar	uals to har d constitut partment tion that c 4 4 gency em gestions r ding the v Exemption d delibera	rassment or unwanted at te an unwarranted invasio conducted a line-by-line is an be reasonably segrega 1/6/2016 1/6/2016 ails with the subject line egarding a proposed itine alue of meeting with cert n 5, 5 U.S.C. § 552(b)(5), p ative with respect to an o	tention and would reveal personation of personal privacy, and the in review of the document and deter ated and released. Department Officials 'RE: Heading your way." The with erary for a visiting Department of ain individuals and organizations pursuant to the deliberative proce	al details re formation i mined tha RIP sheld mater ficial, incluct in Qatar. T ess privilege g visit, could	garding their lives. s exempt from t there is no (b)(5), DPP fial contains ding Department the Department e. Release of the d reasonably be
of this information could As a result, release of this disclosure under FOIA Exe additional meaningful, no (45-46) C06341605 C06341607 DESCRIPTION: These doo internal Embassy recomm employee's assessments withheld the documents withheld material, which expected to chill the oper developing a preferred co	subject the individu s information would emption 6. The Dep on-exempt informat Email cuments are intra-a nendations and sug and opinions regard in part under FOIA is pre-decisional ar n and frank express ourse of action rega	uals to har d constitut partment tion that c 4 4 gency em gestions r ding the v Exemption d delibera ion of idea	assment or unwanted at te an unwarranted invasio conducted a line-by-line in tan be reasonably segrega 1/6/2016 1/6/2016 ails with the subject line regarding a proposed itine alue of meeting with cert in 5, 5 U.S.C. § 552(b)(5), p ative with respect to an o as, recommendations, an agement with foreign cou	tention and would reveal personal on of personal privacy, and the in review of the document and deter ated and released. Department Officials 'RE: Heading your way." The with erary for a visiting Department of ain individuals and organizations bursuant to the deliberative proce fficial's plans during an upcoming d opinions that occur when Depa unterparts. Disclosure of this info	al details re formation i prmined tha RIP held mater ficial, incluc in Qatar. T ess privilege g visit, could intment offi	garding their lives. s exempt from t there is no (b)(5), DPP ial contains ding Department the Department e. Release of the d reasonably be cials are ould impede the
of this information could As a result, release of this disclosure under FOIA Exe additional meaningful, no (45-46) C06341605 C06341607 DESCRIPTION: These doo internal Embassy recomm employee's assessments withheld the documents withheld material, which expected to chill the oper developing a preferred co	subject the individu s information would emption 6. The Dep on-exempt informat Email cuments are intra-a nendations and sug and opinions regard in part under FOIA is pre-decisional ar n and frank express ourse of action rega	uals to har d constitut partment tion that c 4 4 gency em gestions r ding the v Exemption d delibera ion of idea	assment or unwanted at te an unwarranted invasio conducted a line-by-line in tan be reasonably segrega 1/6/2016 1/6/2016 ails with the subject line regarding a proposed itine alue of meeting with cert in 5, 5 U.S.C. § 552(b)(5), p ative with respect to an o as, recommendations, an agement with foreign cou	tention and would reveal persona on of personal privacy, and the in review of the document and deter ated and released. Department Officials 'RE: Heading your way." The with erary for a visiting Department of ain individuals and organizations pursuant to the deliberative proce fficial's plans during an upcoming d opinions that occur when Depa	al details re formation i prmined tha RIP held mater ficial, incluc in Qatar. T ess privilege g visit, could intment offi	garding their lives. s exempt from t there is no (b)(5), DPP ial contains ding Department the Department e. Release of the d reasonably be cials are ould impede the

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Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> Result	State FOIA Exemptions Claimed
				partment conducted a line-by-li		
		•		at can be reasonably segregated		
(47)			•	,		
C06341697	Email	3	1/6/2016	Department Officials	RIP	(b)(5), DPP; (b)(6)
document in part under FO internal Embassy recomme Embassy in Qatar. Release Day, could reasonably be ex Department officials are de executive branch officials to judgments regarding future pursuant to the deliberative	IA Exemption 5, 5 ndations, suggesti of the withheld m xpected to chill the veloping a preferr o formulate and ca e courses of action e process privilege	U.S.C. § 5 ons, and aterial, w e open ar ed course arry out p . For the s.	552(b)(5), pursuant to the opinions regarding a pro- which is pre-decisional and frank expression of ide of action. Disclosure of rograms by inhibiting car se reasons, the withheld	E: National Day Invitation List." e deliberative process privilege. posed invitation list for the Nation d deliberative with respect to pla as, recommendations, and opin this information would impede adid discussion and the expression information is exempt from disc	The withhel onal Day eve ans on who t ions that occ the ability o on of recom losure unde	d material contains ont at the U.S. to invite to National cur when f responsible mendations and r FOIA Exemption 5
of the U.S. Government. As information is exempt from	s a result, release o disclosure under diditional meani	of this inf FOIA Exe ngful, no	ormation would constitue mption 6. The Departme n-exempt information the	d communications and would n te an unwarranted invasion of p nt conducted a line-by-line revie at can be reasonably segregated	ersonal privates of the do	acy, and the cument and
C06342814	Email	3	12/7/2015	Department Officials	RIP	(b)(5), DPP, (b)(6)
document in part under FO a recommended script for u embassy staff regarding wh	IA Exemption 5, 5 use by the Ambass nat may be include	U.S.C. § 5 ador in a d in the f	552(b)(5), pursuant to the Qatari national day video inal script. Release of the	E: Qatar national day plans." The e deliberative process privilege. o and questions and discussions e withheld material, which is pre- and frank expression of ideas, re-	The withhel between the -decisional a	d material contains e Ambassador and and deliberative

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Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> <u>Result</u>	State FOIA Exemptions Claimed
-			•	on. Disclosure of this informatio		•
•			, , ,	nhibiting candid discussion and t	•	
under FOIA Exemption 5 pu				e reasons, the withheld informati	on is exemp	ot from disclosure
under i OIA Exemption 5 pu	insuant to the den		biocess privilege.			
The Department also withh	eld the mobile ph	none num	ber of a Department offic	cial under FOIA Exemption 6, 5 U	.S.C. § 552(l)(6), because
•			•	ed communications and would no		
of the U.S. Government. As	s a result, release	of this inf	ormation would constitu	te an unwarranted invasion of pe	ersonal priva	acy, and the
information is exempt from	disclosure under	FOIA Exe	mption 6. Plaintiff is not	challenging the Department's w	ithholding p	ursuant to FOIA
Exemption 6. The Departm	ent conducted a	line-by-lin	e review of the documer	nt and determined that there is n	o additiona	meaningful, non-
exempt information that ca	in be reasonably s	segregate	d and released.			
(49)			1			1
C06343759	Email	5	09/21/2015	Department Officials	RIP	(b)(5), DPP; b(6)
DESCRIPTION: This docume	ent is an intra-age	ency emai	l with the subject line "Vi	isit of Media Specialist – Magda A	Abu Fadil."	The Department
•		•		ursuant to the deliberative proce		
•	•			rding the proposed agenda for a	•	
		•		e with respect to the final agend	•	-
• •	•	•		nendations, and opinions that oc		•
				uld impede the ability of respons		
		-		pression of recommendations ar		
	-	inneid Info	ormation is exempt from	disclosure under FOIA Exemption	n 5 pursuan	t to the
deliberative process privileg	ge.					
The Department also withh	eld the mobile nh	one num	her of a Denartment offi	cial and the mobile phone numbe	er and email	address of a
				e of this information could subje		
-				-		-
or unwanted communication	ons and would no	נ צוופט וופר	it on the operations of th	e U.S. Government. As a result.	release of ti	nis information
or unwanted communicatio would constitute an unwarr		-	•	ne U.S. Government. As a result, ation is exempt from disclosure u		

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						Review	State FOIA Exemptions
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the document and determ							
released.			0, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,	1		,	0
(50)							
C06347128	Paper	5	June 2017		Embassy Officials/	RIP	(b)(5), DPP
					Undersecretary for		
					Diplomacy and Public		
					Affairs		
DESCRIPTION: This docum	nent is a briefing p	aper entit	led "R's Meeting with Am	nbassac	dor Sheikh Mishal bin Ham	ad Al Thani.	" The Department
withheld this document in	part under FOIA E	xemption	5, 5 U.S.C. § 552(b)(5), p	ursuant	t to the deliberative proce	ss privilege.	The withheld
information represents a s	election of facts cl	nosen by I	Embassy staff for the purp	pose of	advising the Undersecret	ary for Publi	c Diplomacy and
Public Affairs regarding the	e meeting and con	tains the a	authors' opinions and ass	essmer	nts regarding the U.S. rela	tionship witl	n Qatar and
educational issue. Release	e of the withheld n	naterial, w	hich is pre-decisional and	d delibe	erative with regards to the	Undersecre	tary's approach to
the meeting, could reason	ably be expected t	o chill the	open and frank expression	on of id	leas, recommendations, a	nd opinions	that occur when
Department officials are de	eveloping a prefer	red cours	e of action. Disclosure of	this inf	formation would impede t	he ability of	responsible
executive branch officials t	o formulate and c	arry out p	rograms by inhibiting car	ndid dis	cussion and the expressio	n of recomn	nendations and
judgments regarding a pro	posed course of a	ction. For	these reasons, the withh	eld info	ormation is exempt from o	disclosure ur	der FOIA
Exemption 5 pursuant to t		•	•		•		nt and
determined there is no add	ditional meaningfu	ıl, non-exe	empt information that ca	n be rea	asonably segregated and i	released.	
(51)	1	1	1	T			
							1
C06334236	Draft Paper	9	Unknown		le Eastern Partnership tive ("MEPI")	DIF	(b)(5), DPP
C06334236 DESCRIPTION: This docum				Initiat	tive ("MEPI")		
DESCRIPTION: This docum	ent is a draft of pr	ogram rec	quirements for a project f	Initiat unded	tive ("MEPI") by MEPI. It contains redli	ne text. Rel	ease of the
DESCRIPTION : This docum withheld material, which is	ent is a draft of pr s pre-decisional an	ogram rec d delibera	quirements for a project f ative with respect to final	Initiat unded approv	tive ("MEPI") by MEPI. It contains redli ved language, would revea	ne text. Reloal the author	ease of the 's preliminary
DESCRIPTION: This docum withheld material, which is thoughts and ideas regard	ent is a draft of pr s pre-decisional an ing proposed text	ogram rec d delibera and could	quirements for a project f ative with respect to final reasonably be expected	Initiat unded approv to chill	tive ("MEPI") by MEPI. It contains redli ved language, would revea the open and frank expre	ne text. Releast Relea	ease of the 's preliminary s,
DESCRIPTION : This docum withheld material, which is thoughts and ideas regard recommendations, and op	ent is a draft of pr s pre-decisional an ing proposed text inions that occur v	ogram red Id delibera and could when U.S.	quirements for a project f ative with respect to final reasonably be expected Government officials are	Initiat unded approv to chill craftin	tive ("MEPI") by MEPI. It contains redli ved language, would revea the open and frank expre g text for dissemination to	ne text. Released al the author ssion of ideased the public.	ease of the 's preliminary s, Disclosure of this
	ent is a draft of pr s pre-decisional an ing proposed text inions that occur v e the ability of resp	ogram rec d delibera and could when U.S. ponsible e	quirements for a project f ative with respect to final reasonably be expected Government officials are xecutive branch officials t	Initiat unded approv to chill craftin	tive ("MEPI") by MEPI. It contains redlived language, would revea the open and frank expre g text for dissemination to ulate and carry out progra	ne text. Release al the author ssion of idea the public. ams by inhib	ease of the 's preliminary s, Disclosure of this iting candid

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						State FOIA					
					<u>Review</u>	Exemptions					
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line-by-line review of the document and determined that there is no meaningful, non-exempt information that can be reasonably segregated											
and released.											
(52)											
C06334238	Draft Paper	2	2008	MEPI	DIF	(b)(5) <i>,</i> DPP					
DESCRIPTION: This docume	ent is a draft descr	ription of t	the MEPI High School Jou	rnalism Education Program cont	aining a comi	ment about what					
to include in the description	n. Release of the	withheld ı	material, which is pre-dec	isional and deliberative with res	pect to final a	approved					
language, would reveal the	author's prelimin	ary thoug	hts and ideas regarding p	roposed text and could reasonal	bly be expect	ed to chill the					
open and frank expression	of ideas, recomm	endations	, and opinions that occur	when U.S. Government officials	are crafting t	ext for					
dissemination to the public	. Disclosure of th	is informa	tion would impede the al	bility of responsible executive br	anch officials	to formulate and					
carry out programs by inhib	iting candid discu	ission and	the expression of recom	mendations and judgments rega	rding a prefe	rred course of					
action. For these reasons,	the withheld infor	mation is	exempt from disclosure u	under FOIA Exemption 5 pursuan	nt to the delib	perative process					
privilege. The Department	conducted a line-	by-line re	view of the document and	d determined that there is no me	eaningful, no	n-exempt					
information that can be rea	sonably segregate	ed and rel	eased.								
(53)											
C06701131	Email	4	5/4/2017	Department Officials	RIP	(b)(5), DPP;					
						(b)(6)					
DESCRIPTION: This docum	ent is an intra-age	ency email	exchange with the subje	ct line "Re: U.S. Embassy Doha C	01: May 4, 201	L7". The					
				552(b)(5), pursuant to the delibe							
	•			atus of a pending agreement be							
			•	and deliberative with respect to							
-	• •		•	n of ideas, recommendations, an	•						
				this information would impede t		•					
				did discussion and the expressio							
			se reasons, the withheld i	nformation is exempt from discl	osure under	FOIA Exemption 5					
pursuant to the deliberative	e process privilege	2.									
				mployee under FOIA Exemption							
has a practice to withhold p	personally identify	ving inforn	nation of those members	of DoD who are at the military r	ank of Colone	el or below and at					

					Review	State FOIA Exemptions	
Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	Result	Claimed	
		•	•	names of the individuals involve	•		
-				protects significant personal priva	•		
			•	rpose" of the FOIA, as it would no		•	
-				eld accountable by the public, th			
	•			ng the significant personal privac	•		
				nt conducted a line-by-line revie			
	additional mean	ingful, no	n-exempt information that	at can be reasonably segregated	and released		
(54)		I			·	L	
C06701134	Email	5	5/1 – 5/2/2017	Department Officials	RIP	(b)(5), DPP, (b)(6)	
DESCRIPTION: This docum	ent is an intra-age	ency emai	l exchange with the subje	ect line "Amb Haley/Qatari PR".	The Departm	ent withheld this	
document in part under FO	IA Exemption 5, 5	5 U.S.C. § 5	552(b)(5), pursuant to the	e deliberative process privilege.	The withheld	material contains	
draft talking points and bac	kground information	tion for U	SUN Ambassador Haley's	meeting with foreign officials. Re	elease of the	withheld	
material, which is pre-decise	ional and deliber	ative with	respect to background in	formation given to the Ambassa	dor's staff ar	nd the talking	
points that were provided t	to and conveyed b	oy Ambass	sador Haley, could reason	ably be expected to chill the ope	en and frank o	expression of	
ideas, recommendations, a	nd opinions that o	occur whe	en Department officials ar	e developing a preferred course	of action. Di	sclosure of this	
information would impede	the ability of resp	onsible e	xecutive branch officials t	o formulate and carry out progra	ams by inhibi	ting candid	
discussion and the expressi	on of recommend	dations an	d judgments regarding fu	ture courses of action. For these	e reasons, th	e withheld	
information is exempt from	n disclosure under	FOIA Exe	mption 5 pursuant to the	deliberative process privilege.			
•				under FOIA Exemption 6, 5 U.S.C			
of this information could su	ibject the individເ	uals to har	assing or unwanted com	munications and would not shed	light on the	operations of the	
U.S. Government. As a resu	ult, release of this	informati	ion would constitute an u	inwarranted invasion of personal	l privacy, and	the information	
				the Department's withholding pu		·	
The Department conducted	a line-by-line rev	view of the	e document and determine	ned that there is no additional m	eaningful, no	n-exempt	
information that can be rea	sonably segregat	ed and re	leased.				
(55)							
C06701136	Draft Talking	2	Undated	Unknown	RIP	(b)(5), DPP	

			_		Review	State FOIA Exemptions				
Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	Result	Claimed				
			• • • •	partment withheld this documen						
Exemption 5, 5 U.S.C. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material consists of draft talking points										
	pertaining to Qatar. Release of the withheld material, which is pre-decisional and deliberative with respect to which talking points were provided to or conveyed by USUN Ambassador Haley, could reasonably be expected to chill the open and frank expression of ideas,									
				•	•					
• •				eloping a preferred course of acti						
				o formulate and carry out progra		-				
				ture courses of action. For these deliberative process privilege.						
				meaningful, non-exempt inform						
segregated and released.		ennineu u		meaningrui, non-exempt morm						
(56)										
C06701140	Draft Letter	1	Undated	Embassy Officials	RIP	(b)(6)				
(attached to C06701138)	Diant Letter	T	Undleu	Embassy Officials						
· · ·	ant is a draft lette	r from An	hassador Smith to the D	ean of Virginia Commonwealth L	lniversity _ ()atar regarding				
				l email address under FOIA Exem	•					
				communications and would not						
				te an unwarranted invasion of pe						
				nt conducted a line-by-line revie						
·				at can be reasonably segregated						
(57-58)				at call be reasonably segregated		••				
C06701161	Draft Letter	1	Undated	Embassy Officials	RIP	(b)(5), DPP;				
(attached to C06701138)	Dratt Letter	-	ondiced			(b)(6)				
C06701167		1	Undated							
(attached to C06701138)		-								
1 1	ments are draft le	tters to th	he then-Secretary of Defe	nse Mattis and CINCCENT Gener	al Votel fron	Ambassador				
			-							
Smith regarding her departure from post. The Department withheld these documents in part under FOIA Exemption 5, 5 U.S.C. § 552(b)(5), pursuant to the deliberative process privilege. Release of the withheld material, which is pre-decisional and deliberative with respect to the										
pursuant to the deliberative	e process privilege	2. Release	e of the withheld materia	i, willen is pre-decisional and der						
•				frank expression of ideas, recon						

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					Review	State FOIA Exemptions	
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				nhibiting candid discussion and t			
recommendations and judg	ments regarding	future cou	rses of action. For these	reasons, the withheld information	on is exempt	from disclosure	
under FOIA Exemption 5 pu	<mark>rsuant to the deli</mark>	berative p	process privilege.				
The Department also withh	eld the Ambassac	lor's perso	onal email address under	FOIA Exemption 6, 5 U.S.C. § 552	2(b)(6), becau	use release of this	
	-			ould not shed light on the opera			
				on of personal privacy, and the in			
			•	eview of the documents and det	ermined that	t there is no	
additional meaningful, non-	exempt informat	ion that ca	an be reasonably segrega	ted and released.			
(59)				r			
C06701179	Email	3	4/30/2017	Embassy Officials	RIP	(b)(5), DPP	
	•			ct line "Re: Congratulatory Twee			
•				552(b)(5), pursuant to the delib			
				ions on the drafting and posting	-		
				decisional and deliberative with r			
-	· · · · · · · · · · · · · · · · · · ·			nill the open and frank expression			
-				course of action. Disclosure of th		•	
				programs by inhibiting candid dise			
	0 0			reasons, the withheld informati	•		
				partment conducted a line-by-lin			
	additional mean	ingful, noi	n-exempt information that	at can be reasonably segregated	and released		
(60)							
C06701187	Email	4	3/16/2017	Embassy Officials	RIP	(b)(6)	
	-	•	- ·	ine "U.S. Embassy Doha OI: Mare			
-			-	on 6, 5 U.S.C. § 552(b)(6). DoD h	•		
				itary rank of Colonel or below an			
below. The rationale for this practice is that disclosing the names of the individuals involved could subject such individuals to annoyance or							
			. .	privacy interests. Moreover, rele		-	
individuals' names would no	ot serve the "core	e purpose'	of the FOIA, as it would	not show "what the government	is up to." A	s these individuals	

Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> Result	State FOIA Exemptions Claimed					
				their identities are not typically							
		•		ivacy interests involved, and the							
				review of the document and dete		•					
additional meaningful, nor	•		-								
(61)											
C06701191	Email	3	2/26 - 3/1/2017	Embassy Officials/	RIP	(b)(3)					
				Northwestern University in		Immigration and					
				Qatar faculty		Nationality Act					
						("INA")					
						(b)(6)					
Immigration and Nationality Act, 8 U.S.C. § 1202(f). The Department withheld information regarding the identity of a visa applicant and their immigration status because this information would shed no light on the conduct of U.S. Government business. As a result, release of this information would constitute an unwarranted invasion of personal privacy, and the information is exempt from disclosure under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). Additionally, the											
	oile phone number	Department withheld mobile phone numbers for a Department employee and a private individual, and a private individual's personal email address under FOIA Exemption 6, because release of this information could subject them to harassing or unwanted communications and									
Department withheld mob						personal email					
Department withheld mot address under FOIA Exemp	otion 6, because re	lease of t	his information could sub	pject them to harassing or unwan	ted commur	personal email nications and					
Department withheld mot address under FOIA Exemp would not shed light on th	otion 6, because re e operations of th	elease of t e U.S. Gov	his information could sub rernment. Plaintiff is not	pject them to harassing or unwan challenging the Department's wi	ted commur thholdings o	personal email nications and f this information					
Department withheld mot address under FOIA Exemp would not shed light on the pursuant to FOIA Exemption	otion 6, because re e operations of th on 6. The Departm	lease of the U.S. Government conduction	his information could sub rernment. Plaintiff is not ucted a line-by-line review	oject them to harassing or unwan challenging the Department's wi w of the document and determin	ted commur thholdings o	personal email nications and f this information					
Department withheld mot address under FOIA Exemp would not shed light on th	otion 6, because re e operations of th on 6. The Departm	lease of the U.S. Government conduction	his information could sub rernment. Plaintiff is not ucted a line-by-line review	oject them to harassing or unwan challenging the Department's wi w of the document and determin	ted commur thholdings o	personal email nications and f this information					
Department withheld mot address under FOIA Exemp would not shed light on th pursuant to FOIA Exemption meaningful, non-exempt in	otion 6, because re e operations of th on 6. The Departm	lease of the U.S. Government conduction	his information could sub rernment. Plaintiff is not ucted a line-by-line review	oject them to harassing or unwan challenging the Department's wi w of the document and determin	ted commur thholdings o	personal email nications and f this information					
Department withheld mot address under FOIA Exemp would not shed light on th pursuant to FOIA Exemption meaningful, non-exempt in (62)	otion 6, because re e operations of th on 6. The Departm nformation that ca	elease of t e U.S. Gov nent condu n be rease	his information could sub rernment. Plaintiff is not ucted a line-by-line review onably segregated and re	oject them to harassing or unwan challenging the Department's wi w of the document and determin leased.	ted commur thholdings o ed that ther	personal email nications and f this information e is no additional					
Department withheld mob address under FOIA Exemp would not shed light on th pursuant to FOIA Exemption meaningful, non-exempt in (62) C06701195 (attached to C06701193)	otion 6, because re e operations of the on 6. The Departm nformation that ca	elease of the U.S. Government conduction of the reason of	his information could sub rernment. Plaintiff is not ucted a line-by-line review onably segregated and re 2/26/2017	oject them to harassing or unwan challenging the Department's wi w of the document and determin eleased. Northwestern University in	ted commun thholdings o red that ther DIF	personal email nications and f this information e is no additional (b)(3) INA; (b)(6)					
Department withheld mot address under FOIA Exemp would not shed light on th pursuant to FOIA Exemption meaningful, non-exempt in (62) C06701195 (attached to C06701193) DESCRIPTION: This docum	otion 6, because re e operations of the on 6. The Department formation that ca Letter nent is letter from	elease of the U.S. Government conduction be reased and be	his information could sub rernment. Plaintiff is not ucted a line-by-line review onably segregated and re 2/26/2017 of Northwestern Univers	oject them to harassing or unwan challenging the Department's wi w of the document and determin leased. Northwestern University in Qatar faculty	ted commun thholdings o ed that ther DIF n. This docur	personal email nications and if this information e is no additional (b)(3) INA; (b)(6) ment pertains					

The Department also withheld information in this document under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because release of this information would reveal the identity of a visa applicant and their immigration status, and would shed no light on the conduct of U.S. Government business. As a result, release of this information would constitute an unwarranted invasion of personal privacy and it is exempt from disclosure under FOIA Exemption 6, 5 U.S.C. § 552 (b)(6). The Department conducted a line-by-line review of the document and determine that there is no meaningful, non-exempt information that can be reasonably segregated and released. RIP (b)(3) INA; (63) C06701198 Email 2 2/26 - 2/27/2017 Embassy Officials/ Northwestern University in Qatar faculty RIP (b)(3) INA; (b)(c)(DF) DESCRIPTION: This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions that occur when Department officials are developing a preferred course of action. Disclosure of this information would impede the ability of responsible executive branch officials are developing a preferred course of action. For these reasons, the withheld discussion and the expression of ideas, recommendations, and opinions that occur when Department officials are developing a preferred course of action. Disclosure of this information would impede the a	Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Review</u> Result	State FOIA Exemptions Claimed		
would reveal the identity of a visa applicant and their immigration status, and would shed no light on the conduct of U.S. Government business. As a result, release of this information would constitute an unwarranted invasion of personal privacy and it is exempt from disclosure under FOIA Exemption 6, 5 U.S.C. § 552 (b)(6). The Department conducted a line-by-line review of the document and determine that there is no meaningful, non-exempt information that can be reasonably segregated and released.RIP (b)(3) INA; (b)(5). DPP; (b)(5).(63)C06701198Email22/26 - 2/27/2017Embassy Officials/ Northwestern University in Qatar facultyRIP (b)(5). DPP; (b)(6)DESCRIPTION: This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decision and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, 	<u>boc. no.</u>	Dociype	<u>r uges</u>	Dute/Dute hange	<u>Author(5)</u>	<u>Result</u>	clained		
would reveal the identity of a visa applicant and their immigration status, and would shed no light on the conduct of U.S. Government business. As a result, release of this information would constitute an unwarranted invasion of personal privacy and it is exempt from disclosure under FOIA Exemption 6, 5 U.S.C. § 552 (b)(6). The Department conducted a line-by-line review of the document and determine that there is no meaningful, non-exempt information that can be reasonably segregated and released.RIP (b)(3) INA; (b)(5). DPP; (b)(5).(63)C06701198Email22/26 - 2/27/2017Embassy Officials/ Northwestern University in Qatar facultyRIP (b)(5). DPP; (b)(6)DESCRIPTION: This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decision and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, recommendations, and opinions that occur when Department officials are developing a preferred course of action. Disclosure of this information would impede the ability of responsible executive branch officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regar	The Department also withh	eld information ir	this doci	iment under FOIA Exemr	tion 6.5 S C (8.552(b)(6)) beca	use release o	of this information		
business. As a result, release of this information would constitute an unwarranted invasion of personal privacy and it is exempt from disclosure under FOIA Exemption 6, 5 U.S.C. § 552 (b)(6). The Department conducted a line-by-line review of the document and determine that there is no meaningful, non-exempt information that can be reasonably segregated and released. (63) C06701198 Email 2 2/26 - 2/27/2017 Embassy Officials/ Northwestern University in Qatar faculty (b)(3) INA; (b)(5), DPP; (b)(6) DESCRIPTION: This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decisia and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, recommendations, and opinions that occur when Department officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regarding future courses of action. For these reasons, the withheld information is exempt from disclosure under FOIA Exemption 5, 5 U.S.C. § 552(b)(6), pursuant to \$ 222(f) of the Immigration and Nationality Act, 8 U.S.C. § 1202(f) because the document pertains directly to the issuance or refusal of a visa to enter the United States. Furthermore, the Department withheld information in this document under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because release of this information could subject the identity of a visa applicant and their imm	· ·			•					
disclosure under FOIA Exemption 6, 5 U.S.C. § 552 (b)(6). The Department conducted a line-by-line review of the document and determined that there is no meaningful, non-exempt information that can be reasonably segregated and released. (G3) C06701198 Email 2 2/26 – 2/27/2017 Embassy Officials/ Northwestern University in Qatar faculty RIP (b)(3) INA; (b)(5), DPP; (b)(6) DESCRIPTION: This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decision and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, recommendations, and opinions that occur when Department officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regarding future courses of action. For these reasons, the withheld information is exempt from disclosure under FOIA Exemption 3, 5 U.S.C. § 552 (b)(3), pursuant to § 222(f) of the Immigration and Nationality Act, 8 U.S.C. § 1202(f) because the document pertains directly to the issuance or refusal of a visa to enter the United States. Furthermore, the Department withheld information in this document under FOIA Exemp		• •			-				
that there is no meaningful, non-exempt information that can be reasonably segregated and released. (63) C06701198 Email 2 2/26 - 2/27/2017 Embassy Officials/ Northwestern University in Qatar faculty RIP (b)(3) INA; (b)(5), DPP; (b)(6) DESCRIPTION: This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decisic and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, recommendations, and opinions that occur when Department officials are developing a preferred course of action. Disclosure of this information would impede the ability of responsible executive branch officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regarding future courses of action. For these reasons, the withheld information is exempt from disclosure under FOIA Exemption 3, 5 U.S.C. § 552 (b)(3), pursuant to § 222(f) of the Immigration and Nationality Act, 8 U.S.C. § 1202(f) because the document pertains directly to the issuance or refusal of a visa to enter the United States. Furthermore, the Department withhel									
(63) C06701198 Email 2 2/26 – 2/27/2017 Embassy Officials/ Northwestern University in Qatar faculty RIP (b)(3) INA; (b)(5), DPP; (b)(6) DESCRIPTION: This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decisit and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, recommendations, and opinions that occur when Department officials are developing a preferred course of action. Disclosure of this information would impede the ability of responsible executive branch officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regarding future courses of action. For these reasons, the withheld information is exempt from disclosure under FOIA Exemption 3, 5 U.S.C. § 552(b)(3), pursuant to § 222(f) of the Immigration and Nationality Act, 8 U.S.C. § 1202(f) because the document pertains directly to the issuance or refusal of a visa to enter the United States. Furthermore, the Department withheld information in this document under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because release of this information would reveal the identity of a visa applicant and their immigra				•	•				
C06701198Email22/26 - 2/27/2017Embassy Officials/ Northwestern University in Qatar facultyRIP(b)(3) INA; (b)(5), DPP; (b)(6)DESCRIPTION:This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decisic and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, recommendations, and opinions that occur when Department officials are developing a preferred course of action. Disclosure of this information would impede the ability of responsible executive branch officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regarding future courses of action. For these reasons, the withheld information is exempt from disclosure under FOIA Exemption 3, 5 U.S.C. § 552 (b)(3), pursuant to § 222(f) of the Immigration and Nationality Act, 8 U.S.C. § 1202(f) because the document under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because release of this information would reveal the identity of a visa applicant and their immigration status. The Department also withheld the personal email address of a private individual under FOIA Exemption 6, because release of this information sould reveal the identity of a visa applicant and their immigratio		,							
Description: Northwestern University in Qatar faculty (b)(5), DPP; (b)(6) Description: This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decisic and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, recommendations, and opinions that occur when Department officials are developing a preferred course of action. Disclosure of this information would impede the ability of responsible executive branch officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regarding future courses of action. For these reasons, the withheld information is exempt from disclosure under FOIA Exemption 5 pursuant to the deliberative process privilege. The Department also withheld portions of this document under FOIA Exemption 3, 5 U.S.C. § 552 (b)(3), pursuant to § 222(f) of the Immigration and Nationality Act, 8 U.S.C. § 1202(f) because the document pertains directly to the issuance or refusal of a visa to enter the United States. Furthermore, the Department withheld information in this document under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because release of this information would reveal the identity of a visa applica	• •	Email	2	2/26 - 2/27/2017	Embassy Officials/	RIP	(b)(3) INA:		
DESCRIPTION:This document is an email exchange, beginning with an email from the Dean of Northwestern University in Qatar, with the subject line "F.A.O.: Hon Dana Shell Smith – Help with U.S. Visa". The subsequent emails are an intra-agency exchange characterizing the initial email and discussing an appropriate course of action. The Department withheld this document in part under FOIA Exemption 5, 5 U. § 552(b)(5), pursuant to the deliberative process privilege. The withheld material contains preliminary discussion, recommendations, and opinions regarding how to respond to outside individuals regarding visa applications. Release of the withheld material, which is pre-decisic and deliberative with respect to the response, could reasonably be expected to chill the open and frank expression of ideas, recommendations, and opinions that occur when Department officials are developing a preferred course of action. Disclosure of this information would impede the ability of responsible executive branch officials to formulate and carry out programs by inhibiting candid discussion and the expression of recommendations and judgments regarding future courses of action. For these reasons, the withheld information is exempt from disclosure under FOIA Exemption 5, 5 U.S.C. § 552 (b)(3), pursuant to § 222(f) of the Immigration and Nationality Act, 8 U.S.C. § 1202(f) because the document pertains directly to the issuance or refusal of a visa to enter the United States.Furthermore, the Department withheld information in this document under FOIA Exemption 6, 5 U.S.C. § 552 (b)(6), because release of this information would reveal the identity of a visa applicant and their immigration status. The Department also withheld the personal email address of a private individual under FOIA Exemption 6, because release of this information could subject the individuals to harassing or									
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unwanted communications. The withheld information would not shed light on the operations of the U.S. Government. As a result, release	United States. Furthermore, the Department withheld information in this document under FOIA Exemption 6, 5 U.S.C. § 552(b)(6), because release of this information would reveal the identity of a visa applicant and their immigration status. The Department also withheld the personal email address of a private individual under FOIA Exemption 6, because release of this information could subject the individuals to harassing or								
28	unwanted communications	. The withheld in	formation		the operations of the U.S. Gover	<mark>nme</mark> nt. As a	result, release of		

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 80 of 132 PageID #:418

					Review	State FOIA Exemptions
Doc. No.	Doc Type	Pages	Date/Date Range	<u>Author(s)/Recipient(s)</u>	<u>Result</u>	<u>Claimed</u>
				and it is exempt from disclosure		
			-	ument and determined that ther	e is no additi	onal meaningful,
non-exempt information th	hat can be reasona	ably segre	gated and released.			
(64)	1	1	1		1	
C06701266	Email	2	11/9/ - 11/10/2017	Embassy Officials/ Mayor	RIP	(b)(6)
				Garcetti's staff/Qatari		
				Government Official		
	-		-	e subject line "Doha Schedule –		
•			00	ment official under FOIA Exempt		
		•	-	unwanted communications and		-
•				ald constitute an unwarranted in	•	
•				tment conducted a line-by-line r		
	additional mean	ingful, no	n-exempt information that	at can be reasonably segregated	and released	
(65)	1	1	1	r		1
C06701300	Email	3	10/27 - 10/30/2016	Embassy Officials/ Ramesh	RIP	(b)(6)
				Mazhari/ private individuals		
		•	•	r". The Department withheld the		•
identifiers, personal email a	addresses, and th	e contact	information for private in	dividuals under FOIA Exemption	6, 5 U.S.C. §	552(b)(6).
			• •	f a private individual, including d		
			•	ing to the U.S. Government on t		
	•			ne Department also withheld the		
,				idual outside of the U.S. Governr		
-			-	ent also withheld personal e-mail		
	overnment emplo	yees beca	use release of this inform	nation could subject the individua	als to harassi	ng or unwanted
communications.						
· ·				t on the operations of the U.S. G		
release of this information	would constitute	an unwar	ranted invasion of person	al privacy, and the information i	s exempt fro	m disclosure

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 81 of 132 PageID #:419

					Review	State FOIA Exemptions					
Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	Result	Claimed					
				ne document and determined the							
•	meaningful, non-exempt information that can be reasonably segregated and released.										
(66)											
C06701301	Email	2	10/23/2016	Embassy Officials/ American	RIP	(b)(6)					
				School of Doha Board							
				members							
DESCRIPTION: This docume	ent is an email ex	change wi	th the subject line "Impo	rtant news". The Department w	<mark>ithheld mobi</mark>	le phone numbers					
			•	52(b)(6), because release of this		-					
				on the operations of the U.S. Go							
				cy, and the information is exemp							
				t and determined that there is n	o additional i	meaningful, non-					
exempt information that ca	n be reasonably s	egregated	d and released.								
(67-68)			I		1	1					
C06701339	Email	5	8/20 - 8/26/2015	Department Officials	RIP	(b)(5), DPP;					
C06701342		4	8/20 - 8/24/2015			(b)(6)					
		-	-	oject line "First Lady trip". The D							
				e deliberative process privilege.							
				ential event ideas for a proposed							
				ive with respect to the final plan							
				nendations, and opinions that oc							
				ld impede the ability of responsi							
		-	-	pression of recommendations an							
		nneid info	ormation is exempt from	disclosure under FOIA Exemption	15 pursuant	to the					
deliberative process privileg	ge.										
The Department also withh	old norconal info	mational	aut a Dopartmont amale	waa's family mambar under FOL	A Examplian	6 bacauca					
				oyee's family member under FOL							
				and would not shed light on the rranted invasion of personal priv							
					•						
disclosure under FOIA Exemption 6, 5 U.S.C. § 552 (b)(6). Plaintiff is not challenging the Department's withholdings pursuant to FOIA											

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 82 of 132 PageID #:420

					Review	State FOIA Exemptions				
Doc. No.	Doc Type	Pages	Date/Date Range	Author(s)/Recipient(s)	<u>Result</u>	Claimed				
Exemption 6. The Departm	ent conducted a l	line-by-lin	e review of the documen	ts and determined that there is r	no additional	meaningful, non-				
exempt information that ca	exempt information that can be reasonably segregated and released.									
(69)										
C06701341	Ideas	4	Undated	Department Officials	RIP	(b)(5), DPP				
(attached to C06701339)										
DESCRIPTION: This docume	ent is a draft sum	mary of id	eas entitled "VVIP Ideas	for October/November 2015". T	he Departme	ent withheld this				
				deliberative process privilege.						
		-		ent ideas for the First Lady to atte		-				
			•	berative with respect to final pla						
			-	commendations, and opinions t						
				ion would impede the ability of						
			-	d the expression of recommenda						
			-	t from disclosure under FOIA Exe						
				of the document and determine	ed that there	is no additional				
meaningful, non-exempt in	formation that ca	n be reaso	onably segregated and re	leased.						
(70)										
C06705090	Country Team	2	11/28/2016	Department Officials	RIP	(b)(3)				
(attached to C06705077)	Notes									
		-		y Team Notes". The Department						
				The Department withheld DIA a		-				
· · · · · · · · · · · · · · · · · · ·	office names/symbols, the release of which would reveal DIA's organizational structure and DIA functions. The Department conducted a line-									
	nent and determine	ned that t	here is no additional mea	ningful, non-exempt information	n that can be	reasonably				
segregated and released.										

C057271 60se: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 83 of 132 PageID #:421 F-2015-03180

Brothers, Karen G

From: Sent: To: Subject: State Department FOIA <noreply@state.gov> Wednesday, February 11, 2015 8:01 PM FOIA Request FOIA Request Letter

Thank you for filing your FOIA request online on 2/11/2015. Here is a review of your request.

The records I request can be described as follows:

Your agency recently unlawfully ruled a prior and perfectly legal request "invalid." (F-2015-00663) I am therefore breaking the request into components. Failure to produce responsive records absent a specific legal reason under the Freedom of Information Act will prompt litigation. Please note that by resubmitting this request I am not waiving my right to litigate the constructive denial of my prior request within the 60 days allowed under FOIA. Northwestern University has coordinated with officials from the U.S. State Department since the mid-2000s to open a campus in Doha, Qatar. My request is for: All State HQ and consular Qatar materials in all systems records and elsewhere referencing Northwestern University's Qatar campus. Material requested includes but is not limited to memorandums, cables or email, notes, reports, correspondence with other agencies, members of Congress (or staff), and private firms or individuals. Please consult in particular the following components: Policy Planning Staff, Bureau of International Information Programs, Policy Planning and Resources, Bureau of Budget and Planning, Bureau of Administration, Bureau of Diplomatic Security, Office of Management Policy, Rightsizing, and Innovation, Office of White House Liason, Bureau of Intelligence and Research, and Office of the Chief of Protocol, as well as all other components that may contain responsive information, including J5, or the Policy Division.

The time period of my request is from 01/01/2005 to present

I am affiliated with an educational or noncommercial scientific institution seeking information for a scholarly or scientific purpose and not for commercial use. Additional documentation will be required.

I am willing to pay \$25 for my request.

I request a waiver of all fees for this request.

Reason: I am affiliated with an educational or noncommercial scientific institution seeking information for a scholarly or scientific purpose and not for commercial use. For purposes of verification, please consult the information on the Northwestern University Political Science Department web page referencing my affiliation and research. <u>http://redirect.state.sbu/?url=http://www.polisci.northwestern.edu/people/core-faculty/jacqueline-stevens.html</u>

My additional comments are as follows:

N/A

Contact Information Ms. Jacqueline Stevens 601 University Pl

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XREF. F . ZO 15-00663

C057271 69se: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 84 of 132 PageID #:422

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Political Science Department Evanston, Illinois 10011 P: 847-467-2093 F: N/A jacqueline-stevens@northwestern.edu

> STEIN DECLARATION Civil Action No. 17-cv-02494 EXHIBIT 02

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 85 of 132 PageID #:423



United States Department of State

Washington, D.C. 20520

FEB 1 2 2015

Dear Requester,

RE: <u>State HQ & consular material referencing</u> Northwestern University's Qatar campus This is in response to your request dated <u>February 11th</u>. We have assigned Case Control Number <u>F-2015-03180</u> and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

We have considered your request for a fee waiver. Based upon the information provided in your letter, your request for a fee waiver has been denied. If you wish to appeal this decision, you may write to the Requester Liaison Division, at the address given on the bottom of this page. Your appeal should address the points listed in the enclosed sheet titled "Fee Waiver Information Sheet." Your appeal must be sent to us within 30 days from the date that you receive this letter.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

We will notify you as soon as responsive material has been retrieved and reviewed.

Should you have any questions, you may call our FOIA Requester Service Center at (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

IN Sincerely,

Requester Communications Branch Office of Information Programs & Services

Office of Information Programs and Services U.S. Department of State, SA-2 Washington, DC 20522-8100 Website: <u>www.foia.state.gov</u>

Inquiries: Phone: 1-202-261-8484 FAX: 1-202-261-8579 E-mail: FOIAStatus@state.gov

> STEIN DECLARATION Civil Action No. 17-cv-02494 EXHIBIT 03

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 86 of 132 PageID #:424

Fee Waiver Information Sheet

It is the Department's policy to treat each request for a fee waiver on a case-by-case basis. Please provide the following information:

- 1. State why you believe the subject matter of your request concerns the operations or activities of the Federal Government.
- 2. Expand on your ability and intent to disseminate the information requested. E.g., have you published or disseminated information in this or related fields in the past? Is the information requested to be used in a specific article or paper currently being prepared? Are the documents going to be posted on a website? If so, please explain.
- 3. Describe any commercial interest which would be furthered by the disclosure of the requested information, e.g., will you be paid for the publication or dissemination of the requested information? If so, how much will you be paid and in what manner will you receive payment? Will you receive any other type of commercial benefit due to your dissemination of the requested information? A "commercial interest" is one that furthers a commercial, trade, or profit interest as those terms are commonly understood.
- 4. If your request for a fee waiver is not granted, we need your written assurance that you are willing to pay the fees associated with the processing of your request. You may set a limit on the amount you are willing to pay.

Please send this information to: Office of Information Programs and Services, A/GIS/IPS/RL, Room 8100, Department of State, 515 22nd Street, N.W., Washington, D.C. 20522-8100. Please refer to your request number in your correspondence to us. <u>Fees</u>: The Freedom of Information Act (FOIA) provides that agencies may assess fees to recover the direct costs of processing requests, unless a fee waiver has been granted.

According to our regulations, by making a FOIA request, you have agreed to pay all applicable fees up to \$25 unless a fee waiver has been granted. You may specify a willingness to pay a greater amount. If the estimated fees exceed this limit, you will be notified. Please do <u>not</u> send payment in advance. If there are fees incurred in the processing of your request, you will be notified of the amount owed in separate correspondence.

You have stated your willingness to pay the fees incurred in the processing of this request up to $\frac{25.00}{25.00}$.

Please let us know if you are willing to pay the fees that will be incurred in the processing of your request. You may set a limit of the maximum amount that you wish to pay. Please be advised that, without an agreement to pay fees, your request will be processed without cost up to the required first 2 hours of search time (for all other requester category only) and duplication of the first 100 pages (for all other, media, educational and non-commercial scientific requester categories).

Based upon the information that you have provided, we have placed you in the requester category checked below. This request will be processed in accordance with the fee schedule designated for that category (see 22 C.F.R. 171, enclosed).

<u>Commercial Use Requesters</u> – Charges may be assessed that recover the full direct costs of searching for, reviewing for release, and duplicating the record(s) sought.

Educational Institution Requesters – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

Non-commercial Scientific Institution Requesters – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

Representatives of the News Media – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

 \checkmark All Other Requesters – Charges may be assessed that recover the full reasonable direct cost of searching for and duplicating the record(s) sought, after the first 100 pages of duplication, and the first two hours of search time.

V You have indicated your inclusion in a category different than the one indicated above. Please forward the information requested on the enclosed sheet titled "Requester Categories" to substantiate your inclusion in a particular category of requester.

We will notify you of the costs incurred in processing your request as soon as the search for, and review of, any responsive documents have been completed.

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 88 of 132 PageID #:426

REQUESTER CATEGORIES

If you believe that you should NOT be considered a <u>commercial use requester</u>, please provide:

Evidence that your use of the requested information will NOT further any commercial, trade, or profit interest of yourself or the person(s) on whose behalf the request is made.

If you believe that you should be considered an <u>educational or non-commercial scientific</u> institution requester, please provide:

A statement signed by the chairperson of your department, which indicates that your request is authorized by and under the auspices of a specific institution <u>and</u> that the requested records are not sought for a commercial use and are not intended to promote any particular product or industry, but is sought in furtherance of scholarly or scientific research.

If you believe that you should be considered a <u>representative of the news media</u>, please provide:

Evidence that you are employed by an entity that is organized and operated to publish or broadcast news to the public.

Evidence, if you are associated with a periodical publication such as a newsletter, that your product is available for purchase or subscription by the general public.

Evidence, if you are a freelance journalist, of the likelihood of publication through the news media (e.g., a publication contract, examples of past publications, etc.).

Evidence that the information you request is about current events or would be of current interest to the public.

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 89 of 132 PageID #:427



United States Department of State

Washington, D.C. 20520

Case No. F-2015-03180 Segment: EAN 1 & EAN 2

MAR 2 3 2016

Ms. Jacqueline Stevens Northwestern University - Political Science Department 601 University Place, Second Floor Evanston, IL 60208

Dear Ms. Stevens:

In response to your request dated February 11, 2015 under the Freedom of Information Act (Title 5 USC Section 552), we have initiated searches of the following Department of State record systems: the Central Foreign Policy Records (the principal record system of the Department of State), the Bureaus of Policy and Planning, International Information Programs, Budget and Planning, Administration, Diplomatic Security, Intelligence and Research, The Office of the Undersecretary for Management, and The Office of Chief Protocol.

Based on the responses and guidance provided by the bureaus and further consultations with subject matter experts it was determined that additional searches of the Bureaus of Education and Cultural Affairs, Near Eastern Affairs and The Office of the Comptroller & Global Financial Services were needed.

Please be advised that our search of the records of the Bureaus of Policy & Planning, Budget and Planning, Education & Cultural Affairs, The Office of the Under Secretary for Management and The Office of the Comptroller & Global Financial Services did not yield any documents responsive to your request.

The search of the Central Foreign Policy Records has been completed and has resulted in the retrieval of 25 documents responsive to your request. After reviewing these documents, we have determined that eight may be released in full, 12 may be released with excisions, and three must be withheld in full. All released material is enclosed. - 2 -

A decision on the two remaining documents requires intra-agency or interagency coordination: both originated in another government office, which will review the documents and respond to you directly.

An enclosure explains Freedom of Information Act exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on each document. Of the documents withheld in full, three were withheld under exemption B1 and two under exemption B6.

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.

You have the right to appeal our determination by writing, within 60 days, to the Chairman, Appeals Review Panel, c/o Appeals Officer, A/GIS/IPS/PP/LA, U.S. Department of State, SA-2, Room 8100, Washington, D.C. 20522-8100. The appeal letter should refer to the case number shown above, clearly identify the decision being appealed, and provide supporting arguments when possible. For further information, see the Code of Federal Regulations, 22 CFR 171.52.

We will keep you informed as your case progresses. If you have any questions, you may write to the Office of Information Programs and Services, SA-2, Department of State, Washington, DC 20522-8100, or telephone us at (202) 261-8484. Please be sure to refer to the case number shown above in all correspondence about this case.

Sincerely,

Co-Director, Acting Office of Information Programs and Services

ase: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 91 of 132 PageID #:429



United States Department of State

Washington, D.C. 20520

Ms. Jacqueline Stevens 601 University Place Political Science Department Evanston, Illinois 10011

JUN 255 2016 13

RE: Freedom of Information Act (FOIA) Case No. F-2015-03180

Dear Ms. Stevens:

Reference is made to your February 11, 2015, Freedom of Information Act request to the Department of State regarding Northwestern University's Qatar campus. The Office of Information Programs and Services has referred one document, ten pages, to the Bureau of Diplomatic Security (DS) for review and direct reply to you.

The document is being released to you in its entirety. Please note, Northwestern University is only mentioned once on page six.

If you have any questions regarding a particular aspect of this case, you should contact the Office of Information Programs and Scrvices, (A/GIS/IPS), Department of State, SA-2, Washington, DC 20522-8100. In any communication, please refer to the case number.

Sincerely,

Michael'D DS/MGT/FOIA-PA

Freedom of Information Act and Privacy Act Division Bureau of Diplomatic Security

Enclosure(s): Document

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 92 of 132 PageID #:430 United States Department of State



Washington, D.C. 20520

June 9, 2017

Case No.: F-2015-03180 Segments: Doha-0001, EAN-0003

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated March 23, 2016, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has reviewed five additional documents responsive to your request and determined that one may be released in full, two may be released in part, and two must be withheld in full. All released material is enclosed. The review of potentially responsive documents for your request remains ongoing.

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. All non-exempt material that is reasonably segregable from the exempt material has been released. The Department withheld the one document in full under FOIA Exemptions 5, 5 U.S.C. §§ 552(b)(5).

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at <u>Alex.Hartzler@usdoj.gov</u> or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

ar fran for

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 93 of 132 PageID #:431



United States Department of State

Washington, D.C. 20520

July 7th, 2017

Case No.: F-2015-03180 Segments: Doha-0002

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated June 9th, 2017, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has reviewed 116 additional documents responsive to your request and determined that 23 may be released in full, 90 may be released in part, and 3 must be withheld in full. All released material is enclosed. The review of potentially responsive documents for your request remains ongoing.

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. All non-exempt material that is reasonably segregable from the exempt material has been released. The Department withheld 3 documents in full under FOIA Exemptions 5 and 6, 5 U.S.C. §§ 552(b)(5) and (b)(6).

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

arbnam for

Elic F. Stein, Director / Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 94 of 132 PageID #:432



United States Department of State

Washington, D.C. 20520

August 7th, 2017

Case No.: F-2015-03180 Segment: Doha-0003

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated July 7, 2017, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has reviewed 61 additional documents responsive to your request and determined that 17 may be released in full, 42 may be released in part, and 2 must be withheld in full. All released material is enclosed. The review of potentially responsive documents for your request remains ongoing.

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. 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 Exemption 6, 5 U.S.C. § 552(b)(6).

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Sulal O Weltmar for

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 95 of 132 PageID #:433



United States Department of State

Washington, D.C. 20520

September 6, 2017

Case No.: F-2015-03180 Segment: Doha-0004

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated August 7, 2017, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has reviewed 66 additional documents responsive to your request and determined that 27 may be released in full, 38 may be released in part, and 1 must be withheld in full. All released material is enclosed. The review of potentially responsive documents for your request remains ongoing.

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. All non-exempt material that is reasonably segregable from the exempt material has been released. The Department withheld the one document in full under FOIA Exemption 5, 5 U.S.C. § 552(b)(5).

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

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Efic F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 96 of 132 PageID #:434



United States Department of State

Washington, D.C. 20520

October 5, 2017

Case No.: F-2015-03180 Segment: Doha-0004C1

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated September 6, 2017, 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 review of records responsive to your request remains ongoing and has located two additional documents. The Department has determined that one may be released in full and one may be released in part. 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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed.

We will keep you informed as your case progresses. If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

way C Weamar For

Eric F. Stein, Director Office of Information Programs and Services



Washington, D.C. 20520

November 6, 2017

Case No.: F-2015-03180 Segment: Doha-0005IC1, Doha-0005IC1IC2, Doha-0006IC1

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated October 5, 2017, 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 review of records responsive to your request remains ongoing and has located 22 additional documents. The Department has determined that 1 may be released in full and 21 may be released in part. 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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed.

We will keep you informed as your case progresses. If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Susal C. Weamar Ar

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 98 of 132 PageID #:436



United States Department of State

Washington, D.C. 20520

December 5, 2017

Case No.: F-2015-03180 Segment: Doha-0004C2, Doha-0004IC2, Doha-0005IC1IC1, Doha-0006IC1, Doha-0007IC1, Doha-0008IC1, Doha-0009IC1, Doha-0009IC2, Doha-0010IC1, Doha-013IC1, Doha-015IC1

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated November 6, 2017, 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 review of records responsive to your request is ongoing and has located 62 additional documents. The Department has determined that 12 may be released in full, 48 may be released in part, and 2 must be withheld in full.

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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed. The Department withheld the two documents in full under FOIA Exemption 4, 5 U.S.C. § 552(b)(4).

We will keep you informed as your case progresses. If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 99 of 132 PageID #:437



United States Department of State

Washington, D.C. 20520

January 4, 2018

Case No.: F-2015-03180 Segment: Doha-0008IC1, Doha-0011IC1, Doha-0012IC1, Doha-0014IC1

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated December 6, 2017, 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 responsive to your request is ongoing and has located 45 additional documents. The Department has determined that 10 may be released in full, 30 may be released in part, and 5 must be withheld in full.

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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed. The Department withheld the five documents in full under FOIA Exemption 5, 5 U.S.C. § 552(b)(5).

We will keep you informed as your case progresses. If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Cerow for

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 100 of 132 PageID #:438 United States Department of State



Washington, D.C. 20520

February 5, 2018

Case No.: F-2015-03180 Segment: Doha-0016IC1

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated January 4, 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 responsive to your request has located 19 additional documents. After reviewing these documents, we have determined that 2 may be released in full, 15 may be released in part, and 2 must be withheld in full.

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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed. The Department withheld the two documents in full under FOIA Exemptions 5 and 6, 5 U.S.C. § 552(b)(5) and (b)(6).

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 101 of 132 PageID #:439 United States Department of State



Washington, D.C. 20520

May 17, 2018

Case No.: F-2015-03180 Segment: Doha-0002, Doha-002IC1

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated February 5, 2018, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. Upon further review, the Department has determined that additional information may be released in seven documents previously released in part, and in two documents previously denied in full. One of these documents, C05829767, has been marked to reflect an additional basis for withholding information.

The Department is also enclosing two documents previously released to you in part, with amended markings that reflect our basis for withholding information in those documents. One of those documents, C05829768, includes a stamp indicating an additional classification action.

Finally, the Department located two additional documents responsive to your request. Upon review, we have determined that one may be released in full, and one must be denied in full. For the documents withheld in full we have cited FOIA Exemption 5, 5 U.S.C. §552 (b)(5). 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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed.

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Eric F. Stein, Director Office of Information Programs and Services

Enclosures: As stated

STEIN DECLARATION Civil Action No. 17-cv-02494 EXHIBIT 15 Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 102 of 132 PegelD #0430 8

Brothers, Karen G

From: Sent: To: Subject:

State Department FOIA <noreply@state.gov> Wednesday, February 11, 2015 8:16 PM FOIA Request FOIA Request Letter

Thank you for filing your FOIA request online on 2/11/2015. Here is a review of your request.

The records I request can be described as follows:

Documents publicly available indicate that the State Department has coordinated with U.S. universities and the Qatar Foundation to establish campuses in "Education City," Qatar. I am requesting all *policy and planning materials* pertaining to *establishing U.S. university campuses in foreign countries, including but not limited to Qatar, Abu Dhabi, and Singapore. This includes but is not limited to memorandums, cables or email, notes, reports, correspondence with other agencies, members of Congress (or staff), and private firms or individuals. Please consult in particular the following components: Policy Planning Staff, Bureau of International Information Programs, Policy Planning and Resources, Bureau of Budget and Planning, Bureau of Administration, Bureau of Diplomatic Security, Office of Management Policy, Rightsizing, and Innovation, Office of White House Liason, Bureau of Intelligence and Research, and Office of the Chief of Protocol, as well as all other components that may contain responsive information.

The time period of my request is from 01/01/2003 to present

I am affiliated with an educational or noncommercial scientific institution seeking information for a scholarly or scientific purpose and not for commercial use. Additional documentation will be required.

I am willing to pay \$25 for my request.

I request a waiver of all fees for this request.

Reason: I am affiliated with an educational or noncommercial scientific institution seeking information for a scholarly or scientific purpose and not for commercial use. For purposes of verification, please consult the information on the Northwestern University Political Science Department web page referencing my affiliation and research. http://redirect.state.sbu/?url=http://www.polisci.northwestern.edu/people/core-faculty/jacquelinestevens.html Please note that this reference satisfies the request for "additional documentation."

My additional comments are as follows:

N/A

Contact Information Ms. Jacqueline Stevens 601 University Place Political Science Department Evanson, Illinois 60208 P: 847-467-2093

> STEIN DECLARATION Civil Action No. 17-cv-02494 **EXHIBIT 16**

3

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 103 of 132 PageID #:441

F: N/A jacqueline-stevens@northwestern.edu

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 104 of 132 PageID #:442



United States Department of State

Washington, D.C. 20520

FEB 1 2 2015

Dear Requester,

RE: Documents regarding State Department's coordination with U.S. Universities & the Qatar Foundation to establish campuses in This is in response to your request dated <u>February 11th</u>. We have assigned Case Education City" Control Number <u>F-2015-03181</u> and will begin the processing of your Qatar request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

We have considered your request for a fee waiver. Based upon the information provided in your letter, your request for a fee waiver has been denied. If you wish to appeal this decision, you may write to the Requester Liaison Division, at the address given on the bottom of this page. Your appeal should address the points listed in the enclosed sheet titled "Fee Waiver Information Sheet." Your appeal must be sent to us within 30 days from the date that you receive this letter.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

We will notify you as soon as responsive material has been retrieved and reviewed.

Should you have any questions, you may call our FOIA Requester Service Center at (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

Sincerely, Requester Communications Branch Office of Information Programs & Services

Office of Information Programs and Services U.S. Department of State, SA-2 Washington, DC 20522-8100 Website: <u>www.foia.state.gov</u>

Inquiries: Phone: 1-202-261-8484 FAX: 1-202-261-8579 E-mail: FOIAStatus@state.gov

> STEIN DECLARATION Civil Action No. 17-cv-02494 EXHIBIT 17

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 105 of 132 PageID #:443

Fee Waiver Information Sheet

It is the Department's policy to treat each request for a fee waiver on a case-by-case basis. Please provide the following information:

- 1. State why you believe the subject matter of your request concerns the operations or activities of the Federal Government.
- 2. Expand on your ability and intent to disseminate the information requested. E.g., have you published or disseminated information in this or related fields in the past? Is the information requested to be used in a specific article or paper currently being prepared? Are the documents going to be posted on a website? If so, please explain.
- 3. Describe any commercial interest which would be furthered by the disclosure of the requested information, e.g., will you be paid for the publication or dissemination of the requested information? If so, how much will you be paid and in what manner will you receive payment? Will you receive any other type of commercial benefit due to your dissemination of the requested information? A "commercial interest" is one that furthers a commercial, trade, or profit interest as those terms are commonly understood.
- 4. If your request for a fee waiver is not granted, we need your written assurance that you are willing to pay the fees associated with the processing of your request. You may set a limit on the amount you are willing to pay.

Please send this information to: Office of Information Programs and Services, A/GIS/IPS/RL, Room 8100, Department of State, 515 22nd Street, N.W., Washington, D.C. 20522-8100. Please refer to your request number in your correspondence to us. <u>Fees</u>: The Freedom of Information Act (FOIA) provides that agencies may assess fees to recover the direct costs of processing requests, unless a fee waiver has been granted.

According to our regulations, by making a FOIA request, you have agreed to pay all applicable fees up to \$25 unless a fee waiver has been granted. You may specify a willingness to pay a greater amount. If the estimated fees exceed this limit, you will be notified. Please do <u>not</u> send payment in advance. If there are fees incurred in the processing of your request, you will be notified of the amount owed in separate correspondence.

You have stated your willingness to pay the fees incurred in the processing of this request up to $\frac{15.00}{5.00}$.

Please let us know if you are willing to pay the fees that will be incurred in the processing of your request. You may set a limit of the maximum amount that you wish to pay. Please be advised that, without an agreement to pay fees, your request will be processed without cost up to the required first 2 hours of search time (for all other requester category only) and duplication of the first 100 pages (for all other, media, educational and non-commercial scientific requester categories).

Based upon the information that you have provided, we have placed you in the requester category checked below. This request will be processed in accordance with the fee schedule designated for that category (see 22 C.F.R. 171, enclosed).

Commercial Use Requesters – Charges may be assessed that recover the full direct costs of searching for, reviewing for release, and duplicating the record(s) sought.

Educational Institution Requesters – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

Non-commercial Scientific Institution Requesters – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

Representatives of the News Media – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

 $\underline{|}$ All Other Requesters – Charges may be assessed that recover the full reasonable direct cost of searching for and duplicating the record(s) sought, after the first 100 pages of duplication, and the first two hours of search time.

 $\frac{V}{V}$ You have indicated your inclusion in a category different than the one indicated above. Please forward the information requested on the enclosed sheet titled "Requester Categories" to substantiate your inclusion in a particular category of requester.

We will notify you of the costs incurred in processing your request as soon as the search for, and review of, any responsive documents have been completed.

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 107 of 132 PageID #:445

REQUESTER CATEGORIES

If you believe that you should NOT be considered a <u>commercial use requester</u>, please provide:

Evidence that your use of the requested information will NOT further any commercial, trade, or profit interest of yourself or the person(s) on whose behalf the request is made.

If you believe that you should be considered an <u>educational or non-commercial scientific</u> <u>institution</u> requester, please provide:

A statement signed by the chairperson of your department, which indicates that your request is authorized by and under the auspices of a specific institution <u>and</u> that the requested records are not sought for a commercial use and are not intended to promote any particular product or industry, but is sought in furtherance of scholarly or scientific research.

If you believe that you should be considered a <u>representative of the news media</u>, please provide:

Evidence that you are employed by an entity that is organized and operated to publish or broadcast news to the public.

Evidence, if you are associated with a periodical publication such as a newsletter, that your product is available for purchase or subscription by the general public.

Evidence, if you are a freelance journalist, of the likelihood of publication through the news media (e.g., a publication contract, examples of past publications, etc.).

Evidence that the information you request is about current events or would be of current interest to the public.

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 108 of 132 PageID #:446



United States Department of State

Washington, D.C. 20520

December 5, 2017

Case No. F-2015-03181

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

In response to your request dated February 11, 2015, under the Freedom of Information Act, 5 U.S.C. § 552, the Department of State has completed its search and found no responsive records. This completes the processing of your request.

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03181, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

SUSAL C Weitmar For

Eric F. Stein, Director Office of Information Programs and Services Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 109 of 132 PageID #:447

F-2015-03575

Brothers, Karen G

From: Sent: To: Subject: State Department FOIA <noreply@state.gov> Wednesday, February 18, 2015 11:14 AM FOIA Request FOIA Request Letter

Thank you for filing your FOIA request online on 2/18/2015. Here is a review of your request.

The records I request can be described as follows:

1) All contracts, memoranda, reports, notes, and email and any other material in any medium produced, received or maintained by either USAID and its components or the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning U.S. government funds transferred to the Independent Center of Journalists. 2) All contracts, memoranda, reports, notes, and email and any other material in any medium produced, received or maintained by either USAID and its components or the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning Northwestern University and its components, including but not limited to the Medill School of Journalism and Qatar. 3) All contracts, memoranda, reports, notes, and email and any other material in any medium produced, received or maintained by either USAID and its components from January 1, 2004 to present concerning Northwestern University and its components, including but not limited to the Medill School of Journalism and Qatar. 3) All contracts, memoranda, reports, notes, and email and any other material in any medium produced, received or maintained by either USAID and its components or the Middle East Partnership Initiative and its components from January 1, 2004 to present concerning Center(s) of Journalism Excellence.

The time period of my request is from 01/01/2004 to present

I am affiliated with an educational or noncommercial scientific institution seeking information for a scholarly or scientific purpose and not for commercial use. Additional documentation will be required.

I am willing to pay \$25 for my request.

I request a waiver of all fees for this request. Reason: Please note verification of my afifiation and research publications here: <u>http://redirect.state.sbu/?url=http://www.polisci.northwestern.edu/people/core-faculty/jacqueline-stevens.html</u>

My additional comments are as follows:

Your FOIA office staff have in the past produced responses inconsistent with the FOIA law. Please note that any form letter that does not provide specific reasons for doing anything other than the expeditious processing of my request as required by the FOIA statute is unlawful and will be addressed appropriately.

Contact Information Ms. Jacqueline Stevens 601 University Place Political Science Department Evanston, Illinois 60208 P: 847-467-2093 F: N/A jacqueline-stevens@northwestern.edu

> STEIN DECLARATION Civil Action No. 17-cv-02494 EXHIBIT 19

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Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 110 of 132 PageID #:448



United States Department of State

Washington, D.C. 20520

FEB 2 6 2015

Dear Requester,

RE: <u>Actuals acqueding [1]Stift, or the (meri] and its components. 113 sourcement finds</u> then s found to the inducedent This is in response to your request dated <u>J-18-15</u>. We have assigned Case to Journe list, the Control Number <u>Follo-035 25</u> and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

We have considered your request for a fee waiver. Based upon the information provided in your letter, your request for a fee waiver has been denied. If you wish to appeal this decision, you may write to the Requester Liaison Division, at the address given on the bottom of this page. Your appeal should address the points listed in the enclosed sheet titled "Fee Waiver Information Sheet." Your appeal must be sent to us within 30 days from the date that you receive this letter.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

We will notify you as soon as responsive material has been retrieved and reviewed.

Should you have any questions, you may call our FOIA Requester Service Center at (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

Sincerely, Requester Communications Branch Office of Information Programs & Services

Office of Information Programs and Services U.S. Department of State, SA-2 Washington, DC 20522-8100 Website: <u>www.foia.state.gov</u> Inquiries: Phone: 1-202-261-8484 FAX: 1-202-261-8579 E-mail: FOIAStatus@state.gov

Case: 1:17-cv-02494 Document.#: 59 Filed: 05/03/19 Page 111 of 132 PageID #:449

Fee Waiver Information Sheet

It is the Department's policy to treat each request for a fee waiver on a case-by-case basis. Please provide the following information:

- 1. State why you believe the subject matter of your request concerns the operations or activities of the Federal Government.
- 2. Expand on your ability and intent to disseminate the information requested. E.g., have you published or disseminated information in this or related fields in the past? Is the information requested to be used in a specific article or paper currently being prepared? Are the documents going to be posted on a website? If so, please explain.
- 3. Describe any commercial interest which would be furthered by the disclosure of the requested information, e.g., will you be paid for the publication or dissemination of the requested information? If so, how much will you be paid and in what manner will you receive payment? Will you receive any other type of commercial benefit due to your dissemination of the requested information? A "commercial interest" is one that furthers a commercial, trade, or profit interest as those terms are commonly understood.
- 4. If your request for a fee waiver is not granted, we need your written assurance that you are willing to pay the fees associated with the processing of your request. You may set a limit on the amount you are willing to pay.

Please send this information to: Office of Information Programs and Services, A/GIS/IPS/RL, Room 8100, Department of State, 515 22nd Street, N.W., Washington, D.C. 20522-8100. Please refer to your request number in your correspondence to us.

<u>Fees</u>: The Freedom of Information Act (FOIA) provides that agencies may assess fees to recover the direct costs of processing requests, unless a fee waiver has been granted.

According to our regulations, by making a FOIA request, you have agreed to pay all applicable fees up to \$25 unless a fee waiver has been granted. You may specify a willingness to pay a greater amount. If the estimated fees exceed this limit, you will be notified. Please do not send payment in advance. If there are fees incurred in the processing of your request, you will be notified of the amount owed in separate correspondence.

You have stated your willingness to pay the fees incurred in the processing of this request up to $\frac{3500}{2500}$.

Please let us know if you are willing to pay the fees that will be incurred in the processing of your request. You may set a limit of the maximum amount that you wish to pay. Please be advised that, without an agreement to pay fees, your request will be processed without cost up to the required first 2 hours of search time (for all other requester category only) and duplication of the first 100 pages (for all other, media, educational and non-commercial scientific requester categories).

Based upon the information that you have provided, we have placed you in the requester category checked below. This request will be processed in accordance with the fee schedule designated for that category (see 22 C.F.R. 171, enclosed).

Commercial Use Requesters – Charges may be assessed that recover the full direct costs of searching for, reviewing for release, and duplicating the record(s) sought.

Educational Institution Requesters – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

Non-commercial Scientific Institution Requesters – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

Representatives of the News Media – Charges may be assessed that recover the cost of duplicating the record(s) sought only, after the first 100 pages of duplication.

 \underline{X} All Other Requesters – Charges may be assessed that recover the full reasonable direct cost of searching for and duplicating the record(s) sought, after the first 100 pages of duplication, and the first two hours of search time.

X You have indicated your inclusion in a category different than the one indicated above. Please forward the information requested on the enclosed sheet titled "Requester Categories" to substantiate your inclusion in a particular category of requester.

We will notify you of the costs incurred in processing your request as soon as the search for, and review of, any responsive documents have been completed.

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 113 of 132 PageID #:451

REQUESTER CATEGORIES

If you believe that you should NOT be considered a <u>commercial</u> use requester, please provide:

Evidence that your use of the requested information will NOT further any commercial, trade, or profit interest of yourself or the person(s) on whose behalf the request is made.

If you believe that you should be considered an <u>educational</u> or non-commercial scientific institution requester, please provide:

A statement, signed by the chairperson of your department, which indicates that your request is authorized by and under the auspices of a specific institution and that the requested records are not sought for a commercial use and are not intended to promote any particular product or industry, but are sought in furtherance of scholarly or scientific research.

If you believe that you should be considered a <u>representative of</u> the news media, please provide:

Evidence that you are employed by an entity that is organized and operated to publish or broadcast news to the public.

Evidence, if you are associated with a periodical publication such as a newsletter, that your product is available for purchase or subscription by the general public.

Evidence, if you are a freelance journalist, of the likelihood of publication through the news media (e.g., a publication contract, examples of past publications, etc.).

Evidence that the information you request is about current events or would be of current interest to the public. Some or all of the records you seek appear to have been originated by another agency. If you wish to contact the Freedom of Information Act/Privacy Act Office of that agency, the address and contact information follows:

United States Agency for International Development

S. Lankford, FOIA Team Leader Information & Records Division Office of Administrative Services Room 2.07C, RRB Washington, D.C. 20523-2701

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Fax: (202) 216-3070 foia@usaid.gov

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 115 of 132 PageID #:453 United States Department of State



Washington, D.C. 20520

June 9, 2017

Case No.: F-2015-03575 Segments: NEA-0001L, EAN-0001

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to your letter dated February 18, 2015, seeking the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has reviewed two documents responsive to your request and determined that both documents must be withheld in full. The review of potentially responsive documents for your request remains ongoing.

An enclosure explains the FOIA exemptions and other grounds for withholding material. The Department withheld the two documents in full under FOIA Exemptions 5, 5 U.S.C. §§ 552(b)(5).

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at <u>Alex.Hartzler@usdoj.gov</u> or (312) 886-1390. Please refer to the case number, F-2015-03575, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

mi Har man for

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 116 of 132 PageID #:454



United States Department of State

Washington, D.C. 20520

July 7, 2017

Case No.: F-2015-03575 Segments: NEA-0001LIC1

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated June 9th, 2017, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has reviewed 21 documents responsive to your request and determined that 20 may be released in full and 1 may be released in part. All released material is enclosed. The review of potentially responsive documents for your request remains ongoing.

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. All non-exempt material that is reasonably segregable from the exempt material has been released.

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03575, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Jubmann for/

Efic F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 117 of 132 PageID #:455 United States Department of State



Washington, D.C. 20520

January 4, 2018

Case No.: F-2015-03575 Segments: NEA-0001L

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated July 7th, 2017, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has reviewed nine documents responsive to your request and determined that eight may be released in full and one may be released in part. 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. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

This completes the processing of your request. If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03575, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Coge Guor for

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 118 of 132 PageID #:456



United States Department of State

Washington, D.C. 20520

May 17, 2018

Case No.: F-2015-03575 Segment: NEA/AC-0001

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated February 5, 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 located one additional document responsive to the above-referenced request, which we have determined may be released in full. The released material is enclosed.

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Eric F. Stein, Director Office of Information Programs and Services

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 119 of 132 PageID #:457



United States Department of State

Washington, D.C. 20520

March 5, 2019

Case No.: F-2015-03180 Segment: IPS-0001

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated May 17, 2018, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The supplemental search of Ambassador Dana Smith's records has been completed and the review remains ongoing. To date, the Department has determined that 21 documents may be released in full, 43 document may be released in part, and two documents must be withheld in full, pursuant to FOIA Exemptions 3, 5, and 6, 5 U.S.C. § 552 (b)(3) Immigration and Nationality Act, (b)(5) and (b)(6).

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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed.

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Susal ? Weather

Susan C. Weetman Chief, Programs and Policies Division Office of Information Programs and Services

Enclosures: As stated

Stein Declaration Civil Action No. 1:17-cv-02494 Exhibit 25

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 120 of 132 PageID #:458



United States Department of State

Washington, D.C. 20520

April 5, 2019

Case No.: F-2015-03180 Segments: IPS-1 & IPS-2

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated March 5, 2019, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The supplemental search and review of Ambassador Dana Smith's records has been completed. The Department has determined that an additional 2 documents may be released in full and 13 document may be released in part. The Department found one document that originated with another agency and is being referred to that agency for direct response to you.

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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed.

This completes the processing of your request. If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely, Joge Gerow.

Susan C. Weetman Chief, Programs and Policies Division Office of Information Programs and Services

Enclosures: As stated

Stein Declaration Civil Action No. 1:17-cv-02494 Exhibit 26

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 121 of 132 PageID #:459



United States Department of State

Washington, D.C. 20520

May 3, 2019

Case No.: F-2015-03180

Ms. Jacqueline Stevens 601 University Place Political Science Department Northwestern University Evanston, IL 60208

Dear Ms. Stevens:

I refer to our letter dated April 5, 2019, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. Upon further review, the Department has determined that four documents previously released in part may be released in full. The Department also determined that additional information in four documents previously released in part may be released. All released material is enclosed.

In addition, the Department determined that three documents (C06701190, C06701198, and C06701199) containing the same originating email were missing an Exemption 6 marking. We are including updated copies of those documents.

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. All non-exempt material that is reasonably segregable from the exempt material has been released. All released material is enclosed.

If you have any questions, you may contact Assistant United States Attorney Alex Hartzler at Alex.Hartzler@usdoj.gov or (312) 886-1390. Please refer to the case number, F-2015-03180, and the civil action number, 1:17-cv-02494, in all correspondence about this case.

Sincerely,

Susan C. Weetman Chief, Programs and Policies Division Office of Information Programs and Services

Enclosures: As stated

Stein Declaration Civil Action No. 1:17-cv-02494 Exhibit 27 Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 122 of 132 PageID #:460

Exhibit B

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

JACQUELINE STEVENS,)	
)	
Plaintiff,)	
)	
V.)	No. 17 CV 2494
)	
UNITED STATES DEPARTMENT OF)	
JUSTICE)	
)	
Defendant.)	

DECLARATION OF ALESIA Y. WILLIAMS

I, Alesia Williams, do hereby declare the following to be true and correct:

I am the Chief of the Freedom of Information Act and Declassification Services
 Office (FOIA Office) for the Defense Intelligence Agency (DIA), which is part of the
 Department of Defense (DoD). I have served as the Chief of the FOIA Office since June 2014. I
 previously served as the Chief, FOIA Services Section (an element within the DIA FOIA
 Office), from January 2008 to June 2014. Prior to that I was an administrative officer processing
 FOIA requests at DIA from November 2006 to December 2007, and I was a contractor assigned
 to DIA as a FOIA Senior Document Reviewer from January to November 2006. Prior to coming
 to DIA, throughout my career in the United States Air Force ("USAF"), one of my duties was to
 process FOIA requests. I also spent over five years supervising two USAF FOIA offices.

2. As Chief of the FOIA Office, I have been designated by the DIA Director as a declassification authority pursuant to Executive Order 13526 § 3.1. This authority extends to all

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 124 of 132 PageID #:462

information that is classified by, originated by, or that is otherwise under the declassification purview of DIA. I have also been designated by the Director as the Initial Denial Authority for responses to FOIA requests. My administrative duties include the management of day-to-day operations of DIA's FOIA program. The FOIA Office receives, processes, and responds to requests for DIA records under the FOIA and the Privacy Act. At my direction, DIA personnel are tasked to search Agency records systems under their control to identify documents and other information which may be responsive to individual requests. They forward any potentially responsive records that are located to my office, which in turn determines whether responsive records should be withheld in whole or in part under any applicable statutory FOIA or Privacy Act exemptions. The activities of my staff are governed by the "DOD Freedom of Information Act Program Regulation," found at 32 C.F.R. Part 286, as supplemented by the "Defense Intelligence Agency (DIA) Freedom of Information Act" regulation, found at 32 C.F.R. Part 292.

3. In the course of my official duties at DIA, I have become personally familiar with the referral submitted to DIA in relation to this litigation. The statements made herein are based upon my personal knowledge, upon information made available to me in my official capacity, and upon determinations made by me in accordance therewith.

4. By letter dated March 23, 2016, the Department of State (DoS) referred to DIA one record in its possession with DIA equities and requested DIA review the applicable information for releasability and direct response to the requester. DIA responded to the DoS'referral via letter to Jacqueline Stevens dated June 28, 2017. In its response, DIA noted that the record must be withheld in full pursuant to 5 U.S.C. §§ 552(b)(1) and (b)(3) of the FOIA, and Executive Order (E.O.) 13,526.

FOIA EXEMPTIONS CLAIMED BY DIA

Portions Withheld Under 5 U.S.C. § 552 (b)(1)

5. The current basis for classification of national security information is found in E.O. 13,526. Section 1.1 of E.O. 13,526 authorizes an Original Classification Authority (OCA) to classify information owned, produced, or controlled by the United States government if it falls within one of the following eight classification categories specified in Section 1.4 of E.O. 13,526:

(a) military plans, weapons systems, or operations;

(b) foreign government information;

(c) intelligence activities (including special activities), intelligence sources or methods, or cryptology;

(d) foreign relations or foreign activities of the United States, including confidential sources;

(e) scientific, technological, or economic matters relating to the national security;

(f) United States government programs for safeguarding nuclear materials or facilities;

(g) vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans,

or protection services relating to national security; or

(h) the development, production, or use of weapons of mass destruction.

Case: 1:17-cv-02494 Document #: 59 Filed: 05/03/19 Page 126 of 132 PageID #:464

6. Section 1.2 of E.O. 13,526 provides that information covered by one or more of these classification categories may be classified at one of three classification levels - Top Secret (TS), Secret (S) or Confidential (C) - depending on the degree of harm that would result from the unauthorized disclosure of such information. Information is classified at the Confidential level if unauthorized disclosure could reasonably be expected to cause damage to national security. Information is classified at the Secret level if its release could reasonably be expected to cause serious damage to the national security. Classification at the Top Secret level is maintained if its release could reasonably be expected to cause grave damage to national security.

7. Exercising the declassification authority delegated to me by the Director of DIA and pursuant to E.O. 13,526, I have determined that certain information within the referred record remains currently and properly classified at the SECRET or CONFIDENTIAL levels under E.O. 13,526 and that it is appropriately withheld under FOIA Exemption 1. This determination is within my authority as a declassification review official and is further supported by the opinions of the subject matter experts with knowledge of the national security topics covered.

1.4(c) -- Intelligence Sources and Methods

8. DIA withheld certain information under Exemption (b)(1) because it relates to intelligence sources and methods, its disclosure could reasonably be expected to cause either serious or exceptionally grave damage to national security, and it is thus properly classified as Confidential or Secret under Section 1.4(c) of E.O. 13,526. Section 1.4(c) recognizes that the disclosure of intelligence sources can cause damage to the national security. Intelligence sources can include individuals, foreign or American, foreign entities, and the intelligence and security

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services of foreign governments. Willing intelligence sources can be expected to furnish information only when confident that they are protected from retribution by the absolute secrecy surrounding their relationship to the United States government. Sources that are compromised become extremely vulnerable to retaliation from a variety of entities including their own governments or others having a stake in the confidentiality of the information provided by the source. In certain parts of the world, the consequences of public disclosure of the identity of an individual that has served as a U.S. source are often swift and far reaching, from economic reprisals to possible harassment, imprisonment, or even death.

9. Section 1.4(c) of E.O. 13,526 also recognizes that the release of intelligence methods can cause damage to national security. Intelligence methods are the means by which (or the manner in which) an intelligence agency collects information to support military operations, assist in national policymaking, assess military threats, or otherwise accomplish its mission. Detailed knowledge of the methods and practices of an intelligence agency must be protected from disclosure because such knowledge would be of material assistance to those who would seek to penetrate, detect, prevent, avoid, or damage the intelligence operations of the United States.

10. Finally, disclosure of the intelligence sources or methods the U.S. government implements could reasonably be expected to enable persons and groups hostile to the United States to identify U.S. intelligence activities, methods or sources, and to design countermeasures to them. This would damage the ability of the U.S. government to acquire information that is often critical to the formulation of strategic plans and missions designed to safeguard the United States against our enemies.

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11. Based on the information provided to me in the course of my official duties, the record referred to DIA by DoS, which is an intelligence report classified at the SECRET level, contains information concerning intelligence sources and methods. Release of this information would reveal specific areas of intelligence interest to the Intelligence Community (IC) and specific details about the sources and methods associated with obtaining the reported intelligence.

12. DIA has not released the intelligence contained in the referred record because to do so would reveal classified source and methods and impair the intelligence collection mission of the IC. In particular, disclosure of the information contained in this record would provide adversaries sufficient information about specific intelligence collection techniques used by the United States that adversaries could then use to develop countermeasures to resist these intelligence gathering techniques. This, in turn, would render useless the intelligence sources and methods upon which the IC relies. It is for this reason that the intelligence information contained in the referred record remains currently and properly classified as Confidential or Secret under E.O. 13,526 and it is appropriately withheld under FOIA exemption (b)(1).

<u>1.4(d) – Foreign Relations or Foreign Activities of the United States, Including</u> <u>Confidential Sources</u>

13. DIA also withheld certain information contained in the referred intelligence report under Exemption (b)(1) because it relates to foreign relations or foreign activities of the United States, the disclosure of which could reasonably be expected to cause damage to our relationships with other nations and our national security. Section 1.4(d) of E.O. 13,526 recognizes that the release of certain information regarding foreign activities of the United States

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could reasonably be expected to impair U.S. government relations with foreign governments. Good relations with other nations leads to intelligence sharing and ultimately protects national security. Maintaining good relations with foreign governments is imperative to the successful accomplishment of DIA's mission. Based on the information provided to me in the course of my official duties, I have determined that release of information in the referred record identified as being withheld under Section 1.4(d) of E.O. 13, 526 would divulge foreign activities of the U.S. government and damage foreign relations and, as such, it is appropriately withheld under FOIA exemption (b)(1).

Portions Withheld Under 5 U.S.C. § 552(b)(3)

14. DIA also withheld information in the referred record under Subsection (b)(3) of the FOIA, which permits the withholding of documents that are "specifically exempted from disclosure by statute provided that such statute. . . requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue . . ." DIA generally applies 10 U.S.C. § 424 when asserting Exemption 3, which statute states "(a) Exemption from disclosure--Except as required by the President or as provided in subsection (c), no provision of law shall be construed to require the disclosure of--(1) the organization or any function of an organization of the Department of Defense named in subsection (b); or (2) the number of persons employed by or assigned or detailed to any such organization or the name, official title, occupational series, grade, or salary of any such person." DIA is a covered organization under section 424(b).

15. DIA withheld portions of the referred record under Exemption 3, pursuant to the authority of 10 U.S.C. § 424, to protect specific information that would divulge an intelligence collection function of the Agency that would risk harm to national security. In particular, DIA

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withheld codes and information about the agencies, countries, and organizations with which DIA shares intelligence information of this type. As relates specifically to which countries DIA chooses to share or not share specific intelligence, such information would give insight into a critical intelligence function and would cause national security harm. Section 1.7(b)(5) of E.O. 12,333 specifically states that one of DIA's duties is to "conduct foreign defense intelligence liaison relationships and defense intelligence exchange program with foreign defense establishments, intelligence or security services of foreign governments, and international organizations." The release of the countries that DIA shared this specific intelligence with could compromise intelligence sharing agreements we have with these governments and may hinder our relationship with other nations who did not receive that same intelligence information. Additionally, release of the codes contained in the referred intelligence report and other information identifying agencies and organizations with whom DIA shares information would reveal specific details of how DIA goes about the sensitive business of its intelligence collection function, which information is protected under 10 U.S.C. § 424.

16. DIA also withheld under 10 U.S.C. § 424 portions of the referred record containing phone numbers, email addresses, and office symbols, all of which, individually and combined, shed light on the Agency's organizational structure and function. DIA is strictly prohibited from releasing such information under 10 U.S.C. § 424.

17. A separate Exemption 3 statute, 50 U.S.C. § 3024 (i)(1), provides that "[t]he Director of National Intelligence shall protect intelligence sources and methods from unauthorized disclosure." The National Security Act is an exemption (b)(3) withholding statute that refers to particular types of matters to be withheld, and "requires that the matters be withheld

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from the public in such a manner as to leave no discretion on the issue." 5 U.S.C. § 552(b)(3). DIA carries out its intelligence mission under guidance from the Director of National Intelligence and in accordance with the National Security Act. Therefore, DIA is legally obligated to withhold any intelligence sources or methods from release. DIA withheld portions of the referred record under Exemption 3 and 50 U.S.C. § 3024(i) because their release would reveal intelligence sources and methods. Although no showing of harm is required to justify the application of Exemption 3, as explained in paragraphs 8-12 above, release of the withheld information regarding intelligence sources and methods would allow adversaries to employ countermeasures, thus reducing the effectiveness of the sources and methods as intelligence sources and methods contained in the referred record, the Agency properly withheld the information under Exemption 3.

Non-Segregability

18. I have carefully reviewed Attorney General Holder's memo dated 19 March 2009, which encourages agencies to make discretionary disclosures and directs agencies to segregate and release nonexempt information. The documents at issue were carefully reviewed line-byline by a subject matter expert for reasonably segregable information. I have determined that there are no reasonably segregable portions of this exempt material.

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I certify under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of May, 2018

Elesia y. Welliam

Alesia Y. Williams Chief, Freedom of Information Act and Declassification Services Office