



United States Department of State

Washington, D.C. 20520

Case No. F-2015-05052
Segment: A-0002, M-0001

Ms. Kate Bailey
Judicial Watch
425 Third St. SW. Suite 800
Washington, DC 20024

JAN 20 2016

Dear Ms. Bailey:

I refer to our letter dated November 23, 2015, regarding the release of certain Department of State records under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552.

The searches of the records of the Bureau of Diplomatic Security, the Office of the Executive Secretariat, and the Office of the Legal Adviser are complete and have resulted in the retrieval of no documents responsive to your request.

The search of the records provided to the Department in 2015 by Cheryl Mills is complete and resulted in the retrieval of no records responsive to your request. The search of the records provided to the Department in 2015 by Jacob Sullivan is complete and has resulted in the retrieval of one document responsive to your request. After reviewing this document, we have determined that it may be released to you in part.

As indicated in our letter dated September 4, 2015, the search of the records of the Office of the Under Secretary for Management resulted in the retrieval of one document responsive to your request which required consultation with another agency. After reviewing this document and in consultation with another agency, we have determined that the document may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable FOIA exemptions are marked on each document. All released material is enclosed.

If you have any questions, please contact Trial Attorney Andrew Carmichael at (202) 514-3346 or Andrew.E.Carmichael@usdoj.gov. Please refer to the case

number F-2015-05052 and the civil action number (15-cv-689) in all communications regarding this case.

Sincerely,

A handwritten signature in cursive script, appearing to read "K. F. Hackett for".

John F. Hackett, Director
Office of Information Programs and Services

Enclosures: As stated

EXPLANATION OF GROUNDS FOR WITHHOLDING

Obtained by Judicial Watch, Inc. via FOIA

The Freedom of Information Act (FOIA) Exemptions (5 USC 552)

(b)(1) Withholding specifically authorized under an Executive Order in the interest of national defense or foreign policy, and properly classified.

Executive Order 12958, as amended, Classification Categories:

- 1.4(a) Military plans, systems or operations
- 1.4(b) Foreign government information
- 1.4(c) Intelligence activities, sources or methods, or cryptology
- 1.4(d) Foreign relations or foreign activities of the US including confidential sources
- 1.4(e) Scientific, technological or economic matters relating to national security, including defense against transnational terrorism
- 1.4(f) USG programs for safeguarding nuclear materials or facilities
- 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans or protection services relating to US national security, including defense against transnational terrorism
- 1.4(h) Information on weapons of mass destruction

(b)(2) Related solely to the internal personnel rules and practices of an agency.

(b)(3) Specifically exempted from disclosure by statute (other than section 552b of Title 5), e.g.:

- INA Immigration and Nationality Act, Title 8 USC Section 1202(f)
- CIA Central Intelligence Agency Act of 1949, Title 50 USC Section 403(g)
- ARMEX Arms Export Control Act, Title 22 USC 2778(e)
- EXPORT Export Administration Act of 1979, 50 App. USC 2411(c)(1)

(b)(4) Privileged/confidential trade secrets, commercial or financial information from a person.

(b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney client privilege, or attorney work product.

(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy.

(b)(7) Information compiled for law enforcement purposes that would:

- (A) Interfere with enforcement proceedings.
- (B) Deprive a person of a fair trial.
- (C) Constitute an unwarranted invasion of personal privacy.
- (D) Disclose confidential sources.
- (E) Disclose investigation techniques.
- (F) Endanger life or physical safety of any individual.

NR Material not responsive to your FOIA request, excised in accordance with our agreement.

Privacy Act Grounds for Withholding (5 USC 552a)

(d)(5) Information compiled in reasonable anticipation of a civil action proceeding.

(j)(1) CIA records.

(j)(2) Enforcement of criminal law, including efforts to prevent, control, or reduce crime or apprehend criminals, except records of arrest.

(k)(1) Classified pursuant to E.O. 12958 in the interest of national defense or foreign policy such as intelligence sources and methods.

(k)(2) Investigatory material compiled for law enforcement purposes.

(k)(3) Regarding protective services to the President of the US or other individual pursuant to Title 18, USC, Section 3056.

(k)(4) Required by statute to be maintained and used solely as statistical records.

(k)(5) Investigatory material compiled solely for the purpose of determining suitability eligibility or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence.

(k)(6) Testing or exam material used to determine individual qualifications for appointment or promotion in Federal service, the release of which would compromise the testing or exam process.

(k)(7) Material used to determine potential for promotion in the armed services.

pp Information about another person or persons which does not constitute a record about the requester as defined in the access provision of the Privacy Act (section (d) (1)) and which may not be released except pursuant to a written request or with the prior written consent of the person or persons concerned (section (b)).

NR Material not responsive to your Privacy Act request.

Subject: Fwd: Your upcoming trip

From: PVerveer [REDACTED]

Date: 2/9/09, 10:12 AM

To: abedinh@state.gov, Jake.sullivan [REDACTED]

RELEASE IN PART
B5, B6

B6

B6

Here's what I sent her. Since this is to her personal email, I would just follow up with others on any points that might be of interest. Susan O'Sullivan whom I mentioned in the email is in DRL. She is a China human rights specialist. She helped us put HRC's panel discussions together with women in 1998. She also helped us enormously when we honored the Chinese women in DC in 2006. She is ready resource. When I come in today, I will bring the contact information I have. The suggestions will have to be taken up with the experts there, of course.

REVIEW AUTHORITY: Frank Tumminia, Senior
Reviewer

I wanted to raise a few issues regarding your upcoming trip.

China - the state of female migrant workers is looming as a big challenge and exacerbated by the economic downturn. About half of the 130 million migrant workers are women. The Chinese government just announced that 20 million migrant workers have lost jobs. Women's fate is compounded by the fact that 85 million are reported suffering from domestic violence and an unknown number are victims of trafficking. According to the All China Women's Federation, 1/3 of China's 267 million families have witnessed domestic violence and 94% are of the victims are women. A Chinese court in 2008 issued the first ever protective order to a domestic violence victimso far 6 have been issued in 3 localities. A central government document now mandates police to respond to DV complaints made through hotlines and mandate the All-China Women's Federation to establish DV hotlines throughout the country. The All-China Women's Federation is committed to getting a domestic violence law approved this year. Also China has finally issued the national action plan on combating trafficking in women and children to adopt a comprehensive approach to trafficking. They have a long way to go but this represents progress.

B5

Finally on HIV/AIDS

ZENG JINYAN is the wife of the famous HIV/AIDS activist and detainee Hu Jia who was nominated for a Nobel Peace Prize. Sec. Rice raised his

case in 2008 as he has been detained since 2007 for testifying on TV for the EU about China's human rights situation.

Zheng, his wife, was selected by TIME as one of the 100 most influential people in the world.

She is under house arrest with her 2 year-old daughter for speaking out on behalf of her husband.

[REDACTED]

I don't know where DRL and the China desk come down on all of this, but I thought you'd want to know.

Japan - The DCM, James Zumwalt, is the Charge. He is terrific. His wife, ANN KAMBARA [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] She had me do a speaking tour in different parts of Japan for the embassy and I learned a great deal about the rather nascent state of civil society and the strictures on young women to leave the work force once they become mothers. This is creating a real problem as the birth rate there is dropping significantly.

I'm sorry to put this in an email as opposed to a more readable memo. If you need anything additional on any of this, I'm happy to do what I can.

Have a productive trip.

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

B5

B6
B6
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B5

B6

Kennedy, Patrick F

From: Lukens, Lewis A
Sent: Saturday, January 24, 2009 8:26 PM
To: Kennedy, Patrick F
Subject: Re: Series of questions

RELEASE IN PART B6

I talked to Cheryl about this. She says problem is hrc does not know how to use a computer to do email - only bb. But I said would not take much training to get her up to speed.

From: Kennedy, Patrick F
To: Lukens, Lewis A; 'habedin'; 'cmills'
Cc: Smith, Daniel B
Sent: Sat Jan 24 20:22:20 2009
Subject: Re: Series of questions

REVIEW AUTHORITY: Frank Tumminia, Senior Reviewer

That is why this is the best solution

From: Lukens, Lewis A
To: 'habedin'; Kennedy, Patrick F; 'cmills'
Cc: Smith, Daniel B
Sent: Sat Jan 24 19:49:30 2009
Subject: Re: Series of questions

She'll be able to.

From: Huma Abedin
To: Kennedy, Patrick F; Lukens, Lewis A; Cheryl Mills
Cc: Huma Abedin ; Smith, Daniel B
Sent: Sat Jan 24 19:48:27 2009
Subject: Re: Series of questions

Yes we were hoping for that if possible so she can check her email in her office.

-----Original Message-----

From: Kennedy, Patrick F <KennedyPF@state.gov>
To: Lukens, Lewis A <LukensLA@state.gov>; Cheryl Mills
CC: Huma Abedin; Smith, Daniel B <SmithD2@state.gov>
Sent: Sat Jan 24 19:29:25 2009
Subject: Re: Series of questions

Cheryl

The stand-alone separate network PC is on a great idea

Regards

Pat

From: Lukens, Lewis A
To: 'cmills'

Cc: Huma Abedin; Kennedy, Patrick F; Smith, Daniel B
Sent: Sat Jan 24 19:10:33 2009
Subject: Re: Series of questions

B6

We have already started checking into the NSA bb. Will set up the office across the hall as requested. Also think we should go ahead (but will await your green light) and set up a stand alone PC in the Secretary's office, connected to the internet (but not through our system) to enable her to check her emails from her desk. Lew

From: Cheryl Mills
To: Lukens, Lewis A
Cc: Huma Abedin ; Kennedy, Patrick F
Sent: Sat Jan 24 19:05:24 2009
Subject: RE: Series of questions

so I have now read up more on POTUS' bb (which appears not really to be a bb but a different device).

is there any solution to her being able to use an encrypted bb like the nsa approved one he has in the vault and if so, how can we get her one.

and if not, let's set up the office across the hall for her to use - it needs a phone etc. so she can go across the hall to check her bb.

cdm

From: Lukens, Lewis A [<mailto:LukensLA@state.gov>]
Sent: Friday, January 23, 2009 6:54 AM
To: Cheryl Mills
Subject: Re: Series of questions

Questions 1 and 2 - yes. Will give you more details this morning

On the bb for hrc, can we chat this morning? I may have thought of a workaround but need more info on her bb use from you.

Lew

From: Cheryl Mills
To: Lukens, Lewis A
Sent: Fri Jan 23 06:47:59 2009
Subject: Series of questions

Lew -

who can I talk to about:

1. can our email be accessed remotely through the web using a non-DOS computer like my laptop?
2. I am traveling to the M-E tonight – will my DOS bb work there and is there a cell phone attached?
3. spoke to Dan re: bb for HRC (and reports that POTUS is able to use a super encrypted one which)
4. spoke to Dan re: setting up Counselor office for HRC so she can go across hall regularly and check her email.

cdm