



**United States Department of State**

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

November 29, 2021

Case No. FL-2021-00524

James Peterson  
Judicial Watch, Inc.  
425 Third Street, SW  
Suite 800  
Washington, District of Columbia 20024

Dear Mr. Peterson:

We refer you to our letter dated October 27, 2021, under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. Thus far, the Department of State has located an additional four responsive records subject to the FOIA. Upon review, we have determined all four records may be released in part. The processing of your request is ongoing.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made redactions, the applicable FOIA exemptions are marked on each record. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

We will keep you informed as your case progresses. If you have any questions, your attorney may contact Paul Cirino, Assistant United State Attorney, at [paul.cirino@usdoj.gov](mailto:paul.cirino@usdoj.gov) or (202) 252-2529. Please refer to the case number, F-2021-07575/FL-2021-00524, and the civil action number, 21-cv-02111, in all correspondence about this case.

Sincerely,

A handwritten signature in cursive script that reads "Jeanne Miller".

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

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

(b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:

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

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

(b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

ARMSEXP	Arms Export Control Act, 50a USC 2411(c)
CIA PERS/ORG	Central Intelligence Agency Act of 1949, 50 USC 403(g)
EXPORT CONTROL	Export Administration Act of 1979, 50 USC App. Sec. 2411(c)
FS ACT	Foreign Service Act of 1980, 22 USC 4004
INA	Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f)
IRAN	Iran Claims Settlement Act, Public Law 99-99, Sec. 505

(b)(4) Trade secrets and confidential commercial or financial information

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

(b)(6) Personal privacy information

(b)(7) Law enforcement information whose disclosure would:

- (A) interfere with enforcement proceedings
- (B) deprive a person of a fair trial
- (C) constitute an unwarranted invasion of personal privacy
- (D) disclose confidential sources
- (E) disclose investigation techniques
- (F) endanger life or physical safety of an individual

(b)(8) Prepared by or for a government agency regulating or supervising financial institutions

(b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

NR Material not responsive to a FOIA request excised with the agreement of the requester

<b>From:</b>	(b)(6)
<b>To:</b>	(b)(6) Beijing VIP Visits <BeijingVIPVisits@state.gov>
<b>Subject:</b>	RE: Swabs, swabs, and more swabs
<b>Date:</b>	Fri, 5 Mar 2021 06:52:07 +0000

Thanks (b)(6). Interesting that there's no central policy on this given all the media attention and spin. Please keep me updated if anything changes.

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**From:** (b)(6)  
**Sent:** Friday, March 5, 2021 2:50 PM  
**To:** (b)(6)  
Cain, (b)(6) Beijing VIP Visits <BeijingVIPVisits@state.gov>  
**Subject:** RE: Swabs, swabs, and more swabs

Just checked with my contact from the PEK customs. Airport only does nasal swab and throat swab. According to some Chinese social media, international travelers are required to get anal tests during centralized quarantine. It could happen on Day 3, Day 7, Day 14 or Day 21. Some people were tested once and some were twice. Samples were collected by medical staff or travelers themselves or from a fecal sample.

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**From:** (b)(6)  
**Sent:** Thursday, March 4, 2021 2:37 PM  
**To:** (b)(6) Beijing  
VIP Visits <BeijingVIPVisits@state.gov>  
**Subject:** RE: Swabs, swabs, and more swabs

Great, thanks (b)(6)

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**From:** (b)(6)  
**Sent:** Thursday, March 4, 2021 2:35 PM  
**To:** (b)(6)  
Beijing VIP Visits <BeijingVIPVisits@state.gov>  
**Subject:** RE: Swabs, swabs, and more swabs

Just checked with Shanghai FAO, for in-bound diplomats who're close contact to someone tested positive upon arrival, they will still quarantine in the Wyndham Hotel, but with one additional NAT test.

Best regards,

(b)(6)

GSO Visitor Unit, U.S. Embassy Beijing

Tel: (b)(6)

Cell: (b)(6)

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**From:** (b)(6)

**Sent:** Thursday, March 4, 2021 1:54 PM

**To:** (b)(6) Beijing VIP Visits <BeijingVIPVisits@state.gov>

**Subject:** RE: Swabs, swabs, and more swabs

This is certainly different and a variation on the "close contact" rule.

VIP – please check with FAO again on this. Seems to be a CDC rule and given our history with close contacts and following hotel separations, want to make sure the MFA/FAO understand this is not acceptable for our people regardless of the reason.

Thanks,

(b)(6)

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**From:** (b)(6)

**Sent:** Thursday, March 4, 2021 1:22 PM

**To:** Beijing VIP Visits <BeijingVIPVisits@state.gov>

**Subject:** Swabs, swabs, and more swabs

I hadn't heard this rule before:

Travelers flying into Shanghai must undertake a full battery of tests including anal swabs, if more than five people on their airplane test positive for the virus, state media reported, citing one of the local CDC staff.

<https://www.reuters.com/article/us-health-coronavirus-china-anal-factbox-idUSKBN2AV0Y4>

(b)(6)

• A/GSO • U.S. Embassy Beijing • Desk: (b)(6) • Cell: (b)(6)

(b)(6)

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**Sender:** (b)(6)

**Recipient:**

(b)(6)

Beijing VIP Visits <BeijingVIPVisits@state.gov>

<b>From:</b>	(b)(6)
<b>To:</b>	
<b>Subject:</b>	RE: +7 Testing Guidance
<b>Date:</b>	Tue, 26 Jan 2021 01:35:00 +0000

Thanks (b)(6)  
I am hoping for a smooth covid test and release on Friday.  
Best regards,

(b)(6)

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**From:** (b)(6)  
**Sent:** Monday, January 25, 2021 8:30 PM  
**To:** (b)(6)  
**Subject:** RE: +7 Testing Guidance

Hi (b)(6)

Thanks for confirming. Generally speaking, try calling the Embassy main line and you can ask for my extension of (b)(6). If you can't reach me, ask for the Duty Officer or GSO secretary.

GSO isn't setup for 24/7 call service, but if you reach a Duty Officer, you can ask for me or one of the other GSOs.

Thanks,

(b)(6)

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**From:** (b)(6)  
**Sent:** Tuesday, January 26, 2021 9:13 AM  
**To:** (b)(6)  
**Subject:** RE: +7 Testing Guidance

Hello (b)(6),

That is indeed a very strange test and first time we've heard as well.

Fortunately, the tests we had at the Shanghai airports was just nose swab and one at Shanghai hotel on our 14<sup>th</sup> day was just throat swab.

Do you have a good number we can call that we will definitely get a response right away once they come in for test on Friday, January 29<sup>th</sup>? Last Friday, I tried to call from 9 to 10 a.m. to be connected to anyone in the VIP visits and no one answered the office number and the mobile number, same thing when we got inside the LMQC unit at 2:30 I started calling to inquire more guidelines and I was not able to talk to anyone.

Thank you very much for the information you provided below,

(b)(6)

**From:** (b)(6)  
**Sent:** Monday, January 25, 2021 7:59 PM  
**To:** (b)(6)  
**Subject:** +/- Testing Guidance

Good morning (b)(6)

I hope you are doing as well as can be expected in the final stage of quarantine here in Beijing. Unfortunately, the Chinese CDC is promoting some alternative COVID testing techniques and implemented them with their citizens that are not in line with our diplomatic rights or our general agreement with the host government. I'm writing to ask what your testing experiences have been thus far and to ensure you understand the boundaries of the Day 21 test.

There's no good way to ask this, but has any health authority asked you or your spouse to conduct an anal swab test? The embassy obviously does not authorize or permit this type of testing on diplomats but others have been asked so I need to verify everyone's experience.

The testers may also ask to do an "environmental test" where they enter the residence and swab drinking glasses, furniture, etc. This is also not permitted. They may swab the **outside** of the doorknob, but nothing internal.

For the record, our agreement is for nasal and/or throat swabs only. If you are asked to undergo either of the above or any other that seems inappropriate, please refuse and contact us immediately. We will escalate to MFA/FAO and go from there.

Sorry for the strange questions, but I was directed by embassy management to survey our people and ensure we are not being asked to participate in the more invasive testing procedures. I appreciate any response.

Thanks,

(b)(6)

(b)(6)

General Services Officer | 总务官

U.S. Embassy Beijing | 美国驻北京大使馆

<b>Sender:</b>	(b)(6)
<b>Recipient:</b>	

<b>From:</b>	(b)(6)
<b>To:</b>	(b)(6)
<b>Subject:</b>	FW: COVID TEST 21ST DAY (b)(6)
<b>Date:</b>	Wed, 27 Jan 2021 03:54:15 +0000

Team - FYI. (b)(6) being asked for anal swab and environmental test.

Can Housing contact (b)(6) ? I'll have VIP contact FAO ASAP.

SENSITIVE BUT UNCLASSIFIED

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

From: (b)(6)  
Sent: Wednesday, January 27, 2021 11:49 AM  
To: (U) (b)(6)  
(b)(6)  
Subject: COVID TEST 21ST DAY (b)(6)

AT this point, if they will insist the anal test, we would like to just go back to the States.

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

From: (b)(6)  
Sent: Tuesday, January 26, 2021 10:39 PM  
To: (b)(6)  
Subject: FW: Test

(b)(6)

This is becoming so non diplomatic status testing. Disgusting.  
I hope the GSO and VIP Beijing visits can do something about this. I am so disgusted right now.

(b)(6)

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

From: (b)(6)  
Sent: Tuesday, January 26, 2021 10:34 PM  
To: (b)(6)  
Subject: Test

(b)(6) please call me at your convenient time (b)(6)

Below text message came from (b)(6) This is not good!

(b)(6)

Sent from my iPhone

**Sender:**

(b)(6)

**Recipient:**

(b)(6)



<b>From:</b>	(b)(6)
<b>To:</b>	(b)(6)
<b>Subject:</b>	FW: +7 Testing Guidance
<b>Date:</b>	Tue, 26 Jan 2021 01:27:28 +0000

(b)(6) Confirmed OK

SENSITIVE BUT UNCLASSIFIED

<b>From:</b>	(b)(6)
<b>Sent:</b>	Tuesday, January 26, 2021 9:19 AM
<b>To:</b>	(b)(6)
<b>Subject:</b>	Re: +7 Testing Guidance

Good Morning (b)(6)

No, I have had no unusual requests. I received a nasal and throat swab when I arrived in Shanghai and just a throat swab before departing.

I'll let you know if I get any unusual requests.

Thanks!

(b)(6)

Sent from my iPhone

On Jan 26, 2021, at 9:00 AM, (b)(6) wrote:

Good morning (b)(6)

I hope you are doing as well as can be expected in the final stage of quarantine here in Beijing. Unfortunately, the Chinese CDC is promoting some alternative COVID testing techniques and implemented them with their citizens that are not in line with our diplomatic rights or our general agreement with the host government. I'm writing to ask what your testing experiences have been thus far and to ensure you understand the boundaries of the Day 21 test.

There's no good way to ask this, but has any health authority asked you to conduct an anal swab test? The embassy obviously does not authorize or permit this type of testing on diplomats but others have been asked so I need to verify everyone's experience.

The testers may also ask to do an "environmental test" where they enter the residence and swab drinking glasses, furniture, etc. This is also not permitted. They may swab the **outside** of the doorknob, but nothing internal.

For the record, our agreement is for nasal and/or throat swabs only. If you are asked to undergo either of the above or any other that seems inappropriate, please refuse and contact us immediately. We will escalate to MFA/FAO and go from there.

Sorry for the strange questions, but I was directed by embassy management to survey our people and ensure we are not being asked to participate in the more invasive testing procedures. I appreciate any response. If you'd prefer a phone call, I can arrange a time.

Thanks,

(b)(6)

(b)(6)

General Services Officer | 总务官

U.S. Embassy Beijing | 美国驻北京大使馆

**Sender:** (b)(6)

**Recipient:** (b)(6)