



United States Department of State

Washington, D.C. 20520

December 28, 2023

Case No. FL-2018-05010

John Miano
Federation for American Immigration Reform
25 Massachusetts Ave. NW, Suite 330
Washington, DC 20001

Dear Mr. Miano:

As we noted in our letter dated November 16, 2023, we are processing your request for material under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department of State (“Department”) has identified an additional seven responsive records subject to the FOIA. We have determined that all seven records may be released in in part.

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

We will keep you informed as your case progresses. If you have any questions, your attorney may contact Assistant United States Attorney Stephanie Johnson at (202) 252-7874 or Stephanie.Johnson5@usdoj.gov. Please refer to the case number, FL-2018-05010, and the civil action number, 19-cv-00182, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Hickson', with a large, stylized initial 'D' and a long horizontal stroke extending to the right.

Diamonece Hickson
Chief, Litigation and Appeals Branch
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

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(SBU) Choose an item Call Sheet for
DHS Assistant Secretary for International Engagement James Nealon
"Ambassador Nealon" [Nee-LON]

(SBU) Purpose: To discuss the current status of ICE's recommendation for 243(d) sanctions against Burma, (b)(5) time, and request greater communication and transparency as DHS prepares future possible designation letters.

(b)(5)

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(b)(5)

CLASSIFICATION//HANDLING RESTRICTION

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-3-

Approved: CA:

Drafted: CA/VO: Valerie J. Chittenden , ext 5-6770 and home/cell: (b)(6)

Cleared: CA/VO: Karin King
CA/VO/F: Morgan Parker
CA/VO/L: David Newman
CA/VO/L/R: Megan Herndon
EAP/MLS: Paul Colombini
L/CA: David Salie

CLASSIFICATION//HANDLING RESTRICTION

Visas: "Uncooperative" Countries

(b)(5)

Q: The State Department has not sanctioned any additional countries under the current administration despite the Executive Order and the administration's campaign promise to take action on Day 1. Why the delays? What specific progress has been made under this administration?

(b)(5)

Q: What is the U.S. government doing now in regard to “Recalcitrant” or “Uncooperative” countries?

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(b)(5)

Q: How are ICE and the Department working together?

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(b)(5)

Drafted: VElliott, x56145, SHankinson, x56770

Cleared:

CA/VO/L/R MHerndon	OK
CA/VO SHankinson	OK
CA/VO/F/OI: BDahlke	OK

From:	Perry, Nicholas /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PERRY, NICHOLASBC9 <PerryN1@state.gov>
To:	Dybdahl, Chloe J /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=DybdahlCJ <DybdahlCJ@state.gov>; McNeil, Matthew C /O=SBUSTATE/OU=FSI AG/cn=Recipients/cn=McNeilMC <McNeilMC@state.gov>
CC:	Herndon, Megan /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Herndon, Megand42 <HerndonM@state.gov>; Lage, Andrea B /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=LageAB <LageAB@state.gov>
Subject:	AOs for A and Gs in 243(d) sanctioned country
Date:	2016/09/14 21:00:54
Priority:	Normal
Type:	Note

Chloe and Matt,

(b)(5)

Sender:	Perry, Nicholas /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PERRY, NICHOLASBC9 <PerryN1@state.gov>
Recipient:	Dybdahl, Chloe J /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=DybdahlCJ <DybdahlCJ@state.gov>; McNeil, Matthew C /O=SBUSTATE/OU=FSI AG/cn=Recipients/cn=McNeilMC <McNeilMC@state.gov>; Herndon, Megan /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Herndon, Megand42 <HerndonM@state.gov>; Lage, Andrea B /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=LageAB <LageAB@state.gov>
Sent Date:	2016/09/14 21:00:52
Delivered Date:	2016/09/14 21:00:54

From:	Salie, David P /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=SALIE, DAVID PED2 <SalieDP@state.gov>
To:	Osborn, Judith L /o=SBUState/ou=NCC AG/cn=Recipients/cn=OSBORNJL <OSBORNJL@state.gov>
CC:	Donnelly, Elizabeth A /o=SBUState/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Donnelly, Elizabeth A0ce <DonnellyEA@state.gov>
Subject:	AM to S for Your Review: 243(d) Package to S
Date:	2018/05/17 18:09:23
Priority:	Normal
Type:	Note

Judy,

Please find attached the AM to S and its accompanying tabs, seeking his approval of recommended categories of visas and visa applicants to be subject to 243(d) visa sanctions in Burma.

(b)(5)

Thanks!

-d

Dave Salie

Attorney-Adviser

U.S. Department of State

Office of the Assistant Legal Adviser for Consular Affairs

202.485.8672

Official

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Sender:	Salie, David P /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=SALIE, DAVID PED2 <SalieDP@state.gov>
Recipient:	Osborn, Judith L /o=SBUState/ou=NCC AG/cn=Recipients/cn=OSBORNJL <OSBORNJL@state.gov>; Donnelly, Elizabeth A /o=SBUState/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=Donnelly, Elizabeth A0ce <DonnellyEA@state.gov>
Sent Date:	2018/05/17 18:09:20
Delivered Date:	2018/05/17 18:09:23

From:	Perry, Nicholas /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PERRY, NICHOLASBC9 <PerryN1@state.gov>
To:	CA-Staffers Mailbox /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=CA-Staffers-Mailbox <CA-Staffers-Mailbox@state.gov>; CA-VO-Special Assistant /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=CA-VO-Special-Assist <CA-VO-Special-Assistant@state.gov>; Ramotowski, Edward J /O=SBUSTATE/OU=Guadalajara AG/cn=Recipients/cn=RamotowskiEJ <RamotowskiEJ@state.gov>; King, Karin M /O=SBUSTATE/OU=Warsaw AG/cn=Recipients/cn=KingKM <KingKM@state.gov>; Fenzel, Andrew D /O=SBUSTATE/OU=SES/cn=Recipients/cn=FenzelAD <FenzelAD@state.gov>; Hudspeth, Liliane V /O=SBUSTATE/OU=Havana AG/cn=Recipients/cn=HudspethLV <HudspethLV@state.gov>; Hankinson, Simon R /O=SBUSTATE/OU=LomeAG/cn=Recipients/cn=HankinsonSR <HankinsonSR@state.gov>; Echard, John E Jr /O=SBUSTATE/OU=HR AG/cn=Recipients/cn=EchardJE <EchardJE2@state.gov>; Newman, David S /O=SBUSTATE/OU=NCC AG/cn=Recipients/cn=NewmanDS <NewmanDS@state.gov>; Perry, Nicholas /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Perry, Nicholasbc9 <PerryN1@state.gov>; Elliott, Virginia L.S /O=SBUSTATE/OU=FSI AG/cn=Recipients/cn=ElliottVLS <ElliottVLS@state.gov>; CA-P-Special Assistant /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=CA-PSpecialAssistant <CA-PSpecialAssistant@state.gov>
CC:	Dybdahl, Chloe J /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=DybdahlCJ <DybdahlCJ@state.gov>
Subject:	243(d) order has been signed and Banjul Cable is pending
Date:	2016/10/01 12:41:32
Priority:	Normal
Type:	Note

For you situational awareness, I have received notice that the Exercise of Authority under Section 243(d) has been signed by the secretary of state. The cleared cable has been sent to the messaging comm officer for immediate transmission. I will update yo

Sender:	Perry, Nicholas /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PERRY, NICHOLASBC9 <PerryN1@state.gov>
Recipient:	CA-Staffers Mailbox /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=CA-Staffers-Mailbox <CA-Staffers-Mailbox@state.gov>; CA-VO-Special Assistant /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=CA-VO-Special-Assist <CA-VO-Special-Assistant@state.gov>; Ramotowski, Edward J /O=SBUSTATE/OU=Guadalajara AG/cn=Recipients/cn=RamotowskiEJ <RamotowskiEJ@state.gov>; King, Karin M /O=SBUSTATE/OU=Warsaw AG/cn=Recipients/cn=KingKM <KingKM@state.gov>; Fenzel, Andrew D /O=SBUSTATE/OU=SES/cn=Recipients/cn=FenzelAD <FenzelAD@state.gov>; Hudspeth, Liliane V /O=SBUSTATE/OU=Havana AG/cn=Recipients/cn=HudspethLV <HudspethLV@state.gov>; Hankinson, Simon R /O=SBUSTATE/OU=LomeAG/cn=Recipients/cn=HankinsonSR <HankinsonSR@state.gov>; Echard, John E Jr /O=SBUSTATE/OU=HR AG/cn=Recipients/cn=EchardJE <EchardJE2@state.gov>; Newman, David S /O=SBUSTATE/OU=NCC AG/cn=Recipients/cn=NewmanDS <NewmanDS@state.gov>; Perry, Nicholas /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Perry, Nicholasbc9 <PerryN1@state.gov>; Elliott, Virginia L.S /O=SBUSTATE/OU=FSI AG/cn=Recipients/cn=ElliottVLS <ElliottVLS@state.gov>; CA-P-Special Assistant /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=CA-PSpecialAssistant <CA-PSpecialAssistant@state.gov>; Dybdahl, Chloe J /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=DybdahlCJ <DybdahlCJ@state.gov>
Sent Date:	2016/10/01 12:41:30
Delivered Date:	2016/10/01 12:41:32

From:	Perry, Nicholas /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PERRY, NICHOLASBC9 <PerryN1@state.gov>
To:	Dybdahl, Chloe J /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=DybdahlCJ <DybdahlCJ@state.gov>; McNeil, Matthew C /O=SBUSTATE/OU=FSI AG/cn=Recipients/cn=McNeilMC <McNeilMC@state.gov>
CC:	Herndon, Megan /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Herndon, Megand42 <HerndonM@state.gov>; Lage, Andrea B /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=LageAB <LageAB@state.gov>
Subject:	243(d) exceptions and AOs
Date:	2016/09/19 18:23:01
Priority:	Normal
Type:	Note

Chloe and Matt,

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Here is the cable In th

Sender:	Perry, Nicholas /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PERRY, NICHOLASBC9 <PerryN1@state.gov>
Recipient:	Dybdahl, Chloe J /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=DybdahlCJ <DybdahlCJ@state.gov>; McNeil, Matthew C /O=SBUSTATE/OU=FSI AG/cn=Recipients/cn=McNeilMC <McNeilMC@state.gov>; Herndon, Megan /O=SBUSTATE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Herndon, Megand42 <HerndonM@state.gov>; Lage, Andrea B /O=SBUSTATE/OU=CASA1 AG/cn=Recipients/cn=LageAB <LageAB@state.gov>
Sent Date:	2016/09/19 18:23:01

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(SBU) Under Secretary Shannon's (P) Call Sheet for
U.S. Department of Homeland Security Acting Under Secretary James D. Nealon

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Attachments:

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Tab 1 – Background

Tab 2 – Biographic Information

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Approved: EAP: Susan Thornton

Drafted: EAP/MLS – Paul Colombini ext. 6-7571 and home/cell: (b)(6)

Cleared: EAP/FO: Patrick Murphy
EAP/MLS: Trish Mahoney
EAP/MLS: Marybeth Turner
EAP/MLS: Paul Colombini
D: Kate Nanavatty
P: Dan McCandless
S/P: Dan Biers
CA: Valerie Chittenden

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