

Daniel Starer

Research for Writers

59 West 85th Street

New York, N.Y. 10024

212-877-5400

March 19, 1983

Mr. Ken Follett



Dear Ken:

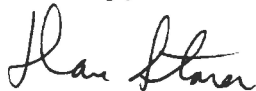
After more than four months The State Department has responded to our Freedom of Information Act request. As you anticipated, they have not given us much information. "Thinking the Unthinkable" is not included. More material may be forthcoming from a different branch of the State Dept., as a part of our original FOIA request. But I doubt it will be much more enlightening than the enclosed material.

As indicated by the enclosed handwritten note attached to the Washington Post article, Ms. Stuart will help us find "White Paper" materials, some of which is now available. There are two ways we can see the "White Paper" materials. First, by visiting Washington, D.C. and making copies of what we need at the State Dept. Or, a complete set of photocopies can be sent to us -- but that would be at least 2 feet thick! I am told a less cumbersome microfilm version will be made available in the next few months.

There may be a better method. Ms. Stuart and I have developed a cordial relationship over the phone. Perhaps she could be persuaded to do some digging through the "White Paper" for us, if you had a narrow subject in mind. Another alternative is to contact Scott Armstrong of the Washington Post. He wrote the enclosed Post article and is quite familiar with the "White Paper" contents. I understand that he has a FOIA request at the State Dept. much like our own. If you want further information we should certainly compare notes with him.

If more materials are sent by the State Dept. I will forward them immediately.

Sincerely,



Daniel Starer



United States Department of State

Washington, D.C. 20520

FOI Case No. 8203773

Mr. Daniel Starer
59 West 85th Street
New York, N.Y. 10024

Dear Mr. Starer:

I refer to your letter of December 2, 1982 requesting the release of certain Department of State documents under the Freedom of Information Act (Title 5 USC Section 552).

A search of files under the Department's control has so far resulted in the retrieval of 199 documents which appear relevant to your request. After careful review, we have determined that 13 of these documents can be released. Three more can be released subject to excisions. One hundred and eighty-three must be withheld from release.

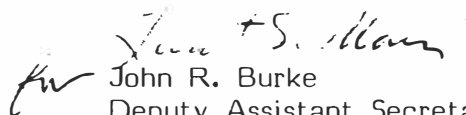
All the denied and excised material (unless otherwise specified below) has been determined to be properly exempt from release under Paragraph (b) (1) of Section 552 as currently and properly classified under Executive Order 12356 and authorized by that Order to remain protected in the interest of national defense or foreign policy. All non-exempt material in the excised documents that is reasonably segregable from the exempt material is released herewith.

One of the denied documents has been deemed deniable under Paragraph (b) (3) of Section 552 as specifically exempted from disclosure by statute, to wit, Section 222 (f) of the Immigration and Nationality Act (8 USC 1202 [f]).

It has been determined that seven of the denied documents are also deniable under Paragraph (b) (5) of Section 552 as they constitute 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 this agency.

With respect to material denied or excised, you have the right to appeal this determination within 60 days. Appeals should be addressed to the Assistant Secretary for Public Affairs, Department of State, Washington, D.C. 20520. A letter of appeal should refer to the Freedom of Information case number shown above.

Sincerely,


John R. Burke
Deputy Assistant Secretary
Classification/Declassification Center
Bureau of Administration

Subpart G—Appeals Procedures**§ 171.60 Appeal of denial of access to records.**

(a) Review of an initial denial of access to a record under the Freedom of Information Act (5 USC 552), the Privacy Act of 1974 (5 USC 552a), or Executive Order 12065 may be requested by the individual who submitted the initial request for access. The request for review (hereinafter referred to as the appeal) must be in writing and should be sent by certified mail to the Assistant Secretary for Public Affairs, Chairman, Appeals Review Panels, Department of State, 2201 C street, N.W., Washington, D.C. 20520. The appeal should be received within 60 days of the date of receipt by the appellant of the Department's refusal to grant access to a record in whole or in part.

(b) The time for decision on the appeal begins on the date the appeal is received by the Chairman, Appeals Review Panels. The appeal of a denial of access to records shall include any documentation, information and statements to support the individual's request for access and to refute the use of the exemption(s) cited in the Department's justification concerning the denial of access.

(c) The Chairman of the Appeals Panels or her/his designee and at least two other members chosen by her/him from a list of senior officers designated for this purpose by the various bureaus of the Department shall constitute a panel to consider and decide the appeal. There shall be a written record of the reasons for the final determination. The final determination will be made within 30 working days for Executive Order and Privacy Act appeals, and within 20 working days (excluding Saturdays, Sundays, and holidays) for FOIA appeals. For good cause shown, the Chairman of the Appeals Review Panels may extend such determination beyond the 30-day period in Privacy Act cases.

(d) The Chairman shall then notify the requester in writing of the panel's decision to grant access and of the Department's regulations concerning access.

(e) When the final decision of the Panel is to refuse to grant an individual access to a record, the Chairman of the Panel shall advise the individual in writing:

(1) of the refusal to grant the appeal and the reasons therefor including the exemptions of the Freedom of Information Act, the Privacy Act of 1974, and/or Executive Order 12065 under which access is denied;

(2) of her/his right to seek judicial review of the Department's decision, where applicable.