



United States Department of State

Washington, D.C. 20520

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AMBASCIATA D'ITALIA-WASHINGTON

Case No. F-2010-06927 OCS

Mr. Giannicola Sinisi  
300 Whitehaven St., NW  
Washington, DC 20008

APR 16 2013

Dear Mr. Sinisi:

I refer to our letter dated March 25, 2011, regarding the release of certain Department of State material under the Freedom of Information Act (Title 5 USC Section 552).

As you may recall, further coordination was required before a decision could be made as to the release of nine of the documents previously retrieved in response to your request. The coordination has now been completed for one of them. As a result, we find that it may be released with excisions. All released material is enclosed.

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.

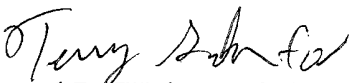
All non-exempt material that is reasonably segregable from the exempt material has been released.

With respect to material withheld by the Department of State, you have the right to appeal our determination within 60 days. A copy of the appeals procedures is enclosed.

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,

  
Sheryl L. Walter, Director  
Office of Information Programs and Services

Enclosures:  
As stated.

## The Freedom of Information Act (5 USC 552)

### FOIA Exemptions

- (b)(1) Withholding specifically authorized under an Executive Order in the interest of national defense or foreign policy, and properly classified. E.O. 12958, as amended, 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) 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 5 USC 552), for example:
- ARMEX Arms Export Control Act, 22 USC 2778(e)
  - CIA Central Intelligence Agency Act of 1949, 50 USC 403(g)
  - EXPORT Export Administration Act of 1979, 50 App. USC 2411(c)(1)
  - FSA Foreign Service Act of 1980, 22 USC 4003 & 4004
  - INA Immigration and Nationality Act, 8 USC 1202(f)
  - IRAN Iran Claims Settlement Act, Sec 505, 50 USC 1701, note
- (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) Information that 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 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

**63934 Federal Register/Vol. 69, No. 212**

**Rules and Regulations**

Subpart F – Appeal Procedures

§171.52 Appeal of denial of access to, declassification of, amendment of, accounting of disclosures of, or challenge to classification of records.

- (a) *Right of administrative appeal.* Except for records that have been reviewed and withheld within the past two years or are the subject of litigation, any requester whose request for access to records, declassification of records, amendment of records, accounting of disclosure of records, or any authorized holder of classified information whose classification challenge has been denied, has a right to appeal the denial to the Department's Appeals Review Panel. This appeal right includes the right to appeal the determination by the Department that no records responsive to an access request exist in Department files. Privacy Act appeals may be made only by the individual to whom the records pertain.
- (b) *Form of appeal.* There is no required form for an appeal. However, it is essential that the appeal contain a clear statement of the decision or determination by the Department being appealed. When possible, the appeal should include argumentation and documentation to support the appeal and to contest the bases for denial cited by the Department. The appeal should be sent to: Chairman, Appeals Review Panel, c/o Appeals Officer, A/GIS/IPS/PP/LC, U.S. Department of State, SA-2, Room 8100, Washington, DC 20522-8100.
- (c) *Time limits.* The appeal should be received within 60 days of the date of receipt by the requester of the Department's denial. The time limit for response to an appeal begins to run on the day that the appeal is received. The time limit (excluding Saturdays, Sundays, and legal public holidays) for agency decision on an administrative appeal is 20 days under the FOIA (which may be extended for up to an additional 10 days in unusual circumstances) and 30 days under the Privacy Act (which the Panel may extend an additional 30 days for good cause shown). The Panel shall decide mandatory declassification review appeals as promptly as possible.
- (d) *Notification to appellant.* The Chairman of the Appeals Review Panel shall notify the appellant in writing of the Panel's decision on the appeal. When the decision is to uphold the denial, the Chairman shall include in his notification the reasons therefore. The appellant shall be advised that the decision of the Panel represents the final decision of the Department and of the right to seek judicial review of the Panel's decision, when applicable. In mandatory declassification review appeals, the Panel shall advise the requester of the right to appeal the decision to the Interagency Security Classification Appeals Panel under §3.5(d) of E.O. 12958.

UNCLASSIFIED

RELEASED IN PART B6

PAGE 01 ROME 07639 301459Z  
ACTION OCS-06

INFO LOG-00 CA-02 OASY-00 DS-00 EUR-01 H-01 TEDE-00  
JUSE-00 L-03 ADS-00 PPT-01 /014W  
-----B9E8FE 301642Z /38

R 301459Z APR 93  
FM AMEMBASSY ROME  
TO SECSTATE WASHDC 1947

UNCLAS ROME 007639

E.O. 12356: N/A  
TAGS: CASC, IT [REDACTED]  
SUBJECT: ARREST OF AMCIT [REDACTED] - UPDATE

B6

REF: ROME 4594

17. ACCESS: CONOFF VISITED [REDACTED]

B6

REVIEW AUTHORITY: Martin McLean, Senior Reviewer

[REDACTED]

[REDACTED] REQUEST FOR A TRANSFER WAS TURNED  
DOWN IN 1992 BY THE LATE JUDGE GIOVANNI FALCONE, A  
PROMINENT AND WELL RESPECTED JUSTICE WHO WAS KILLED BY  
THE MAFIA LAST SUMMER. IN DENYING THE REQUEST,  
FALCONE EXPLAINED THAT [REDACTED] WAS FOUND GUILTY OF  
PREMEDITATED MURDER IN ONE OF THE QUOTE DARKEST

B6

UNCLASSIFIED U.S. Department of State Case No. F-2010-06927 Doc No. C17734096 Date: 02/22/2013  
UNQUOTE CRIMINAL CASES IN POST-WAR ITALIAN HISTORY,  
AND THAT HIS TRANSFER TO THE U.S. WOULD RESULT IN  
EXTREMELY NEGATIVE PUBLICITY IN ITALY.

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UNCLASSIFIED U.S. Department of State Case No. F-2010-06927 Doc No. C17734096 Date: 02/22/2013