



United States Department of State

Washington, D.C. 20520

MAY 9 2008

Case No.: 200502767

Scott A. Hodes, Esq.
1410 Aintree Drive
Rockville, MD 20850

Dear Mr. Hodes:

This is a response to the April 17, 2006 appeals letter sent to the Department by Mr. Wayne G. Sayles in the above referenced case. As you are aware, our March 15, 2006 letter to Mr. Sayles indicated that we have no records responsive to his June 27, 2005 request (amended on July 6, 2005) for copies of any communication between the Cultural Property Advisory Committee (CPAC) staff and the archeological community regarding the Peoples' Republic of China request for import restrictions on Chinese antiquities.

Based on the original request as contained in Mr. Sayles' letter of July 6, 2005, which describes the request as seeking "copies of any communications between members of the archaeological community and the staff of CPAC" and which then offers two categories of information "[f]or purposes of narrowing this FOIA request," we have interpreted your client's request as seeking only communications between the outside archeological community and the staff of CPAC.

As noted in our letter of March 15, 2005, the Department's search yielded no records that are responsive to your request. We have recently conducted additional searches in an abundance of caution, including a search of the records of the American Embassy in Beijing, and these searches too have not located any responsive records.

To the extent the second item in the FOIA request was intended more broadly, as applying to relevant records of CPAC staff regardless whether they constituted communications with the outside archaeological community, our searches have located three documents that would be responsive. However,

staff and reflecting predecisional deliberations, this material would be withheld in full under 5 U.S.C. § 552(b)(5).

We have now completed the processing of this case.

Sincerely,

A handwritten signature in black ink, appearing to read 'Margaret P. Grafeld', written in a cursive style.

Margaret P. Grafeld, Director
Office of Information Programs and
Services