



**United States Department of State**

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

January 24, 2023

Case No. FL-2021-00033

Gary Ruskin  
4096 Piedmont Ave. #963  
Oakland, CA 94611

Dear Mr. Ruskin:

As we noted in our letter dated December 23, 2022, we are processing your request for material under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. Since our last letter, the Department of State ("Department") has processed in excess of 1,500 pages of material potentially responsive to your request. The Department has identified an additional 20 responsive records subject to the FOIA. We have determined that 14 records may be released in part and 6 records must be withheld in their entirety.

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. The records that were withheld in full are exempt from release pursuant to FOIA Exemption 1, 5 U.S.C. § 552 (b)(1). 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 Laurel Lum, Trial Attorney, at [laurel.h.lum@usdoj.gov](mailto:laurel.h.lum@usdoj.gov) or (202) 305-8177. Please refer to the case number, FL-2021-00033, and the civil action number, 20-cv-08415, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Diamonece Hickson", with a large, stylized initial "D" and "H".

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

Withheld pursuant to exemption

(b)(1)

Withheld pursuant to exemption

(b)(1)

Withheld pursuant to exemption

(b)(1)

Withheld pursuant to exemption

(b)(1)

Withheld pursuant to exemption

(b)(1)

Withheld pursuant to exemption

(b)(1)



<b>From:</b>	(b)(6)
<b>To:</b>	(b)(6)
<b>CC:</b>	(b)(6)
<b>Subject:</b>	RE: April 14 EAP Press Guidance Taskings
<b>Date:</b>	Tue, 14 Apr 2020 13:00:23 +0000

Hi (b)(6) The link to the WaPo article is below. Just FYI, the line came from SPOX.

Washington Post Opinion Columnist Josh Rogin reports

~~SENSITIVE BUT UNCLASSIFIED~~

DeControlled

**From:** (b)(6)  
**Sent:** Tuesday, April 14, 2020 8:54 AM  
**To:** (b)(6) EAP-PG-Taskings-DL <EAP-PG-Taskings-DL@state.gov>; (b)(6)  
**Cc:** (b)(6)  
(b)(6)  
**Subject:** RE: April 14 EAP Press Guidance Taskings

(b)(6)

Good morning. (b)(5)

(b)(5)

(b)(6)

Thank for any thoughts.

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

**From:** (b)(6)  
**Sent:** Tuesday, April 14, 2020 8:13 AM  
**To:** EAP-PG-Taskings-DL <EAP-PG-Taskings-DL@state.gov>  
**Subject:** April 14 EAP Press Guidance Taskings

**Please advise of your voluntary submissions as soon as possible.**

**REMINDER: Please help us to serve you better by copying the EAP-PRESS office distro when corresponding with individual members of the press team. Thank you for your cooperation.**

**EAP/PM/S: MK/D/MED/CHINA:** Per today's Wash Post, can State confirm the existence of cables highlighting concerns about procedures at the Wuhan Institute of Virology or the Wuhan Center for Disease Control and Prevention lab? Does the USG see any link between the labs research and safety protocols, and the emergence of Wuhan as the epicenter of the COVID-19 virus?

We plan to respond with the following:

(b)(5)

Please let us know if you strongly recommend a different approach.

**EAP/PM/ISN/DPRK:** Please send updated lines on the DPRK's missile tests, or confirm that we will continue to use the current hold lines.

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<b>Recipient:</b>	(b)(6) EAP-PG-Taskings-DL <EAP-PG-Taskings-DL@state.gov>; (b)(6)

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<b>CC:</b>	(b)(6)
<b>Subject:</b>	RE: April 14 EAP Press Guidance Taskings
<b>Date:</b>	Tue, 14 Apr 2020 13:50:45 +0000

(b)(6)

(b)(5) Thanks.

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

**From:** (b)(6) **DeControlled**  
**Sent:** Tuesday, April 14, 2020 9:24 AM  
**To:** (b)(6) EAP-PG-Taskings-DL <EAP-PG-Taskings-DL@state.gov>  
**Cc:** (b)(6)  
(b)(6)  
**Subject:** Re: April 14 EAP Press Guidance Taskings

(b)(6)

I noticed that the piece referred to the Department as having "no comment" on the story. (b)(6)

(b)(5)

(b)(6)

Assistant Legal Adviser for  
Management Affairs

(b)(6)

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(b)(6) (b)(6)  
**Subject:** RE: April 14 EAP Press Guidance Taskings

(b)(6)

Good morning. (b)(5)

(b)(5) (b)(5)  
(b)(5)  
(b)(5) Is there a press story already out there suggesting this?)

(b)(6)

Thank for any thoughts.

(b)(6)

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<b>CC:</b>	(b)(6)
<b>Subject:</b>	Re: April 14 EAP Press Guidance Taskings
<b>Date:</b>	Tue, 14 Apr 2020 13:23:40 +0000

(b)(6)

I noticed that the piece referred to the Department as having "no comment" on the story. (b)(5)

(b)(5)

(b)(5) (ok). Best, (b)(6)

(b)(6)  
Assistant Legal Adviser for  
Management Affairs  
Room: HST 4805

(b)(6)

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<b>To:</b>	(b)(6)
<b>CC:</b>	(b)(6)
<b>Subject:</b>	RE: April 14 EAP Press Guidance Taskings
<b>Date:</b>	Tue, 14 Apr 2020 12:53:31 +0000

(b)(6),

Good morning,

(b)(5)

(b)(6)

Thank for any thoughts.

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

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

<b>From:</b>	(b)(6)	(b)(6)
<b>To:</b>	(b)(6)	
<b>Subject:</b>	RE: 2018 Cable on Visit to the Wuhan Virology Institute	
<b>Date:</b>	Tue, 10 Mar 2020 17:01:05 +0000	

Oh wow...

~~SENSITIVE BUT UNCLASSIFIED~~

**From:** (b)(6) (b)(6) **DeControlled**  
**Sent:** Tuesday, March 10, 2020 12:57 PM  
**To:** (b)(6)  
**Subject:** FW: 2018 Cable on Visit to the Wuhan Virology Institute

I actually forgot about these cables my team and I did in Beijing back in 2018 until very recently and just tracked down a copy.

1. ~~(SBU)~~ **Summary with Comment:** China's Wuhan Institute of Virology, a global leader in virus research, is a key partner for the United States in protecting global health security. Its role as operator of the just-launched Biosafety Level 4 (or "P4") lab -- the first such lab in China -- opens up even more opportunities for expert exchange, especially in light of the lab's shortage of trained staff (Ref A). (b)(5)

(b)(5)

(b)(5)

**Comment.**

**End Summary with**

Here is the Ref A cable too:

5. ~~(SBU)~~ During interactions with scientists at the WIV laboratory, they noted that the new lab has a serious shortage of appropriately trained technicians and investigators needed to safely operate this high-containment laboratory.

6. ~~(SBU)~~ The ability of WIV scientists to undertake productive research despite limitations on the use of the new BSL-4 facility is demonstrated by a recent publication on the origins of SARS. Over a five-year study, Drs. Shi and Cui Jie (and their research team) widely sampled bats in Yunnan province with funding support from NIAID/NIH, USAID, and several Chinese funding agencies. The study results were published in PLoS Pathogens online on Nov. 30, 2017 (1), and it demonstrated that a SARS-like coronaviruses isolated from horseshoe bats in a single cave contain all the building blocks of the pandemic SARS-coronavirus genome that caused the human outbreak. These results strongly suggest that the highly pathogenic SARS-coronavirus originated in this bat population. Most importantly, the researchers also showed that various SARS-like coronaviruses can interact with

ACE2, the human receptor identified for SARS coronavirus. This finding strongly suggests that SARS-like coronaviruses from bats can be transmitted to humans to cause SARS-like disease. From a public health perspective, this makes the continued surveillance of SARS-like coronaviruses in bats and study of the animal human interface critical to future emerging coronavirus outbreak prediction and prevention. It is interesting that WIV scientists are allowed to study the SARS-like coronaviruses isolated from bats while they are precluded from studying human-disease causing SARS coronavirus in their new BSL-4 lab until permission for such work is granted by the NHFCP.

~~SENSITIVE BUT UNCLASSIFIED~~

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

<b>From:</b>	(b)(6)	(b)(6)
<b>To:</b>	(b)(6)	
<b>Subject:</b>	Re: 2018 Cable on Visit to the Wuhan Virology Institute	
<b>Date:</b>	Wed, 11 Mar 2020 15:28:52 +0000	

I did forward it on to some EAP DASEs. Mostly just a bunch of wow responses.

Get Outlook for iOS

**From:** (b)(6) (b)(6)  
**Sent:** Wednesday, March 11, 2020 11:27:27 AM  
**To:** (b)(6)  
**Subject:** RE: 2018 Cable on Visit to the Wuhan Virology Institute

Nice – did you send to anyone else? Excellent work by (b)(6) (and NIH folks)

DeControlled

~~SENSITIVE BUT UNCLASSIFIED~~

DeControlled

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(b)(5)

(b)(5) **End Summary with Comment.**

Here is the Ref A cable too:

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

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**DeControlled**

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(b)(5)

(b)(5)

**Comment.**

**End Summary with**

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<b>Recipient:</b>		



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<b>To:</b>	(b)(6)	
<b>Subject:</b>	Re: 2018 Cable on Visit to the Wuhan Virology Institute	
<b>Date:</b>	Mon, 30 Mar 2020 13:59:00 +0000	

Bigger than this? Great, I needed another reason to stay up late at night..

**From:** (b)(6)  
**Sent:** Monday, March 30, 2020 9:40 AM  
**To:** (b)(6)  
**Subject:** Re: 2018 Cable on Visit to the Wuhan Virology Institute

Man I hope not, cuz I have been briefing a lot of high level people on an even bigger issue concerning IC supply chains. I hope I am either wrong or listened to.

Get Outlook for iOS

**From:** (b)(6)  
**Sent:** Monday, March 30, 2020 9:35:55 AM  
**To:** (b)(6)  
**Subject:** Re: 2018 Cable on Visit to the Wuhan Virology Institute

Geez. I shall call you Cassandra from now on. Thanks for forwarding.

**From:** (b)(6)  
**Sent:** Friday, March 27, 2020 5:18 PM  
**To:** (b)(6)  
**Subject:** FW: 2018 Cable on Visit to the Wuhan Virology Institute

### DeControlled

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(b)(5)

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**End Summary with**

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<b>Recipient:</b>	

<b>From:</b>	(b)(6)
<b>To:</b>	
<b>Subject:</b>	Re: 2018 Cable on Visit to the Wuhan Virology Institute
<b>Date:</b>	Fri, 13 Mar 2020 21:45:14 +0000

We were out in front of a lot of important issues for sure!

Get Outlook for iOS

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

**Sent:** Friday, March 13, 2020 5:03:57 PM

**To:** (b)(6)

**Subject:** Re: 2018 Cable on Visit to the Wuhan Virology Institute

we had a great reporting team!!

---

Sent from Workspace ONE Boxer

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wrote:

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(b)(5)

(b)(5)

**End Summary with**

**Comment.**

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~~SENSITIVE BUT UNCLASSIFIED~~

<b>Sender:</b>	(b)(6)	@state.gov>
<b>Recipient:</b>	(b)(6)	@state.gov>;
	(b)(6)	@state.gov>

<b>From:</b>	"McConnell, Kirk (Armed Services)" (b)(6)
<b>To:</b>	(b)(6)
<b>Subject:</b>	Re: 2018 Cable on Visit to the Wuhan Virology Institute
<b>Date:</b>	Fri, 20 Mar 2020 02:32:50 +0000

Wow. Thanks.

Sent from my iPhone

On Mar 19, 2020, at 9:14 AM, (b)(6) wrote:

While you wait for H to officially get you the cables here they are for your personal reference. Please don't forward on until you get official copies from H.

### DeControlled

1. ~~(SBU)~~ **Summary with Comment:** China's Wuhan Institute of Virology, a global leader in virus research, is a key partner for the United States in protecting global health security. Its role as operator of the just-launched Biosafety Level 4 (or "P4") lab -- the first such lab in China -- opens up even more opportunities for expert exchange, especially in light of the lab's shortage of trained staff (Ref A). (b)(5)

(b)(5)

**Comment.**

(b)(5)

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~~SENSITIVE BUT UNCLASSIFIED~~

<18-BEIJING-138.eml.pdf>

<18-WUHAN-38.eml.pdf>

<b>Sender:</b>	"McConnell, Kirk (Armed Services)" (b)(6)
<b>Recipient:</b>	(b)(6)

<b>From:</b>	(b)(6)
<b>To:</b>	
<b>Subject:</b>	RE: 2018 Cable on Visit to the Wuhan Virology Institute
<b>Date:</b>	Wed, 11 Mar 2020 15:27:27 +0000

Nice – did you send to anyone else? Excellent work by (b)(6) (and NIH folks)

**DeControlled**

~~SENSITIVE BUT UNCLASSIFIED~~

**From:** (b)(6) (b)(6)  
**Sent:** Wednesday, March 11, 2020 11:23 AM  
**To:** (b)(6) (b)(6) (b)(6) (b)(6)  
**Subject:** FW: 2018 Cable on Visit to the Wuhan Virology Institute

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~~SENSITIVE BUT UNCLASSIFIED~~

**Sender:**

(b)(6)

**Recipient:**

<b>From:</b>	(b)(6)
<b>To:</b>	
<b>Subject:</b>	Re: 2018 Cable on Visit to the Wuhan Virology Institute
<b>Date:</b>	Tue, 10 Mar 2020 12:37:20 +0000

The prescience in that cable is amazing/scary....

Sent from my iPad

On Mar 10, 2020, at 8:35 AM, (b)(6) wrote:

## DeControlled

Here is the Ref A cable too:

5. ~~(SBU)~~ During interactions with scientists at the WIV laboratory, they noted that the new lab has a serious shortage of appropriately trained technicians and investigators needed to safely operate this high-containment laboratory.

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~~SENSITIVE BUT UNCLASSIFIED~~

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**From:** (b)(6) (b)(6)  
**Sent:** Tuesday, March 10, 2020 8:10 AM  
**To:** (b)(6)  
(b)(6)  
**Cc:** EAP-J-Office-DL <EAP-J-Office-DL@state.gov>  
**Subject:** FW: 2018 Cable on Visit to the Wuhan Virology Institute

I actually forgot about this cable until very recently and just tracked down a copy.

1. ~~(SBL)~~ **Summary with Comment:** China's Wuhan Institute of Virology, a global leader in virus research, is a key partner for the United States in protecting global health security. Its role as operator of the just-launched Biosafety Level 4 (or "P4") lab -- the first such lab in China -- opens up even more opportunities for expert exchange, especially in light of the lab's shortage of trained staff (Ref A).

(b)(5)

(b)(5)

End Summary with

Comment.

~~SENSITIVE BUT UNCLASSIFIED~~

<mime-attachment>

**Sender:**

(b)(6)

**Recipient:**

<b>From:</b>	(b)(6)	(b)(6)
<b>To:</b>	(b)(6)	(b)(6)
<b>Subject:</b>	Re: 2018 Cable on Visit to the Wuhan Virology Institute	
<b>Date:</b>	Mon, 30 Mar 2020 13:40:03 +0000	

Man I hope not, cuz I have been briefing a lot of high level people on an even bigger issue concerning IC supply chains. I hope I am either wrong or listened to.

Get Outlook for iOS

**From:** (b)(6)@state.gov>

**Sent:** Monday, March 30, 2020 9:35:55 AM

**To:** (b)(6)@state.gov>

**Subject:** Re: 2018 Cable on Visit to the Wuhan Virology Institute

(b)(5) Thanks for forwarding.

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

**Sent:** Friday, March 27, 2020 5:18 PM

**To:** (b)(6) (b)(6) (b)(6) (b)(6)

**Subject:** FW: 2018 Cable on Visit to the Wuhan Virology Institute

DeControlled

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(b)(5)

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

<b>From:</b>	(b)(6)	(b)(6)
<b>To:</b>	(b)(6)	(b)(6)
<b>Subject:</b>	Re: 2018 Cable on Visit to the Wuhan Virology Institute	
<b>Date:</b>	Tue, 10 Mar 2020 12:48:33 +0000	

Too bad I couldn't get anyone to listen even with front channel cables and letters from the Ambassador to the NSC.

Get [Outlook for iOS](#)

**From:** (b)(6)@state.gov>

**Sent:** Tuesday, March 10, 2020 8:44:00 AM

**To:** (b)(6)@state.gov>

**Subject:** RE: 2018 Cable on Visit to the Wuhan Virology Institute

Wow...just wow.

~~SENSITIVE BUT UNCLASSIFIED~~

**From:** (b)(6) (b)(6)  
**Sent:** Tuesday, March 10, 2020 8:35 AM  
**To:** (b)(6) (b)(6)  
**Subject:** FW: 2018 Cable on Visit to the Wuhan Virology Institute

DeControlled

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**To:** (b)(6)

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(b)(5)

(b)(5)

**End Summary with**

**Comment.**

~~SENSITIVE BUT UNCLASSIFIED~~

**Sender:**

(b)(6)

**Recipient:**