



United States Department of State

Washington, D.C. 20520

August 9, 2008

Ms. Marcia Hofmann  
454 Shotwell Street  
San Francisco, CA 94110

Case Control Number: 200801276

Dear Ms. Hofmann:

I refer to your request under the Freedom of Information Act (FOIA) for copies of records pertaining to your client, Sophia Helena In't Veld. We note that it is unclear whether your request seeks only records that are maintained in the visa databases, or whether it also seeks relevant visa records maintained only in paper form. In an abundance of caution, the State Department has interpreted your request broadly and searched for all relevant paper and electronic visa records, whether stored in a visa database or not. The Visa Office of the State Department has searched its records, located, and reviewed five documents, totaling eight pages, relating to your request.

The Freedom of Information Act generally provides for public access to government records. However, it specifically exempts from disclosure those records which are otherwise specifically protected from release by statute (5 U.S.C. § 552(b)(3)). Section 222(f) of the Immigration and Nationality Act (8 U.S.C. § 1202(f)), relating to the information contained in the records of the Department of State pertaining to the issuance or refusal of visas or permits to enter the United States, is such a statute.

The five documents in question pertain to State Department records relating to the application for a visa or permit to enter the United States. Two of the documents are protected from disclosure by Section 222(f) and are therefore exempt from release by the (b)(3) exemption to the Freedom of Information Act. In accordance with the decision in Medina-Hincapie v. Department of State, et.al., 700 F.2d 737 (DC Cir. 1983), we may release two other documents in full and one in part, as this material originated with the applicant or someone acting on her behalf, and release in these circumstances would therefore not breach their confidentiality. All released material is enclosed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey Gorsky".

Jeffrey Gorsky, Chief  
Advisory Opinions Division  
Directorate for Visa Services

Enclosure: As stated

GRAFELD DECLARATION  
Civil Action No. 08-1151  
Exhibit 3