



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
WASHINGTON NAVY YARD
1322 PATTERSON AVENUE SE SUITE 3000
WASHINGTON DC 20374-5066

IN REPLY REFER TO

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F08008
SER SCR/99
18 JAN 2008

Lisa M. Kaas
Dickstein Shapiro, LLP
1825 Eye Street, NW
Washington D.C. 20006-5403

Dear Ms. Kaas:

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) APPEAL ICO SALAH
ALI ABDULLAH AHMED AL SALAMI

This responds to your FOIA appeal of October 11, 2007. You challenge the Naval Criminal Investigative Service's (NCIS's) denial of your initial FOIA request of August 16, 2007. NCIS denied your request on the grounds that the information was exempt from release under exemption (b)(7)(A).

As stated in the correspondence to you on December 3, 2007, I requested that NCIS conduct further review of its initial denial. This review is complete and I have assessed the merits of your appeal. A member of my staff contacted NCIS and confirmed that the investigation concerning Al Salami is still open. Additionally, NCIS reviewed the investigation file and determined that the documents were not reasonably segregable and that release of information could reasonably be expected to harm the investigation. Accordingly, I have determined that NCIS's denial was proper and I therefore deny your appeal.

As the Secretary of the Navy's designee, I am responsible for this final denial of your appeal. You may seek judicial review of this decision.

Sincerely,

A handwritten signature in black ink, appearing to read "J.A. Protin", written over a faint, illegible typed name.

J. A. Protin
Commander, JAGC, US Navy
Deputy Assistant Judge Advocate General
(General Litigation)

EXHIBIT 7