

Federal Bureau of Investigation
Washington, D.C. 20535

January 30, 2020

MS. RUKMINI CALLIMACHI
THE NEW YORK TIMES
521 HIGHLAND AVENUE
MONTCLAIR, NJ 07043

Request No.: 1458224-000
Subject: BUGA, IULIAN

Dear Ms. Callimachi:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to the FBI. The FOIPA Request Number listed above has been assigned to your request. Below you will find information relevant to your request. Please read each paragraph carefully.

You have requested records on one or more third party individuals. Please be advised the FBI will neither confirm nor deny the existence of such records pursuant to FOIA exemptions (b)(6) and (b)(7)(C), 5 U.S.C. §§ 552 (b)(6) and (b)(7)(C). The mere acknowledgement of the existence of FBI records on third party individuals could reasonably be expected to constitute an unwarranted invasion of personal privacy. This is our standard response to such requests and should not be taken to mean that records do, or do not, exist. As a result, your request has been closed. Please visit www.fbi.gov, select "Services," "Information Management," and "Freedom of Information/Privacy Act" for more information about making requests for records on third party individuals (living or deceased).

If you submitted your request through the FBI's eFOIPA portal and you are receiving correspondence through standard mail, it was determined your request did not meet the eFOIPA terms of service.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, D.C. 20001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Exhibit K

[Sign Out](#) [Help](#)

HOME **TRACKING INBOX**

[Tracking Inbox](#) » [Appeal](#)



A-2020-00178

Requester: Callimachi, Rukmini M

Status: Submitted

Appeal

Appeal Information

Received Date	02/19/2020	Agency	OIP
		Document Delivery Method	Email

Request Information

Request Number	1458224-000
Component	FBI

Basis for Appeal

Description of Appeal Dear Coordinator -

I am writing to appeal in its totality the decision by the Department of Justice to deny my request regarding records pertaining to Iulian Buga. The invocation of a Glomar in denying my request is improper and is a violation of the spirit of the Freedom of Information Act.

In my original request to you, I sought records regarding Buga, a Romanian diplomat, who served as a counselor in Romania's embassy in Washington from 1994 to 1997, before becoming the country's consul-general to Los Angeles from 1997 to 1998, and eventually becoming Romania's ambassador to Washington in 2013. Buga is a well-known Romanian public figure who has given numerous interviews, like the one below to Ireland's public broadcaster:

<https://www.rte.ie/news/special-reports/2012/1130/356101-ambassador-romania-iulian-buga/>

He is no "third-party individual," as your denial to my original request states. In fact, he even has his own Wikipedia page:

https://ro.wikipedia.org/wiki/Iulian_Buga

Even his wife, Mihaela Buga, gave an interview to the Washington Diplomat about her life in DC diplomatic circles - again not the behavior of a family jealously guarding their privacy:

https://washdiplomat.com/index.php?option=com_content&view=article&id=11029:romanian-wife-country-come-long-way-since-iron-curtains-fall&catid=1524:november-2014&Itemid=550

There is a clear public interest in learning about this man, who represented Romania as a diplomat in Washington soon after the country's revolution in 1989. That was an especially fraught period in the country's history, a time when there was a documented struggle between pro-Western and pro-Soviet proxies inside Romania's intelligence service. It's been well-documented that a rogue Romanian intelligence service, known as UM0215, sometimes called UM0544, continued to operate on American soil, where its agents drawn from the country's feared Securitate spied on Romanian dissidents living in America. (Please see my FOIA Appeals A-2020-00174 and A-2020-00175 for more details on this entity0.

According to former American Ambassador to Romania Alfred H

According to former American Ambassador to Romania Moses, when Romania's leading dissident Mihai Botez was asked to serve as the country's ambassador to the United Nations following the end of Communism, Botez - who was staunchly pro-West - expressed concern that Romania's Securitate agents continued to infiltrate the country's diplomatic corps. In his memoir "Bucharest Diary," Moses writes that Ambassador Botez made it a precondition for his appointment to the ambassadorship that the Serviciul de Informati Externe, or SIE, Romania's foreign intelligence arm, needed to cease operations in America.

(The excerpt from Moses' book can be found at this link:
<https://play.google.com/books/reader?id=gNRBDwAAQBAJ&pg=GBS.PA96.w.4.0.31>)

And in recently declassified cables, provided to me by the Clinton Presidential Library, we see Ambassador Botez actively expressing concern to American counterparts over the issue of Romanian spies operating in a nefarious manner inside Romanian diplomatic facilities in the United States:

(These recently declassified cables are also available here:
<https://clinton.presidentiallibraries.us/items/show/101165>)

One of the diplomats who was operating in various Romanian diplomatic facilities in this period of time was Iulian Buga, and according to Mr. Botez' widow, Magda Botez, Mr. Buga was a Securitate official.

Since Ambassador Botez died under suspicious circumstances in 1995 while serving as the country's ambassador to Washington - a death that Mrs. Botez says was an assassination carried out by Buga, or else his proxies- it behooves the Department of Justice to declassify records pertaining to Iulian Buga. If there should be evidence of wrongdoing and criminality, it is not proper for the Department of justice to hide such information behind a Glomar refusal.

Given the number of Eastern European dissidents and critics that have been assassinated in Western countries in recent years in circumstances that appear to implicate the security services and intelligence branches of former nations in the Soviet bloc, the records pertaining to Mr. Buga are of great public interest.

I wish to also point out that the records I am seeking date from 1993 to 2015. A good share of these records are 25 years or older, and I believe that historical records that fall in that category need to pass a higher threshold in order for the National Security exemption to be invoked.

I look forward to hearing from you.

Based on Denial of Fee Waiver No
 Based on Denial of Expedited Processing No
 Requester Item Type 1 Supplemental Information
 Requester Items 1 [FOIA-FBI-Buga-Appeal.docx](#)
 Requester Item Type 2 Supplemental Information
 Requester Items 2 [FBI - Denial - Buga.pdf](#)
 Requester Item Type 3
 Requester Items 3

Requester Contact Information

Salutation	Ms.	Address Type	Mailing
First Name	Rukmini	Country	United States
Middle Name	M	Address Line 1	521 Highland Ave
Last Name	Callimachi	Address Line 2	
Email Address	rukminicallimachi@gmail.com	City	Montclair
Organization	The New York Times	State	New Jersey
Register Number		Zip/Postal Code	07043

Phone Number 332-999-5734 ext
 Fax Number --
 Other Information

Expedited Processing Information

Expedited Processing Requested?	Yes	Expedited Justification	The requested rec unit operating insi influence the 2016
Expedited Processing Request Date			
Expedited Processing Determination Standards for Expedition	<p>2. An urgency to inform the public about an actual or alleged Federal Government activity, if made by a person who is primarily engaged in disseminating information.</p> <p>4. A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence.</p>		

The New York Times

620 Eighth Avenue
NEW YORK, N.Y. 10018

Appeal of FOIPA Request 1458224-000 on Iulian Buga

U.S. Department of Justice
Office of Information Policy
441 G Street NW, Sixth Floor
Washington, D.C. 20001

February 19, 2020

Dear Coordinator –

I am writing to appeal in its totality the decision by the Department of Justice to deny my request regarding records pertaining to **Iulian Buga**. The invocation of a Glomar in denying my request is improper and is a violation of the spirit of the Freedom of Information Act.

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Even his wife, Mihaela Buga, gave an interview to the *Washington Diplomat* about her life in DC diplomatic circles – again not the behavior of a family jealously guarding their privacy:

https://washdiplomat.com/index.php?option=com_content&view=article&id=11029:romanian-wife-country-come-long-way-since-iron-curtains-fall&catid=1524:november-2014&Itemid=550

There is a *clear public interest* in learning about this man, who represented Romania as a diplomat in Washington soon after the country’s revolution in 1989. That was an especially fraught period in the country’s history, a time when there was a documented struggle between pro-Western and pro-Soviet proxies inside Romania’s intelligence service. It’s been well-documented that a rogue Romanian intelligence service, known as UM0215, sometimes called UM0544, continued to operate on American soil, where its agents drawn from the country’s feared Securitate spied on Romanian dissidents living in America. (Please see my FOIA Appeals A-2020-00174 and A-2020-00175 for more details on this entity0.

According to former American Ambassador to Romania Alfred H. Moses, when Romania’s leading dissident Mihai Botez was asked to serve as the country’s ambassador to the United Nations following the end of Communism, Botez – who was staunchly pro-West – expressed concern that Romania’s Securitate agents continued to infiltrate the country’s diplomatic corps. In his memoir “Bucharest Diary,” Moses writes that Ambassador Botez made it a precondition for his appointment to the

ambassadorship that the *Serviciul de Informati Externe*, or SIE, Romania's foreign intelligence arm, needed to cease operations in America.

As I went down the receiving line, Ioan Talpes, head of Romania's External Security Service, pulled me aside to tell me he wanted to reassure me that the SIE had closed its intelligence operations in the United States; the contrary thought never occurred to me. Talpes told me the present Romanian ambassador to the United States, Mihai Botez, had made shutting down SIE's operations in the United States a condition to his agreeing to become ambassador. I later arranged for Talpes to visit CIA headquarters in Washington. The CIA was convinced that he was reliable and that we should cooperate with the SIE in areas where it could be helpful, focusing on targets in Iran and Iraq.

(The excerpt from Moses' book can be found at this link:

<https://play.google.com/books/reader?id=gNRBDwAAQBAJ&pg=GBS.PA96.w.4.0.31>)

And in recently declassified cables, provided to me by the Clinton Presidential Library, we see Ambassador Botez actively expressing concern to American counterparts over the issue of Romanian spies operating in a nefarious manner inside Romanian diplomatic facilities in the United States:

CLASS: ~~SECRET~~
LINE1: OAASZYUW RUCNDA5357 2952033-SSSS--RHEHAAX.
LINE2: ZNY SSSSS ZZH
LINE3: O 222033Z OCT 93
LINE4: FM USMISSION USUN NEW YORK
OSRI: RUCNDT
DTG: 222033Z OCT 93
ORIG: USMISSION USUN NEW YORK
TO: RUEHC/SECSTATE WASHDC IMMEDIATE 0973
INFO: RUEBM/AMEMBASSY BUCHAREST PRIORITY 0159
SUBJ: ROMANIAN TRAVEL RESTRICTIONS: MEETING WITH
- PERMREP BOTEZ
TEXT:

DECLASSIFIED
PER E.O. 13526
2015-1124-M (1.03)
KBH 9/9/2019

***** INCOMPLETE MESSAGE *****

~~SECRET~~ SECTION 01 OF 02 USUN NEW YORK 005357
DEPT FOR IO/UNP, EUR/EE, M/OFM
E.O.12356: DECL: OADR
TAGS: OFDP, UN, RO
SUBJECT: ROMANIAN TRAVEL RESTRICTIONS: MEETING WITH
- PERMREP BOTEZ
REF: A) USUN 5024, B) USUN 4513,
C) 92 USUN 5362, D) 92
USUN 2810
1. ~~CONFIDENTIAL~~ - ENTIRE TEXT.
2. SUMMARY: IN A MEETING WITH USUN HOST COUNTRY
MISOFFS, ROMANIAN PERMREP BOTEZ EXPRESSED FRUSTRATION
WITH CONTINUED TRAVEL CONTROLS ON ROMANIAN MISSION
PERSONNEL IN NEW YORK. HE ACCEPTED HIS POSITION AS
PERMREP ON THE PRECONDITION THAT THE MISSION'S "OLD
DOSSIER" HAD BEEN ELIMINATED; SINCE TRAVEL CONTROLS ARE
STILL IN PLACE ON THE MISSION, HE NOW CAN ONLY ASSUME
THAT THE USG HAS INFORMATION THAT UNACCEPTABLE
ACTIVITIES ARE CONTINUING BEHIND HIS BACK. IF THAT IS
PROVEN, HE WILL RESIGN. BOTEZ INTIMATED THAT HE HOPED
TO RENEW HIS OLD ACQUAINTANCE WITH PRESIDENT CLINTON
SOMETIME SOON, AND WONDERED IF IT WOULD BE HELPFUL TO
EXPLAIN HIS FRUSTRATION TO THE WHITE HOUSE.

(These recently declassified cables are also available here:
<https://clinton.presidentiallibraries.us/items/show/101165>)

One of the diplomats who was operating in various Romanian diplomatic facilities in this period of time was Iulian Buga, and according to Mr. Botez' widow, Magda Botez, Mr. Buga was a Securitate official.

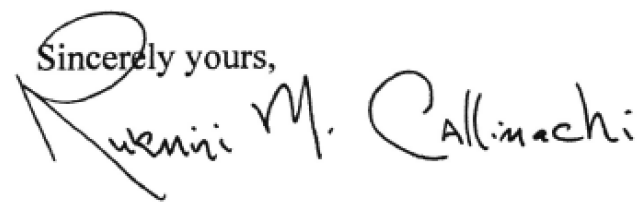
Since Ambassador Botez died under suspicious circumstances in 1995 while serving as the country's ambassador to Washington – a death that Mrs. Botez says was an assassination carried out by Buga, or else his

proxies– it behooves the Department of Justice to declassify records pertaining to Iulian Buga. If there should be evidence of wrongdoing and criminality, it is not proper for the Department of justice to hide such information behind a Glomar refusal.

Given the number of Eastern European dissidents and critics that have been assassinated in Western countries in recent years in circumstances that appear to implicate the security services and intelligence branches of former nations in the Soviet bloc, the records pertaining to Mr. Buga are of great public interest.

I wish to also point out that the records I am seeking date from 1993 to 2015. A good share of these records are 25 years or older, and I believe that historical records that fall in that category need to pass a higher threshold in order for the National Security exemption to be invoked.

I look forward to hearing from you.

Sincerely yours,

Rukmini Maria Callimachi

ORIGINAL REQUEST:

The New York Times

620 Eighth Avenue
NEW YORK, N.Y. 10018

Federal Bureau of Investigation
Attn: FOI/PA Request
Record / Information
Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4883
Fax: 540-868-4391/4997

January 27, 2020

Dear Coordinator -

This is a request for records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a. This request should be considered under both statutes to maximize the release of records.

REQUESTER INFORMATION

Name: Rukmini Callimachi

Affiliation: International Investigative Reporter, *The New York Times*

Address: 521 Highland Avenue, Montclair NJ 07043

Email: rukmini.callimachi@nytimes.com

Phone: 332-999-5734

RECORDS SOUGHT

I request disclosure of the following records:

1. Any and all studies, memos, assessments, and intelligence products, mentioning or referring to **Iulian Buga**, born August 31, 1957, the former Romanian ambassador to the United States during the period 2013-2015, who also served as a diplomat and a consul in the period 1994 to 2012.
2. Any and all emails or correspondence mentioning or referring to **Iulian Buga**.
3. Any and all correspondence to or from a member of Congress or a Congressional Committee mentioning or referring to **Iulian Buga**.
4. Any and all records sent to or received from the State Department or the CIA mentioning, or referring to **Iulian Buga**.

Reasonably Foreseeable Harm. The FOIA Improvement Act of 2016 amended the FOIA as follows (5 USC 552(a)(8)):

-

(A) An agency shall—

(i) withhold information under this section only if—

(I) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b); or

(II) disclosure is prohibited by law; and

(ii) (I) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and

(II) take reasonable steps necessary to segregate and release nonexempt information. . . .

The FBI should not fail to meet the requirements of Section 552(a)(8) when processing my request and release responsive records to me in full or at least in part.

-

INSTRUCTIONS REGARDING SEARCH

1. *Request for Public Records:*

Please search for any records even if they are already publicly available.

2. *Request for Electronic and Paper/Manual Searches:*

I request that searches of all electronic and paper/manual indices, filing systems, and locations for any and all records relating or referring to the subject of my request be conducted in its Central Records System. I further request that the agencies conduct a search of its "soft files" as well as files in its locked cabinets.

3. *Request regarding Photographs and other Visual Materials:*

I request that any photographs or other visual materials responsive to my request be released to me in their original or comparable forms, quality, and resolution. For example, if a photograph was taken digitally, or if the agencies maintains a photograph digitally, I request disclosure of the original digital image file, not a reduced resolution version of that image file nor a printout and scan of that image file. Likewise, if a photograph was originally taken as a color photograph, I request disclosure of that photograph as a color image, not a black and white image. Please contact me for any clarification on this point.

4. *Request for Duplicate Pages:*

I request disclosure of any and all supposedly "duplicate" pages. Scholars analyze records not only for the information available on any given page, but also for the relationships between that information and information on pages surrounding it. As such, the only way to properly analyze released information is to analyze that information within its proper context. Therefore, I request disclosure of all "duplicate" pages.

5. *Request to Search Emails:*

Please search for emails relating to the subject matter of my request.

6. *Request for Search of Records Transferred to Other Agencies:*

I request that in conducting its search, the agencies disclose releasable records even if they are available publicly through other sources outside the agencies, such as NARA.

FORMAT

I request that any releases stemming from this request be provided to me in digital format (soft-copy) on a compact disk or other like media.

FEE CATEGORY AND REQUEST FOR A FEE WAIVER

I am an international investigative reporter for *The New York Times*, and a four-time Pulitzer Prize Finalist in International Reporting.

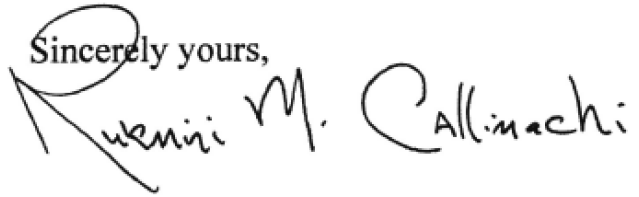
I request a complete waiver of all search and duplication fees. If my request for a waiver is denied, I request that I be considered a member of the news media for fee purposes.

Under 5 U.S.C. §552(a)(4)(A)(iii), “Documents shall be furnished without any charge ... if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” Disclosure in this case meets the statutory criteria, as the records sought detail the operations and activities of government. This request is also not primarily in my commercial request, as I am seeking the records as a journalist to analyze and freely release to members of the public.

If I am not granted a complete fee waiver, I request to be considered a member of the news media for fee purposes. I am willing to pay all reasonable duplication expenses incurred in processing this FOIA request.

I will appeal any denial of my request for a waiver administratively and to the courts if necessary.

Sincerely yours,

A handwritten signature in black ink that reads "Rukmini M. Callimachi". The signature is written in a cursive style with a large, looped initial "R".

Rukmini Maria Callimachi

ORIGINAL REQUEST:

Federal Bureau of Investigation
Attn: FOI/PA Request
Record / Information
Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4883
Fax: 540-868-4391/4997

January 27, 2020

Dear Coordinator -

Exhibit M

This is a request for records under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a. This request should be considered under both statutes to maximize the release of records.

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Affiliation: International Investigative Reporter, *The New York Times*

Address: 521 Highland Avenue, Montclair NJ 07043

Email: rukmini.callimachi@nytimes.com

Phone: 332-999-5734

RECORDS SOUGHT

I request disclosure of the following records:

1. Any and all studies, memos, assessments, and intelligence products, mentioning or referring to **Ioan Talpeș**, a citizen of Romania and the former head of the Romanian Foreign Intelligence Service, or SIE.
2. Any and all notes or reports following the meeting between **Ioan Talpeș and the FBI**.
3. Any emails or correspondence mentioning or referring to **Ioan Talpeș**.
4. Any and all correspondence to or from a member of Congress or a Congressional Committee mentioning or referring to **Ioan Talpeș**.
5. Any and all records sent to or received from the State Department or the CIA mentioning, or referring to **Ioan Talpeș**.

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- (I) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b); or
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U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

February 3, 2020

MS. RUKMINI MARIA CALLIMACHI
THE NEW YORK TIMES
521 HIGHLAND AVENUE
MONTCLAIR, NJ 07043

Request No.: 1458302-000
Subject: TALPES, IOAN

Dear Ms. Callimachi:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to the FBI. The FOIPA Request Number listed above has been assigned to your request. Below you will find information relevant to your request. Please read each paragraph carefully.

You have requested records on one or more third party individuals. Please be advised the FBI will neither confirm nor deny the existence of such records pursuant to FOIA exemptions (b)(6) and (b)(7)(C), 5 U.S.C. §§ 552 (b)(6) and (b)(7)(C). The mere acknowledgement of the existence of FBI records on third party individuals could reasonably be expected to constitute an unwarranted invasion of personal privacy. This is our standard response to such requests and should not be taken to mean that records do, or do not, exist. As a result, your request has been closed. Please visit www.fbi.gov, select "Services," "Information Management," and "Freedom of Information/Privacy Act" for more information about making requests for records on third party individuals (living or deceased).

If you submitted your request through the FBI's eFOIPA portal and you are receiving correspondence through standard mail, it was determined your request did not meet the eFOIPA terms of service.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

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Exhibit N

[Sign Out](#) [Help](#)

HOME

TRACKING INBOX

Tracking Inbox » Appeal



A-2020-00177

Requester: Callimachi, Rukmini M

Status: Submitted

Appeal

Appeal Information

Received Date	02/19/2020	Agency	OIP
		Document Delivery Method	Email

Request Information

Request Number	1458302-000
Component	FBI

Basis for Appeal

Description of Appeal

Appeal of FOIPA Request 1458302-000 on Ioan Talpes
U.S. Department of Justice
Office of Information Policy
441 G Street NW, Sixth Floor
Washington, D.C. 20001

February 19, 2020

Dear Coordinator -

I am writing to appeal in its totality the decision by the Department of Justice to deny my request regarding records pertaining to Ioan Talpes. The invocation of a Glomar in denying my request is improper and is a violation of the spirit of the Freedom of Information Act.

In my original request to you, I sought records regarding Talpes, a Romanian general and the former head of Romania's foreign intelligence branch, known as Serviciul Roman de Informa?ii Externe, or SIE. Talpes is a well-known Romanian politician and intelligence chief, who is a public figure, not a private individual, and who has given countless interviews in the Romanian press regarding his work. He even maintains his own website, which tracks his publications, including the release of his most recent book a few weeks ago:

<https://web.archive.org/web/20110721154200/http://www.talpes.ro/index.php?page=CV>

He has his own Wikipedia page (in both his native Romanian and in English):

Romanian version: https://ro.wikipedia.org/wiki/Ioan_Talpe
English version: https://en.wikipedia.org/wiki/Ioan_Talpe

Former American ambassador Alfred H. Moses makes multiple mentions of Talpes in his book "Bucharest Diary," like the following anecdote on page 97:

In fact, Talpes appears frequently enough in former Ambassador Moses' memoir that he merits an entry in the book's index:

But most significantly, Mr. Talpes has himself given numerous interviews to both local and international news outlets, discussing his intelligence role and specifically commenting on his interaction with American law enforcement and intelligence branches.

Here is an interview from leading German news magazine Der Spiegel where he discusses his interaction with the CIA on the creation of a black site in Romania:

<https://www.spiegel.de/consent-a-?targetUrl=https%3A%2F%2Fwww.spiegel.de%2Fpolitik%2Fausland%2Fcia-foltergefaengnisse-in-rumaenien-ion-iliescu-gibt-existenz-zu-a-1028917.html&ref=https%3A%2F%2Fen.wikipedia.org%2F>

And crucially, it is Mr. Talpes himself that speaks of his interaction with the FBI. In the following interview with a Romanian newspaper, he describes how following the Romanian revolution of 1989, he directed Romania's spies based in the United States to identify themselves to the FBI. He discusses how he later held discussions with the FBI on this matter, a topic that he also elaborates in the many books that he has published:

<https://evz.ro/ioan-talpes-ofiterii-acoperiti.html>

There is a clear public interest in learning about this figure, and especially about his interactions with American law enforcement. Mr. Talpes has been credited with trying to align Romania with western interests, pushing for the country's introduction into NATO, and fighting rival intelligence services active in Bucharest, who were aligned with Moscow. In interviews, Mr. Talpes has spoken about the fact that after he became the head of Romania's foreign intelligence chief, he realized that a shadow intelligence body was continuing to operate both in Romania and especially in the United States, which he believed was loyal to Soviet patrons. He dubbed the spies belonging to this unit "the Phantom Battalion," and he has discussed how he worked with both the FBI and the CIA to try to reign in this rogue force.

Here is one interview where he discusses the fact that he asked for all Romanian spies stationed in the United States to come back to Bucharest and to register with the FBI. And how his call fell on deaf ears: A single spy returned to Bucharest, indicating that the others either went to ground or continued to operate in America:

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Relevant section regarding Mr. Talpes' interaction with the FBI is enclosed below, where Talpes says that it was the FBI who came to him with evidence of Romanian spies operating on American soil:

My translation:

- Dan Andronic (interviewer): Exactly, I wanted to ask you about 544/R, which was created by Ceausescu to execute traitors, a unit coordinated by Gen. Nicolae Plesita but led by Lt. Col. Nica Sergiu, who became an officer in the SIE (Romanian External Information Service) after 1989. So you knew about the actions the Securitate took to punish people?

- Ioan Talpes: Yes, there were operations where people were thrown in the air, where they were shot, where legs were broken. After 1989, this didn't happen anymore, but I'll tell what did occur. The "Phantoms" functioned off of a financial network. They received financial help, because their salaries were paid in-country. And so of course, the balance was sent to them. More than this, they began to operate off of their former relations, with the various contacts they had from before, and through whom they developed an economic relationship, doing business. I had nothing against this, but why should they be functioning within the Romanian External Information Service? Come on boys, get out of SIE, and with that it was over! Moreover, I didn't know about the intelligence operation in the West, and it was the FBI that showed me an intelligence summary revealing that there had been a collaboration with the United States, where Romanian citizens were doing this kind of thing.

The actions of the spies who went rogue and continued to operate on American soil is a topic that has public resonance.

Romanian dissidents, who had legally immigrated to America, found themselves under constant threat and several, including California-based dissident Mihai Botez, were the subjects of violent attacks. It is believed that these spies, which Mr. Talpes tried to rein in, may have been behind the series of attacks on 1990s-era Romanian citizens in the

been denied the wave of attacks post-1989 on Romanian critics residing in the United States.

In light of Russia's attempts to influence the 2016 American election, the role of foreign intelligence services on American soil continues to be a topic of public interest, and it is within that framework that I am seeking the documents about Ion Talpes and his interactions with the FBI, in an effort to better inform the public.

I would also like to point out that the documents I am seeking date from 1989 to roughly 1997, or between 31 and 23 years ago, with the bulk of the records being over 25 years old. If my reading of the Freedom of Information Act is accurate, I believe that the Department of Justice will need to cross a higher threshold in order to continue to classify records of this historic nature.

I look forward to hearing from you.
-Rukmini Callimachi

Based on Denial of Fee Waiver No
 Based on Denial of Expedited Processing No
 Requester Item Type 1 Supplemental Information
 Requester Items 1 [FOIA-FBI-Talpes-Appeal.docx](#)
 Requester Item Type 2
 Requester Items 2 [FBI - Denial - Talpes.pdf](#)
 Requester Item Type 3
 Requester Items 3

Requester Contact Information

Salutation	Ms.	Address Type	
First Name	Rukmini	Country	United States
Middle Name	Maria	Address Line 1	521 Highland Ave
Last Name	Callimachi	Address Line 2	
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Organization	The New York Times	State	New Jersey
Register Number		Zip/Postal Code	07043
Phone Number	332-999-5734 ext		
Fax Number	--		
Other Information			

Expedited Processing Information

Expedited Processing Requested?	Yes	Expedited Justification	I am a member of intelligence unit or patronage of the k seeking touch on i
Expedited Processing Request Date			
Expedited Processing Determination Standards for Expedition	2. An urgency to inform the public about an actual or alleged Federal Government activity, if made by a person who is primarily engaged in disseminating information. 4. A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity that affect public confidence.		

The New York Times

620 Eighth Avenue
NEW YORK, N.Y. 10018

Appeal of FOIPA Request 1458302-000 on Ioan Talpes

U.S. Department of Justice
Office of Information Policy
441 G Street NW, Sixth Floor
Washington, D.C. 20001

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Former American ambassador Alfred H. Moses makes multiple mentions of Talpes in his book "Bucharest Diary," like the following anecdote on page 97:

Building the Case in Washington and Speaking Truth in Romania 97

importance to personal appearances by major public figures, particularly Americans, quite apart from a larger strategy.

As I went down the receiving line, Ioan Talpes, head of Romania's External Security Service, pulled me aside to tell me he wanted to reassure me that the SIE had closed its intelligence operations in the United States; the contrary thought never occurred to me. Talpes told me the present Romanian ambassador to the United States, Mihai Botez, had made shutting down SIE's operations in the United States a condition to his agreeing to become ambassador. I later arranged for Talpes to visit CIA headquarters in Washington. The CIA was convinced that he was reliable and that we should cooperate with the SIE in areas where it could be helpful, focusing on targets in Iran and Iraq.

In fact, Talpes appears frequently enough in former Ambassador Moses' memoir that he merits an entry in the book's index:

- meeting with, [168](#), [170](#); on NATO expansion, [285](#), [319](#), [328](#); on U.S.-Romania strategic partnership, [333](#)
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- United Nations, xvii, [36](#), [198](#)
- United States: containment policies toward Soviet Union, [11](#); economic reform assistance from, [106](#); financial and technical support from, xvi, xix–xx, [88](#), [137](#), [209–11](#); military presence in Romania, [73–74](#); RASDAQ implementation assistance from, [261–62](#); Romanian ambassador to, [64](#), [97](#), [106–07](#), [147](#), [154](#), [179](#); strategic partnership with Romania, xvii–xix, [144](#), [152](#), [333](#), [350–52](#), [355](#); trade relations with Romania, [98](#)
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- U.S. Export-Import (EXIM) Bank, [171](#), [195](#)

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[a-foltergefaengnisse-in-rumaenien-ion-iliescu-gibt-existenz-zu-a-1028917.html&ref=https%3A%2F%2Fen.wikipedia.org%2F](https://www.wikiwand.com/en/Ioan-Talpe%C5%A3%2F%2Fen.wikipedia.org%2F1028917.html&ref=https%3A%2F%2Fen.wikipedia.org%2F1028917.html)

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There is a *clear public interest* in learning about this figure, and especially about his interactions with American law enforcement. Mr. Talpes has been credited with trying to align Romania with western interests, pushing for the country's introduction into NATO, and fighting rival intelligence services active in Bucharest, who were aligned with Moscow. In interviews, Mr. Talpes has spoken about the fact that after he became the head of Romania's foreign intelligence chief, he realized that a shadow intelligence body was continuing to operate both in Romania and especially in the United States, which he believed was loyal to Soviet patrons. He dubbed the spies belonging to this unit "the Phantom Battalion," and he has discussed how he worked with both the FBI and the CIA to try to reign in this rogue force.

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Relevant section regarding Mr. Talpes' interaction with the FBI is enclosed below, where Talpes says that it was the FBI who came to him with evidence of Romanian spies operating on American soil:

– Dan Andronic: Chiar voiam să vă întreb 544/R, creată Ceaușescu pentru executarea „trădătorilor”, unitate coordonată de gen. Nicolae Pleșiță, dar condusă de lt.- colonelul Nica Sergiu. Care a fost după 1989 ofițer SIE. Deci știți de acțiunile de pedepsire ale Securității.

– Ioan Talpeș: Da, au fost acțiuni în care au fost aruncați în aer, în care au fost împușcați, în care li s-au rupt picioarele. După 1989 nu s-a mai întâmplat așa ceva, dar vă spun ce-a fost. „Fantomele” funcționau pe o filieră de susținere financiară, primeau inclusiv ajutor financiar, pentru că li se plăteau salariile în țară. Și, atunci, bineînțeles, solda li se transmitea. Mai mult, ajunseseră să opereze pe relațiile anterioare, cu diverse cunoștințe de-ale lor din interior, cu care dezvoltau niște relații economice, făceau afaceri. N-aveam nimic împotriva acestei chestii, dar de ce să funcționeze pe seama Serviciului de Informații Externe român? Măi, băieți, ieșiți din SIE și cu asta gata s-a terminat! Mai mult, nu știam de Serviciile din Vest, și mi s-a arătat direct din partea FBI o notă informativă de colaborare cu Statele Unite, care vorbea despre românii care fac chestia asta.

My translation:

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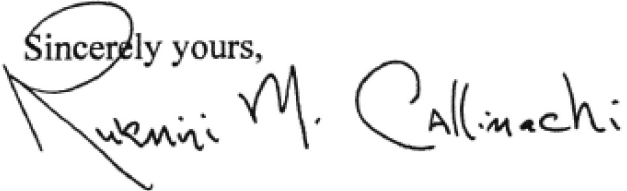
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I look forward to hearing from you.

Sincerely yours,

Rukmini Maria Callimachi

ORIGINAL REQUEST:

Federal Bureau of Investigation
Attn: FOI/PA Request
Record / Information
Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4883
Fax: 540-868-4391/4997

January 27, 2020

Dear Coordinator -

This is a request for records under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a. This request should be considered under both statutes to maximize the release of records.

REQUESTER INFORMATION

Name: Rukmini Callimachi

Affiliation: International Investigative Reporter, *The New York Times*

Address: 521 Highland Avenue, Montclair NJ 07043

Email: rukmini.callimachi@nytimes.com

Phone: 332-999-5734

RECORDS SOUGHT

I request disclosure of the following records:

1. Any and all studies, memos, assessments, and intelligence products, mentioning or referring to **Ioan Talpeș**, a citizen of Romania and the former head of the Romanian Foreign Intelligence Service, or SIE.
2. Any and all notes or reports following the meeting between **Ioan Talpeș and the FBI**.
3. Any emails or correspondence mentioning or referring to **Ioan Talpeș**.
4. Any and all correspondence to or from a member of Congress or a Congressional Committee mentioning or referring to **Ioan Talpeș**.
5. Any and all records sent to or received from the State Department or the CIA mentioning, or referring to **Ioan Talpeș**.

Reasonably Foreseeable Harm. The FOIA Improvement Act of 2016 amended the FOIA as follows (5 USC 552(a)(8)):

-
- (A) An agency shall—
- (i) withhold information under this section only if—

- (I) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b); or
 - (II) disclosure is prohibited by law; and
- (ii) (I) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and
- (II) take reasonable steps necessary to segregate and release nonexempt information. . . .

The FBI should not fail to meet the requirements of Section 552(a)(8) when processing my request and release responsive records to me in full or at least in part.

-

INSTRUCTIONS REGARDING SEARCH

1. *Request for Public Records:*

Please search for any records even if they are already publicly available.

2. *Request for Electronic and Paper/Manual Searches:*

I request that searches of all electronic and paper/manual indices, filing systems, and locations for any and all records relating or referring to the subject of my request be conducted in its Central Records System. I further request that the agencies conduct a search of its "soft files" as well as files in its locked cabinets.

3. *Request regarding Photographs and other Visual Materials:*

I request that any photographs or other visual materials responsive to my request be released to me in their original or comparable forms, quality, and resolution. For example, if a photograph was taken digitally, or if the agencies maintains a photograph digitally, I request disclosure of the original digital image file, not a reduced resolution version of that image file nor a printout and scan of that image file. Likewise, if a photograph was originally taken as a color photograph, I request disclosure of that photograph as a color image, not a black and white image. Please contact me for any clarification on this point.

4. *Request for Duplicate Pages:*

I request disclosure of any and all supposedly “duplicate” pages. Scholars analyze records not only for the information available on any given page, but also for the relationships between that information and information on pages surrounding it. As such, the only way to properly analyze released information is to analyze that information within its proper context.

Therefore, I request disclosure of all “duplicate” pages.

5. *Request to Search Emails:*

Please search for emails relating to the subject matter of my request.

6. *Request for Search of Records Transferred to Other Agencies:*

I request that in conducting its search, the agencies disclose releasable records even if they are available publicly through other sources outside the agencies, such as NARA.

FORMAT

I request that any releases stemming from this request be provided to me in digital format (soft-copy) on a compact disk or other like media.

FEE CATEGORY AND REQUEST FOR A FEE WAIVER

I am an international investigative reporter for *The New York Times*, and a four-time Pulitzer Prize Finalist in International Reporting.

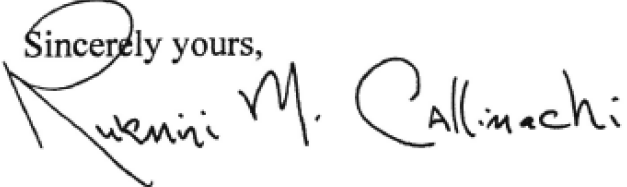
I request a complete waiver of all search and duplication fees. If my request for a waiver is denied, I request that I be considered a member of the news media for fee purposes.

Under 5 U.S.C. §552(a)(4)(A)(iii), “Documents shall be furnished without any charge ... if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” Disclosure in this case meets the statutory criteria, as the records sought detail the operations and activities of government. This request is also not primarily in my commercial

request, as I am seeking the records as a journalist to analyze and freely release to members of the public.

If I am not granted a complete fee waiver, I request to be considered a member of the news media for fee purposes. I am willing to pay all reasonable duplication expenses incurred in processing this FOIA request.

I will appeal any denial of my request for a waiver administratively and to the courts if necessary.

Sincerely yours,
A handwritten signature in black ink that reads "Rukmini M. Callimachi". The signature is written in a cursive style with a large, looped initial "R".

Rukmini Maria Callimachi