



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

Our Ref: FoI/Req/15/033

Eric Scanlon
By email:

16 April 2015

Dear Mr Scanlon

I refer to the request which you have made under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

"Copies of all correspondence between the Department of Foreign Affairs and Trade (including the Minister) and the US Embassy in Ireland (including the Ambassador) in relation to the granting of waivers on 3 and 10 year unlawful presence bars for undocumented Irish living in the U.S. since 1 January 2012."

I have identified 4 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 0 of the records.

Where access to a record has been refused, the records are exempt from release under the following sections of the FOI Act:

Section 33 (2) This subsection applies to a record that—

(b) contains a communication between a Minister of the Government or his or her Department or Office and a diplomatic mission or consular post in the State or of the State or a communication between the Government or an officer of a Minister of the Government or another person acting on behalf of such a Minister and another government or a person acting on behalf of another government—

(i) other than where such information was communicated in confidence or relates to negotiations between the State and the other state in question or in relation to such a state, or is a record of that other state containing information the disclosure of which is prohibited by that state, or

(ii) other than a record containing analysis, opinions, advice, recommendations and the results of consultations or information the release of which, in the opinion of the head, could reasonably be expected to affect adversely the international relations of the State,


in which case (that is to say, either of the cases falling within *subparagraph (i)* or *(ii)*), the request shall be refused.

Right of Appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to foi@dfat.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfat.ie, or 01-4082857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely



Kate Tyrrell
Responding Officer