



United States Department of State

Washington, D.C. 20520

January 30, 2023

Case No. FL-2022-00031

Reed Rubinstein
America First Legal Foundation
600 14th Street NW, 5th Floor
Washington, D.C. 20005

Dear Mr. Rubinstein:

As we noted in our letter dated December 28, 2022, we are processing your request for material under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department of State has processed more than 300 pages of potentially responsive material since its last release and has identified an additional five responsive records subject to the FOIA. We have determined all five records may be released in part.

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. 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 Stephen DeGenaro, Assistant U.S. Attorney, at Stephen.DeGenaro@usdoj.gov and/or (202) 252-7229. Please refer to the case number, FL-2022-00031, and the civil action number, 21-cv-02832, in all correspondence about this case.

Sincerely,

A handwritten signature in cursive script that reads "Jeanne Miller".

Jeanne Miller
Chief, Programs and Policies Division
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

From:	"Hodges, Christopher (b)(6)
To:	Shrier, Jonathan (b)(6)
Subject:	Re: PLOCCA/MEPCA report
Date:	Fri, 6 Mar 2020 16:24:03 +0000

That's right. Will provide the whole sequence under separate cover.
Get Outlook for iOS

From: Shrier, Jonathan (b)(6)
Sent: Friday, March 6, 2020 6:17:32 PM
To: Hodges, Christopher W <(b)(6)>
Subject: Re: PLOCCA/MEPCA report

I will talk to (b)(6) on Monday. But just to confirm -- the Feb 28 deadline was some internal submission deadline, not the Congressional submission deadline, right? Do we know who IPA is submitting it to?

Get Outlook for Android
From: Hodges, Christopher W (b)(6)
Sent: Friday, March 6, 2020 5:46:26 PM
To: Shrier, Jonathan (b)(6)
Subject: FW: PLOCCA/MEPCA report

Jonathan – this has been with (b)(6) for a while, who has asked to hold because (b)(5) (b)(5) Given (b)(6) note and the nested deadlines, I've asked POL to go back to him again and encourage movement so we can get this through.

From: (b)(6)
Sent: Thursday, March 5, 2020 11:32 PM
To: Shrier, Jonathan (b)(6); Hodges, Christopher W (b)(6)
Cc: (b)(6)
Subject: FW: PLOCCA/MEPCA report

Hi (b)(6) and Jonathan,

We're running into a clearance issue on PLOCCA/MEPCA (PLO Commitments Compliance). (b)(5) (b)(5) The problem here is that our submission deadline has little to do with the reporting period. In order to get it through all the review, clearance, and transmission hurdles, the report is always finalized much earlier – in this case the deadline was February 28 (b)(5) (b)(5) I'm told post at the working level has asked us to do lateral clearances and send it back out (b)(5) (b)(5) Anything you can do to push this forward? If there are significant edits after Post clears, we would be sure to loop you back in. Also, the report as written is unclassified, so presumably the AMB could review while on the road.

Thanks in advance.

• (b)(6)

(b)(6) / Director / Office of Israeli and Palestinian Affairs (NEA/IPA) / U.S. Department of State / O: +1
(b)(6) DRSN: (b)(6) / M: (b)(6) / npr: (b)(6) sipr:
(b)(6)

From: (b)(6)
Sent: Thursday, March 5, 2020 11:31 AM
To: (b)(6)
Subject: PLOCCA/MEPCA report

(b)(6)

As you requested, here is some background information on the status of the current PLOCCA/MEPCA report that needs to be submitted. We received the tasker in early January and we subsequently sent it out to post to begin making the necessary changes on the report. The report was due on February 28, but the PAU indicated that Post's FO said that the deadline was too early because the PLOCCA/MEPCA's reporting period ends in April.

I received a bootleg copy of the report in late February from Post, but they indicated that they haven't cleared and neither has the FO (b)(5)

(b)(5)

Best,

(b)(6)

(b)(6)

Political Officer
Bureau of Near Eastern Affairs | Office of Israel and Palestinian Affairs
U.S. Department of State
Office: (b)(6)
Mobile: (b)(6)

(b)(6)

Sender: "Hodges, Christopher W" (b)(6)
Recipient: Shrier, Jonathan (b)(6)

From: (b)(6)
To: (b)(6)
Subject: RE: PLOCCA/MEPCA
Date: Fri, 6 Sep 2019 15:03:23 +0000

Ugh, never mind, my apologies. I am reviewing now and see that it is spelled out in the report. So as long as you are all good with the way the issues are captured in the Action Memo (i.e. consistent with the Ambassador's changes) then I think we are good.

I am going to go through the two versions side-by-side to make the track changes, as State/L will need to see what was changed.

Thanks,

(b)(6)

Unclassified

From: (b)(6)
Sent: Friday, September 6, 2019 10:59 AM
To: (b)(6)
(b)(6)
Subject: RE: PLOCCA/MEPCA

Not exactly. As you saw, the Action Memo includes (b)(5) recommendations (b)(5)

(b)(5)

(b)(5) My sincere apologies if I sound a bit frustrated as I realize that you guys are juggling a lot, but that was all laid out in my August 6 email in which I requested clearance and included all the relevant documents. (b)(5)

(b)(5)

Let me know if you want to jump on the phone to discuss? My direct line is (b)(6) Thanks so much!!

Unclassified

From: (b)(6)
Sent: Friday, September 6, 2019 10:52 AM
To: (b)(6)
(b)(6)
Subject: RE: PLOCCA/MEPCA

Just to clarify sorry one more thing, we just sent the report to the Ambassador. (b)(5)

(b)(5)

(b)(6)

Unclassified

From: (b)(6)

Sent: Friday, September 6, 2019 4:44 PM

To: (b)(6)

(b)(6)

Subject: PLOCCA/MEPCA

Hi (b)(6) regarding the PLOCCA/MEPCA report you sent on the highside, just to clarify, what you sent is a clean copy – I’m not able to see any track changes. Were there edits to the report? We’ll need to see these as track changes (b)(5)

(b)(5)

Also, just to confirm – there were no changes to the other elements of the package, correct? (No changes to the Action Memo, Exec Summary...?)

Thanks again for your help!

(b)(6)

~~SBU~~

Sender:	(b)(6)
Recipient:	(b)(6)

From:	(b)(6)
To:	Shrier, Jonathan (b)(6)
Subject:	Re: Implementing the Embassy Jerusalem Interim Telework Policy
Date:	Mon, 23 Mar 2020 14:41:21 +0000

Excellent.

Yes, I am all good. I wish I could go for a run outside!!

I worked with (b)(6) and (b)(6) on the Incitement and PLOCCA reports last week and they are on their way up to you, and then the Amb. (b)(5)

(b)(5); (b)(6)

(b)(6)

Special Assistant to U.S. Ambassador to Israel David Friedman
U.S Embassy in Jerusalem, Israel
Mobile: (b)(6)

From: Shrier, Jonathan (b)(6)
Sent: Monday, March 23, 2020 4:27 PM
To: (b)(6)
Subject: RE: Implementing the Embassy Jerusalem Interim Telework Policy

No need in your case. Thanks for check.

Are you doing OK? Have you been able to grind through those terrorism reports?

From: (b)(6)
Sent: Monday, March 23, 2020 1:40 PM
To: Shrier, Jonathan (b)(6)
Subject: Fw: Implementing the Embassy Jerusalem Interim Telework Policy

Jonathan -

Do I need to go over this with the Ambassador and fill this out?

Best,
(b)(6)

(b)(6)
Special Assistant to U.S. Ambassador to Israel David Friedman
U.S Embassy in Jerusalem, Israel

Mobile: (b)(6)

From: (b)(6)
Sent: Friday, March 20, 2020 1:55 PM
To: Jerusalem EMB All Users <JerusalemEMBAAllUsers@state.gov>
Subject: Implementing the Embassy Jerusalem Interim Telework Policy

Jerusalem MP HR08 of March 19, 2020 authorized telework for Mission employees whose jobs can be performed remotely away from their government offices.

To participate as a Teleworker, each employee must review with their supervisor the Home Safety checklist and the DS-4230 Telework Agreement contained in the MP-HR08 announcement. If the supervisor agrees that the employee's work is suitable for telework, both forms should be signed and turned into the local Information Systems Center for processing to enable telework for that employee.

The local ISC will then file the signed documents with the respective HR office to record the employee's approval to telework and the local ISC will setup the necessary system permissions and tokens to implement telework.

Telework is expected to be performed using the employees personal computer equipment as we do not have the capacity to issue government furnished equipment to all employees who may need to telework. Exceptions may be granted on a priority basis subject to inventory limitations determined by the respective ISC.

Contact your local ISC for any questions.

Sender:	(b)(6)
Recipient:	Shrier, Jonathan (b)(6)

From:	"Ortagus, Morgan D"
To:	(b)(6) SPOX2 <SPOX2@state.gov>
CC:	NEA-Press <NEA-Press@state.gov>
Subject:	Re: For SPOX Clearance(DL: ASAP) :Free Beacon(Adam Kredon)-- Palestine Liberation Organization Commitments Compliance Act Report
Date:	Fri, 30 Oct 2020 22:39:19 +0000

Clear

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From: (b)(6)
Sent: Friday, October 30, 2020 6:35:14 PM
To: SPOX2 <SPOX2@state.gov>
Cc: NEA-Press <NEA-Press@state.gov>
Subject: For SPOX Clearance(DL: ASAP) :Free Beacon(Adam Kredon)-- Palestine Liberation Organization Commitments Compliance Act Report

Please see below for your clearance. Thanks!

Cleared:

NEA/FO. (b)(6)
L/AN. (b)(6)
NEA/IPA (b)(6)

Inquiry:

I got a copy of the recent report submitted to Congress on the PLO. It notes that the government continues the pay-to-slay program giving terrorists and their families money. I wanted to check in to confirm the report's finding and see if you guys have any further comment. I'm working on something for later this afternoon.

Response:

(b)(5)

Attribution:

On background

Background:

(b)(5)

Sender:	"Ortagus, Morgan D"
Recipient:	(b)(6) SPOX2 <SPOX2@state.gov>;

NEA-Press <NEA-Press@state.gov>

From:	(b)(6)
To:	(b)(6)
Subject:	Fwd: Two Congressional Reports for FO Clearance
Date:	Mon, 23 Mar 2020 15:07:04 +0000

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From: (b)(6)
Sent: Monday, March 23, 2020 4:52:04 PM
To: (b)(6) Embassy Jerusalem SA
 <EmbassyJerusalemSA@state.gov>
Cc: (b)(6)
 (b)(6)
Subject: Two Congressional Reports for FO Clearance

(b)(6)

Hope it's going well over there in Tel Aviv. We have two reports heading to the Desk for your clearance that we'd love to pass back their way by the end of the week. The first is the semi-annual PLOCCA report (attached). The second is the annual incitement report (also attached).

(b)(5)
 (b)(5) (b)(6) (cc'd) did yeoman's work pulling together a lot of the examples, so if you have any questions on the reports, just let us know.

Many thanks and all the best,

(b)(6)

Sender:	(b)(6)
Recipient:	(b)(6)

Withheld pursuant to exemption

(b)(5)