



United States Department of State

Washington, D.C. 20520

April 28, 2022

Case No. F-2021-09165 / FL-2022-00031

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

Dear Mr. Rubinstein:

This letter is in response to your request dated August 11, 2021, under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. Thus far, the Department of State has located eight responsive records subject to the FOIA. Upon review, we have determined that six records may be released in full, one record may be released in part, and one record must be withheld in its entirety.

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. The record withheld in full is exempt from release pursuant to FOIA Exemption 5, 5 U.S.C. § 552(b)(5). All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. To the extent another agency asserts that it can neither confirm nor deny the existence of certain records, the Department of State will similarly take the position that it neither confirms nor denies the existence of those records.

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, F-2021-09165 / FL-2022-00031, and the civil action number, 21-cv-02832, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Miller for". The signature is fluid and cursive, with a large initial "J" and a stylized "M".

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



Washington, D.C. 20520

CONGRESSIONAL REPORT TRANSMITTAL LETTER

Please find enclosed the following report from the Department of State.

Department Report Number: 003554

Report Title: Report to Congress: Report Pursuant to Section 804 of the Palestine Liberation Organization Commitments Compliance Act of 1989 ("PLOCCA") (Title VIII, P.L. 101-246) and Sections 603-604 and 699 of the Foreign Relations Authorization Act, FY 2003 ("the Act") (P.L. 107-228)

Legislation: Section 804 of the Palestine Liberation Organization Commitments Compliance Act of 1989 ("PLOCCA") (Title VIII, P.L. 101-246) and Sections 603-604 and 699 of the Foreign Relations Authorization Act, FY 2003 ("the Act") (P.L. 107-228)

Recipients:

Speaker of the House of Representatives
House Foreign Affairs Committee
Senate Foreign Relations Committee

Sincerely,

Mary Elizabeth Taylor
Assistant Secretary of State
Bureau of Legislative Affairs



United States Department of State

Washington, D.C. 20520

CONGRESSIONAL REPORT TRANSMITTAL LETTER

Please find enclosed the following report from the Department of State.

Department Report Number: 004462

Report Title: PLO Commitments Compliance Act of 1989, as amended

Legislation: Section 803(b) and Section 804(b) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (P.L. 101-246) and Sections 603, 604 and 699 of the Foreign Relations Authorization Act, Fiscal Year 2003 (P.L. 107-228)

Recipients:

House Foreign Affairs Committee

Senate Foreign Relations Committee

Speaker of the House of Representatives

Sincerely,

A handwritten signature in black ink that reads "Naz Durakoglu".

Naz Durakoglu
Acting Assistant Secretary

Enclosure:

As Stated

**DEPARTMENT OF STATE
BUREAU OF LEGISLATIVE AFFAIRS**

CONGRESSIONALLY MANDATED REPORTING REQUIREMENTS

ACTION ASSIGNED TO:

NEA

LEGISLATION:

Foreign Relations Authorization Act, PL 107-228; Section 603-604, and 699 // P.L. 101-246 Sec 803(b)sec 804(b) // P.L. 104-104, Sec 604(b)(1)

REPORT TITLE:

PLO Commitments Compliance Act of 1989, as amended.

DATE DUE IN H:

2 March 2020

DATE DUE TO CONGRESS:

REPORT NUMBER: 003554

6 April 2020

INSTRUCTIONS:**DELEGATION: P**

Please confirm delegation with your L contact

TO WHOM IN CONGRESS

Speaker of the House of Representatives; House Foreign Affairs Committee; Senate Foreign Relations Committee

Bureaus are reminded to prepare reports in accordance with the new Congressional Report Reform Initiative as described in the September 21, 2010 memorandum from S/ES. Please read the attached memorandum for guidance.

(LETTERS TO THE CHAIRMAN AND RANKING MEMBER ONLY)**REMARKS/ SPECIAL INSTRUCTIONS:**

**** (Hard copies no longer need to be submitted to H Staffers!) Please e-mail the complete package to H_Staffers & cc: State-LRM on the High Side. Please provide addressed envelopes to match the addressee on the letters and when appropriate, completed (except for the date) classified receipt forms.**

**** Action Memos are not required for Congressional Reports! ** Please use the Congressional Report Cover Sheet Template under the "Congressional Templates" section of InfoLink. Also, include the unique Report Number displayed under the Report Title into the subject line of all e-mail correspondence to H.**

FORMAT: This report should have 5 pages of narrative, tables or both. Respond only with the information requested and seek guidance from your Congressional Advisor if you exceed 5 pages.

FOR FURTHER INFORMATION: E-MAIL STATE-LRM

**DEPARTMENT OF STATE
BUREAU OF LEGISLATIVE AFFAIRS**

CONGRESSIONALLY MANDATED REPORTING REQUIREMENTS

ACTION ASSIGNED TO:

NEA

LEGISLATION:

Foreign Relations Authorization Act, PL 107-228; Section 603-604, and 699 // P.L. 101-246 Sec 803(b)sec 804(b) // P.L. 104-104, Sec 604(b)(1)

REPORT TITLE:

PLO Commitments Compliance Act of 1989, as amended.

DATE DUE IN H:**30 August 2019****DATE DUE TO CONGRESS:****REPORT NUMBER: 003378****4 October 2019****INSTRUCTIONS:****DELEGATION: P**

Please confirm delegation with your L contact

TO WHOM IN CONGRESS

Speaker of the House of Representatives; House Foreign Affairs Committee; Senate Foreign Relations Committee

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FOR FURTHER INFORMATION: E-MAIL STATE-LRM

Congressional Report Tasker Bureau of Legislative Affairs

Report Details

Report Number: 004462

Report Title: PLO Commitments Compliance Act of 1989, as amended

Legislation: Section 803(b) and Section 804(b) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (P.L. 101-246) and Sections 603, 604 and 699 of the Foreign Relations Authorization Act, Fiscal Year 2003 (P.L. 107-228)

Bureau: NEA

Delegation: S *(please confirm delegation with L)*

Frequency: Semiannual

Page Limit: Approximately 5 pages in 12 Times New Roman font or 7 pages in 14 Times New Roman font

Recipients: *(Chairmen and Ranking Members only)*

House Foreign Affairs Committee

Senate Foreign Relations Committee

Speaker of the House of Representatives

Tasked to Bureau: May 24, 2021

Due to Cascades: August 31, 2021

Due to Congress: October 5, 2021

Please follow the attached Congressional Report Instructions for drafting, clearing, and submitting Congressional report packages.

H. R. 1865—283

DIVISION G—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2020

TITLE I

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, \$9,125,687,000, of which \$754,468,000 may remain available until September 30, 2021, and of which up to \$4,095,899,000 may remain available until expended for Worldwide Security Protection: *Provided*, That of the amount made available under this heading for Worldwide Security Protection, \$2,626,122,000 is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That funds made available under this heading shall be allocated in accordance with paragraphs (1) through (4) as follows:

(1) HUMAN RESOURCES.—For necessary expenses for training, human resources management, and salaries, including employment without regard to civil service and classification laws of persons on a temporary basis (not to exceed \$700,000), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (62 Stat. 11; Chapter 36), \$2,896,063,000, of which up to \$509,782,000 is for Worldwide Security Protection.

(2) OVERSEAS PROGRAMS.—For necessary expenses for the regional bureaus of the Department of State and overseas activities as authorized by law, \$1,840,143,000.

(3) DIPLOMATIC POLICY AND SUPPORT.—For necessary expenses for the functional bureaus of the Department of State, including representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress, general administration, and arms control, nonproliferation, and disarmament activities as authorized, \$780,057,000.

(4) SECURITY PROGRAMS.—For necessary expenses for security activities, \$3,609,424,000, of which up to \$3,586,117,000 is for Worldwide Security Protection.

(5) FEES AND PAYMENTS COLLECTED.—In addition to amounts otherwise made available under this heading—

(A) as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$5,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and

H. R. 1865—358

that the Palestinians have not, after the date of enactment of this Act—

(I) obtained in the United Nations or any specialized agency thereof the same standing as member states or full membership as a state outside an agreement negotiated between Israel and the Palestinians; and

(II) initiated or actively supported an ICC investigation against Israeli nationals for alleged crimes against Palestinians.

(ii) Not less than 90 days after the President is unable to make the certification pursuant to clause (i) of this subparagraph, the President may waive section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Committees on Appropriations that the Palestinians have entered into direct and meaningful negotiations with Israel: *Provided*, That any waiver of the provisions of section 1003 of Public Law 100–204 under clause (i) of this subparagraph or under previous provisions of law must expire before the waiver under the preceding sentence may be exercised.

(iii) Any waiver pursuant to this subparagraph shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(3) REDUCTION.—The Secretary of State shall reduce the amount of assistance made available by this Act under the heading “Economic Support Fund” for the Palestinian Authority by an amount the Secretary determines is equivalent to the amount expended by the Palestinian Authority, the Palestine Liberation Organization, and any successor or affiliated organizations with such entities as payments for acts of terrorism by individuals who are imprisoned after being fairly tried and convicted for acts of terrorism and by individuals who died committing acts of terrorism during the previous calendar year: *Provided*, That the Secretary shall report to the Committees on Appropriations on the amount reduced for fiscal year 2020 prior to the obligation of funds for the Palestinian Authority.

(4) PRIVATE SECTOR PARTNERSHIP PROGRAMS.—Funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs may be made available for private sector partnership programs for the West Bank and Gaza if such funds are authorized: *Provided*, That funds made available pursuant to this paragraph shall be subject to prior consultation with the appropriate congressional committees, and the regular notification procedures of the Committees on Appropriations.

(5) SECURITY REPORT.—The reporting requirements in section 1404 of the Supplemental Appropriations Act, 2008 (Public Law 110–252) shall apply to funds made available by this Act, including a description of modifications, if any, to the security strategy of the Palestinian Authority.

(6) INCITEMENT REPORT.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit

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H. R. 1865—359

a report to the appropriate congressional committees detailing steps taken by the Palestinian Authority to counter incitement of violence against Israelis and to promote peace and coexistence with Israel.

(l) YEMEN.—Funds appropriated under title III of this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs shall be made available for stabilization assistance for Yemen.

AFRICA

SEC. 7042. (a) AFRICAN GREAT LAKES REGION ASSISTANCE RESTRICTION.—Funds appropriated by this Act under the heading "International Military Education and Training" for the central government of a country in the African Great Lakes region may be made available only for Expanded International Military Education and Training and professional military education until the Secretary of State determines and reports to the Committees on Appropriations that such government is not facilitating or otherwise participating in destabilizing activities in a neighboring country, including aiding and abetting armed groups.

(b) CAMEROON.—Funds appropriated under title IV of this Act that are made available for assistance for the armed forces of Cameroon, including the Rapid Intervention Battalion, may only be made available to counter regional terrorism, including Boko Haram and other Islamic State affiliates, participate in international peacekeeping operations, and for military education and maritime security programs.

(c) CENTRAL AFRICAN REPUBLIC.—Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than \$3,000,000 shall be made available for a contribution to the Special Criminal Court in Central African Republic.

(d) DEMOCRATIC REPUBLIC OF THE CONGO.—Funds appropriated by this Act under titles III and IV shall be made available for assistance for the Democratic Republic of the Congo for stabilization, global health, and bilateral economic assistance, including in areas affected by, and at risk from, the Ebola virus disease.

(e) LAKE CHAD BASIN COUNTRIES.—Funds appropriated under titles III and IV of this Act shall be made available, following consultation with the Committees on Appropriations, for assistance for Cameroon, Chad, Niger, and Nigeria for—

- (1) democracy, development, and health programs;
- (2) assistance for individuals targeted by foreign terrorist and other extremist organizations, including Boko Haram, consistent with the provisions of section 7059 of this Act;
- (3) assistance for individuals displaced by violent conflict; and
- (4) counterterrorism programs.

(f) MALAWI.—Of the funds appropriated by this Act under the heading "Development Assistance", not less than \$60,000,000 shall be made available for assistance for Malawi, of which up to \$10,000,000 shall be made available for higher education programs.

(g) SAHEL STABILIZATION AND SECURITY.—Funds appropriated under titles III and IV of this Act shall be made available for stabilization, health, development, and security programs in the countries of the Sahel region.

(h) SOUTH SUDAN.—

**Report Pursuant to Section 804 of the Palestine Liberation Organization Commitments
Compliance Act of 1989 ("PLOCCA") (Title VIII, P.L. 101-246) and
Sections 603-604 and 699 of the Foreign Relations Authorization Act,
FY 2003 ("the Act") (P.L. 107-228)**

(b)(5)

Withheld pursuant to exemption

(b)(5)