



**United States Department of State**

***Washington, D.C. 20520***

October 28, 2022

Case No. FL-2022-00031

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

Dear Mr. Rubinstein:

As we noted in our letter dated September 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 seven responsive records subject to the FOIA. We have determined five records may be released in part and two records must be withheld in their 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 records withheld in full are 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.

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](mailto: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 black ink, appearing to read 'Diamonece Hickson', written in a cursive style.

**Diamonece Hickson**  
Chief, Litigation and Appeals Branch  
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

Withheld pursuant to exemption

(b)(5)



Month Day, 2021 (H will fill in upon transmittal)

## TRANSMITTAL OF A DETERMINATION TO CONGRESS

Please find enclosed the following Determination and accompanying documentation from the Department of State.

**Department Report Number:** 004109

**Title of DETERMINATION:** Palestine Liberation Organization (PLO) Commitments Compliance Act of 1989

**Background:** Pursuant to Section 804 of the Palestine Liberation Organization Commitments Compliance Act of 1989 (Title VIII, Foreign Relations Authorizations Act, Fiscal Years 1990 and 1991 (P.L. 101-246)), as amended; and sections 603 and 604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, Fiscal Year 2003 (P.L. 107-228) ("the Act"), enclosed is a report covering the period from October 1, 2020 to April 1, 2021. Pursuant to the President's Delegation of Functions dated April 30, 2009, the Secretary of State, through the Deputy Secretary of State, has made a Determination on Imposition and Waiver of Sanctions under Sections 603 and 604 of the Act. Please find enclosed the Determination and accompanying documentation on this matter.

**Recipients:**

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

Sincerely,

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

Naz Durakoglu  
Acting Assistant Secretary of State  
Bureau of Legislative Affairs

Enclosure:

As stated.

**From:** (b)(6)  
**To:** [Redacted]  
**Subject:** Re: FW: H Report Tasker: Congressionally Mandated Report: 003906 PLO Commitments Compliance Act of 1989, as amended  
**Date:** Sat, 6 Jun 2020 13:00:36 +0000

(b)(5)

(b)(6)

Political Officer  
Office of Israel and Palestinian Affairs (IPA)  
Bureau of Near Eastern Affairs (NEA)  
U.S. Department of State  
Washington, D.C.

(b)(6)

**From:** (b)(6)

**Sent:** Friday, June 5, 2020 8:20 PM

**To:** (b)(6)

**Subject:** Re: FW: H Report Tasker: Congressionally Mandated Report: 003906 PLO Commitments Compliance Act of 1989, as amended

(b)(5)

(b)(6)

On June 5, 2020 at 8:19:45 PM EDT (b)(6)

(b)(5)

**From:** (b)(6)

**Sent:** Friday, June 5, 2020 8:18:36 PM

**To:** (b)(6)

**Subject:** Re: FW: H Report Tasker: Congressionally Mandated Report: 003906 PLO Commitments Compliance Act of 1989, as amended

(b)(5)

(b)(6)

On June 5, 2020 at 7:11:03 PM EDT (b)(6)  
This is PLOCCA-MEPCA, right? I'm updating the tracker

SENSITIVE BUT UNCLASSIFIED

**From:** (b)(6)  
**Sent:** Friday, May 29, 2020 9:58 AM  
**To:** NEA-IPA-DL <NEA-IPA-DL@state.gov>  
**Cc:** NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>  
**Subject:** H Report Tasker: Congressionally Mandated Report: 003906 PLO Commitments Compliance Act of 1989, as amended

Colleagues,

Attached is an H tasker for the PLO Commitments Compliance Act of 1989, as amended report. This will be due to the **FO on Aug 27**, so that the NEA Staffers may transmit a cleared version in Everest by Aug 31. Please follow carefully these instructions:

Draft: A complete report package includes at least these three documents. Please use the attached templates.

1. Congressional Report Memo: If a report involves a waiver, determination, or certification, please draft an action memo. If a report does not involve any of these items, draft a congressional report memo. Use the attached purple border tasker and legislation to fill in this memo. If needed, I can help drafters find the remaining info.
2. Report: Reports should be fully unclassified unless the legislation requires a classified annex. Five pages max.
3. Transmittal Sheet: This document includes a sheet for the recipients of this report.

Clear: Request lateral clearances from D, P, S/P, H\_Staffers, L, R, GPA, and NEA/RMA Congressional.

Submit: As this report will go to the seventh floor, please submit it to the NEA Staffers via email. You may draft/clear on the low side.

Let me know if you have any questions.

Thanks,

(b)(6)

U.S. Department of State  
Bureau of Near Eastern Affairs (NEA/RMA)  
Office of Regional and Multilateral Affairs  
Foreign Affairs Officer

(b)(6)

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**From:** State-LRM <State-LRM@state.gov>  
**Sent:** Thursday, May 28, 2020 4:31 PM  
**To:** H\_Tasking-NEA <H\_Tasking-NEA@state.gov>

**Cc:** (b)(6)

LRM <State-LRM@state.gov>; SES-Line\_H\_Reports <SES-Line\_H\_Reports@state.gov>

**Subject:** Congressionally Mandated Report: 003906 PLO Commitments Compliance Act of 1989, as amended

**Report Number:** 003906

**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:** P (b)(5)

**Frequency:** Semiannual

**Page Limit:** 5 pages

**Receiving Committees:** *(Chairmen and Ranking Members only)*  
House Foreign Affairs Committee  
Senate Foreign Relations Committee  
Speaker of the House of Representatives

**Tasked to Bureau:** May 28, 2020

**Due in Everest:** August 31, 2020

**Due to Congress:** October 5, 2020

- <Congressional Report Instructions.docx>
- <003906- PLO Commitments.docx>
- <Requirement.pdf>
- <Tasker.docx>
- <Congressional Report Template.docx>
- <Congressional Report Memo Template.docx>

<b>Sender:</b>	(b)(6)
<b>Recipient:</b>	



**From:** (b)(6)  
**To:** [Redacted]  
**Subject:** FW: Transmitted: PLOCCA Determination (004109)  
**Date:** Tue, 29 Jun 2021 20:01:29 +0000

Fyi. The report has been transmitted. Thanks!

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**From:** (b)(6)  
**Sent:** Tuesday, June 29, 2021 2:48 PM  
**To:** (b)(6)  
**Cc:** (b)(6); NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>; NEA-Staff-Assistants <NEA-Staff-Assistants@state.gov>; (b)(6); (b)(6); H\_Staffers <H\_Staffers@state.gov>  
**Subject:** Transmitted: PLOCCA Determination (004109)

Thanks (b)(6) Attached is the final transmittal as sent to Congress today. Regards (b)(6)

(b)(6)  
Congressional Reports Coordinator | Bureau of Legislative Affairs (H) | U.S. Department of State  
2201 C St NW, HST 7805 | Office: 202-647-7594 (b)(6)

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**From:** (b)(6)  
**Sent:** Tuesday, June 29, 2021 2:15 PM  
**To:** (b)(6)  
**Cc:** (b)(6); NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>  
**Subject:** RE: Congressional Report 004109 PLOCCA - Cascades Package Completed: 2021007939

Hi (b)(6) based on previous transmittals, there is no need to transmit the exec summary. Thanks for checking! (b)(6)

(b)(6)  
Political Officer  
Office of Israel and Palestinian Affairs (NEA/IPA)  
Bureau of Near East Affairs  
Washington, D.C.  
Cell: (b)(6)  
(b)(6)

Follow NEA on Twitter @StateDept\_NEA 



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**From:** (b)(6)  
**Sent:** Tuesday, June 29, 2021 1:12 PM  
**To:** (b)(6)  
**Cc:** (b)(6) NEA-RMA-  
CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>  
**Subject:** Fw: Congressional Report 004109 PLOCCA - Cascades Package Completed: 2021007939

H (b)(6) - Is attached Exec Summary meant to be transmitted to Congress with the final PLOCCA report? Please confirm. Thanks, (b)(6)

(b)(6) | Congressional Reports Coordinator | Bureau of Legislative Affairs (H) | U.S. Department of State

2201 C St NW, HST 7805 (b)(6)

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**From:** Cascades Online <no-reply@sharepointonline.com>  
**Sent:** Tuesday, June 29, 2021 8:40 AM  
**To:** Cascades-H <cascades-h@groups.state.gov>; Cascades - AF/FO Principals <cascades-af-fo-principals@groups.state.gov>; Cascades - AF Staff Assistants <AFTracker@groups.state.gov>; Cascades-C <cascades-c@groups.state.gov>; CT\_CascadesUsers <ct\_cascadesusers@groups.state.gov>; Cascades-D <cascades-d@groups.state.gov>; Cascades-DMR <Cascades-DMR@groups.state.gov>; Cascades-E <cascades-e@groups.state.gov>; Cascades-GPA-Specials <cascades-gpa-specials@groups.state.gov>; INR Special Assistants <INRspecialAssistants@state.gov>; INR-COS <INR-COS@state.gov>; Cascades-J <cascades-j@groups.state.gov>; L-Staff-Assistants <L-Staff-Assistants@groups.state.gov>; L-FO <l-fo@groups.state.gov>; Cascades-M <cascades-m@groups.state.gov>; CASCADES-NEA-FO <nea-fo-cascades@groups.state.gov>; CASCADES-NEA-IPA <cascades-nea-ipa@groups.state.gov>; CASCADES-NEA-RMA <cascades-nea-rma@groups.state.gov>; Cascades-P <cascades-p@groups.state.gov>; Cascades-R <cascades-r@groups.state.gov>; Cascades-S <cascades-s@groups.state.gov>; SES\_4 <SES\_4@state.gov>; SES\_Assistants <SES\_Assistants@state.gov>; SES-Line\_Only <SES-Line\_Only@state.gov>; Cascades-SP <cascades-sp@groups.state.gov>; Cascades-T <cascades-t@groups.state.gov>; L-AN <L-AN@groups.state.gov>  
**Cc:** SES-CR <SES-CR@state.gov>  
**Subject:** Cascades Package Completed: 2021007939 Congressional Report under the PLO Commitments Compliance Act of 1989 (PLOCCA) and the Middle East Peace Commitments Act of 2002 (MEPCA), and Determination Imposing and Waiving Sanctions

A Cascades Package was Completed to Final.

SESID: 2021007939

Title: Congressional Report under the PLO Commitments Compliance Act of 1989 (PLOCCA)

and the Middle East Peace Commitments Act of 2002 (MEPCA), and Determination Imposing and Waiving Sanctions

Package Type: Congressional Report Memo

Priority:

For: D

Organization: NEA/RMA

Co-Drafter: H

Distribution: AF; C; CT; D; D-MR; E; GPA; H; INR; J; L; M; NEA; NEA/IPA; NEA/RMA; P; R; S; S/ES; S/ES-S; S/P; T; NEA/FO; H/FO; L/AN

Final Action: Approved

Final Action By: WRS

Final Action On: 6/28/2021 12:00 AM

Cascade

<b>Sender:</b>	(b)(6)
<b>Recipient:</b>	





U.S. DEPARTMENT *of* STATE

<b>From:</b>	(b)(6)
<b>To:</b>	
<b>Subject:</b>	FW: Status Check on NEA CMRs 4204, 4109, 4340
<b>Date:</b>	Tue, 22 Jun 2021 20:14:47 +0000

FYSA on "late" congressional report.

(b)(6) never circled back so (b)(5)  
(b)(5)

(b)(6)  
Office of Iranian Affairs  
Department of State  
(b)(6)

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**From:** (b)(6)  
**Sent:** Tuesday, June 22, 2021 4:10 PM  
**To:** (b)(6)  
**Cc:** (b)(6) NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>; (b)(6)  
**Subject:** RE: Status Check on NEA CMRs 4204, 4109, 4340

We never heard from her on the report, (b)(5)  
(b)(5)

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**From:** (b)(6)  
**Sent:** Tuesday, June 22, 2021 3:55 PM  
**To:** (b)(6)  
**Cc:** (b)(6) NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>  
**Subject:** Status Check on NEA CMRs 4204, 4109, 4340

H (b)(6) Any update on below reports? 4204 and 4109 have been in clearance for a few weeks now. When do you anticipate they will be uploaded to Cascades? Did (b)(6) ever provide a response on the reporting timeframe for 004340? (b)(5)

(b)(6) (b)(5)  
(b)(5) Thanks, (b)(6)

Report Number	Report Title	Bureau	Date Due to Congress	Status	Cascades ID#
4204	Steps Taken by the Palestinian Authority to Counter Incitement of Violence against Israelis and to Promote Peace and Coexistence with Israel	NEA	26-Mar-21	(b)(5)	(b)(5)
4109	PLO Commitments Compliance Act of 1989, as amended.	NEA	6-Apr-21		
4340	Iran's Compliance with the Joint Comprehensive Plan of Action	NEA	25-Jun-21		

(b)(6) Congressional Reports Coordinator | Bureau of Legislative Affairs (H) | U.S. Department of State

2201 C St NW, HST 7805 | Office (b)(6) (b)(6)

<b>Sender:</b>	(b)(6)
<b>Recipient:</b>	

<b>From:</b>	<NEA-Staff-Assistants-DL@state.gov>
<b>To:</b>	<NEA-IPA-DL@state.gov>
<b>Subject:</b>	Archived : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report) : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)
<b>Date:</b>	Tue, 22 Jun 2021 13:39:08 -0400

**PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)** has been cleared by the NEA Front Office and archived in onePAPER.

The NEA Staff Assistants have taken final action on this package and no further action required from you. Since you are listed as a drafter, you can find the cleared package under "Archived (2 weeks)" section on the [onePAPER Drafter Dashboard](#).

If you have any questions, please contact the Staff Assistants at [NEA-Staff-Assistants-DL@state.gov](mailto:NEA-Staff-Assistants-DL@state.gov).

Thank you,

The NEA Staff Assistants

<b>Sender:</b>	<NEA-Staff-Assistants-DL@state.gov>
<b>Recipient:</b>	<NEA-IPA-DL@state.gov>



Withheld pursuant to exemption

(b)(5)