



United States Department of State

Washington, D.C. 20520

June 28, 2023

Case No. FL-2022-00031

Mr. 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 May 30, 2023, we are processing your request for material under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department of State (“Department”) has processed more than 300 pages of potentially responsive material since its last release and has identified an additional 4 responsive records subject to the FOIA. We have determined that all four 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. Where applicable, the Department has considered the foreseeable harm standard when reviewing these records and applying FOIA exemptions. 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 United States Attorney, at (202) 252-7229 or Stephen.DeGenaro@usdoj.gov. 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". The signature is fluid and cursive, with a large initial "D" and "H".

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

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>
CC: (b)(6)@state.gov>
Subject: Re: PLOCCA/MEPCA being submitted today
Date: Wed, 27 Feb 2019 16:40:02 +0000

You can mark me as clearing. Thanks

From: (b)(6)@state.gov>
Date: February 27, 2019 at 10:39:51 AM EST
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: PLOCCA/MEPCA being submitted today

Hi (b)(6)

I just wanted to flag that I'm about to submit the PLOCCA/MEPCA report to the NEA/FO, since it's due today. (b)(5)

(b)(5)

Thanks,

(b)(6)

Sender: (b)(6)@state.gov>
Recipient: (b)(6)@state.gov>; (b)(6)@state.gov>

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>
CC: (b)(6)@state.gov>
Subject: RE: Connecting Next Week - Congressional Reports
Date: Tue, 10 Mar 2020 13:37:14 +0000

Thanks (b)(6) unlike the other annual reports, I don't believe this one has a specific reporting period. Simply a "90 days after passage." So I basically tried to take anything since the last time the report went forward, which was May 2019.

From: (b)(6)@state.gov>
Sent: Tuesday, March 10, 2020 2:01 PM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: Re: Connecting Next Week - Congressional Reports

Thank you! Will review today and tomorrow, and then send back to you. (b)(6)
 (b)(6)

Do you know what time frame we are dealing with for the incitement report? From when to when?

From: (b)(6)@state.gov>
Sent: Monday, March 9, 2020 6:04 PM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: RE: Connecting Next Week - Congressional Reports

(b)(6)

Here we go. Thanks for connecting today. I made edits based on your feedback. One outstanding question is (b)(5)
 (b)(5)
 (b)(5) Otherwise, I think we're good. Once we receive your edits this can go to (b)(6) and the Front Office.

Many thanks for the help. Working on the PLOCCA too and hope to have that your way.

Grateful,
 (b)(6)

From: (b)(6)@state.gov>
Sent: Monday, March 9, 2020 1:48 PM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: Re: Connecting Next Week - Congressional Reports

Thank you. I just read all the materials over. It is good but have some suggested changes. Happy to discuss later today.

Best,

(b)(6)

From: (b)(6)@state.gov>
Sent: Monday, March 9, 2020 12:37 PM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: RE: Connecting Next Week - Congressional Reports

(b)(6)

Sounds good – just sent you an invite. (b)(6) and I will call from the courtyard and we can talk through it all this afternoon. I’m working to get the PLOCCA report transferred to the low side so we can both work on it – I’m too worried I’ll be sent home here depending on the new restrictions.

Attached is the draft Incitement report. (b)(5)

(b)(5)

Look forward to your help and thoughts on this. And if I can get the PLOCCA on the low side, that’d be great so we can move that forward too and look at them in tandem.

All the best,

(b)(6)

From: (b)(6)@state.gov>
Sent: Monday, March 9, 2020 12:15 PM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: Re: Connecting Next Week - Congressional Reports

Unfortunately, I will have to be home this week as per Israel requirements.

Happy to speak after 4:30 pm. Can we do a conference call?

Best,

(b)(6)

From: (b)(6)@state.gov>
Sent: Sunday, March 8, 2020 7:48 PM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: Re: Connecting Next Week - Congressional Reports

(b)(6)

Understandable. If the Israelis go with what (b)(6) suggested in his email today, I think I'd also fall into the quarantine list for the week - so I'd be in good company then with you and half the embassy.

They haven't issued it yet, so I'm still planning to go through with a long list of meetings I have on Monday, but would be free at 4:30pm if that might work for you (or anytime thereafter). I looked at (b)(6) calendar and she's free too and might like to join.

Happy to connect Tuesday as well if that might be easier as I'm pretty open then too. Thankfully at least the incitement report is on the low-side, so I'll send that your way tomorrow for our conversation.

Hoping we all avoid this coronavirus,

(b)(6)

From: (b)(6)@state.gov>
Sent: Saturday, March 7, 2020 2:10 PM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: Re: Connecting Next Week - Congressional Reports

Happy to discuss! I just received word that I need to self-quarantine after being in the U.S. but can we do a call on Monday? What time works best?

Best,

(b)(6)

From: (b)(6)@state.gov>
Sent: Friday, March 6, 2020 4:53 PM

To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: Connecting Next Week - Congressional Reports

(b)(6)

Just got back from two weeks in the U.S. and am turning to the many things we've got ahead of us and would love to sit down with you to run through the two Congressional reports we need to move forward pursuant to the PLO Commitments Compliance Act (PLOCCA) and the Steps Taken by the Palestinian Authority to Counter Incitement report.

Will you be in the office here in Jerusalem on Monday, Tuesday, or Wednesday next week? Looking at my calendar (and (b)(6) we're generally free in the afternoon of Tuesday (March 9) and Wednesday from 11-12 and 1-2 if any of those times might work.

Would love to go through where we're at and what more we need to do.

Looking forward to finding a time.

Thanks,

(b)(6)

(b)(6) U.S. Embassy Jerusalem – Palestinian Affairs Unit
+(b)(6) (Mobile) | (b)(6) (Office)

Sender:	(b)(6)@state.gov>
Recipient:	(b)(6)@state.gov>; (b)(6)@state.gov>

From:	(b)(6)@state.gov>
To:	(b)(6)@state.gov>
CC:	(b)(6)@state.gov>; (b)(6)@state.gov>
Subject:	RE: Clarification needed on PLOCCA/MEPCA report
Date:	Mon, 14 Jun 2021 12:48:26 +0000

Thank you, (b)(6) Best, (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov>
Sent: Monday, June 14, 2021 2:58 AM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>; (b)(6)@state.gov>
Subject: RE: Clarification needed on PLOCCA/MEPCA report

Hi (b)(6)

Thanks for yours and for (b)(6) query. We rewrote the paragraph in question. Please let me know if this draft works or if more information is needed. Thanks!

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov>
Sent: Tuesday, June 8, 2021 7:33 PM
To: (b)(6)@state.gov>
Subject: Clarification needed on PLOCCA/MEPCA report

Hi, (b)(6)

I hope you're doing well. We're finally trying to push the PLOCCA/MEPCA report to the finish line, but we have one question. Can you check the one comment from (b)(6) on the attached report?

Best,
(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

Sender:	(b)(6)@state.gov>
Recipient:	(b)(6)@state.gov>; (b)(6)@state.gov>; (b)(6)@state.gov>

From:	(b)(6)@state.gov>
To:	(b)(6)@state.gov>
Subject:	RE: 2020-2-27 NEA-IPA Daily Update
Date:	Thu, 27 Feb 2020 14:12:45 +0000

Perfect ! Thank You

Best,

(b)(6)

Office Management Specialist
Office of Israel and Palestinian Affairs
Bureau of Near Eastern Affairs

Cherokee Nations Contractor

Phone: (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov>
Sent: Thursday, February 27, 2020 9:08 AM
To: (b)(6)@state.gov>
Subject: FW: 2020-2-27 NEA-IPA Daily Update

Here is the second from me

EMBASSY Jerusalem and Branch Office Tel Aviv closed for marathon and national elections:

- On February 28, The Tel Aviv Samsung Marathon will be held. Organizers have prohibited further foreign participants in the marathon from competing though Israeli Health Ministry director general "has approved the participation of international runners who are already in the country, diplomats, and other foreign residents."
- On March 2, Embassy Jerusalem will be closed as the Israeli national elections will be held for the third time in one year.

(b)(6)

Foreign Affairs Officer
Office of Israeli and Palestinian Affairs (NEA/IPA)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov
Sent: Thursday, February 27, 2020 8:36 AM
To: NEA-IPA-DL <NEA-IPA-DL@state.gov>
Subject: FW: 2020-2-27 NEA-IPA Daily Update

Sorry – meant to send to all.

(b)(6) / Director / Office of Israeli and Palestinian Affairs (NEA/IPA) / U.S. Department of State / O: (b)(6)
(b)(6) DRSN: (b)(6) M: (b)(6) / nipr: (b)(6)@state.gov / sipr:
(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Thursday, February 27, 2020 8:36 AM
To: (b)(6)@state.gov; (b)(6)@state.gov; Clifton, Jonathan B
(b)(6)@state.gov
Subject: FW: 2020-2-27 NEA-IPA Daily Update

Could I get also get an update on:

- the latest elections shenanigans and polls (b)(6)
- COVID-19 in Israel (b)(6)
- Status of CT, HRR, PLOCCA-MEPCA and any other report we are currently working (b)(6)
- A note that the Embassy is closed tomorrow for the marathon (which apparently foreigners cannot participate in b/c of COVID-19) and the elections Monday (b)(6)
- A anodyne readout of yesterday's/ (b)(6) (b)(6) and Friedman briefing. (b)(6)

Thanks.

- (b)(6)

(b)(6) / Director / Office of Israeli and Palestinian Affairs (NEA/IPA) / U.S. Department of State / O: (b)(6)
(b)(6) DRSN: (b)(6) M: (b)(6) / nipr: (b)(6)@state.gov / sipr:
(b)(6)@e.sgov.gov

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov
Sent: Thursday, February 27, 2020 8:10 AM
To: (b)(6)@state.gov
Cc: (b)(6)@state.gov
Subject: 2020-2-27 NEA-IPA Daily Update

Morning (b)(6)

Attached is the today's daily for your review and clearance.

Best,

(b)(6)

Office Management Specialist
Office of Israel and Palestinian Affairs
Bureau of Near Eastern Affairs

Cherokee Nations Contractor

Phone (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

Sender:	(b)(6)	@state.gov>
Recipient:	(b)(6)	@state.gov>