



United States Department of State

Washington, D.C. 20520

July 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 June 28, 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', with a large, stylized initial 'D' and a long, sweeping horizontal stroke at the end.

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)
To:	Shrier, Jonathan (b)(6)
Subject:	RE: SPOX Lines on PLOCCA/MEPCA in response to Free Beacon Story (1PM deadline)
Date:	Thu, 8 Jul 2021 10:11:32 +0000

(b)(6) let me know that you are in Egypt with limited access so going to pass this on to Michael and keep you copied.

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From:	(b)(6)
Sent:	Thursday, July 8, 2021 11:02 AM
To:	Shrier, Jonathan (b)(6)
Cc:	Wierichs, F Joe (b)(6) Barrios, Stacy M (b)(6) (b)(6)
	(b)(6) Embassy Jerusalem SA
	<EmbassyJerusalemSA@state.gov>
Subject:	SPOX Lines on PLOCCA/MEPCA in response to Free Beacon Story (1PM deadline)

Jonathan,

(b)(5)

Thanks,

(b)(6)

>>>

BLUF: "The Biden State Department's latest report to Congress, issued under a mandatory reporting statute included in the 1990 Palestine Liberation Organization Commitments Compliance Act, omits specific references to the Palestinian government's ongoing calls for violence, as well as its support for the Boycott, Divestment, and Sanctions movement, which wages economic warfare on Israel."

Response:

(b)(5)

(b)(5)

**CLEAR:**

EBO/PD (b)(6)

EBO/PD JWierichs (ok)

EBO/POI (b)(6)

EBO/ECON (info)

EBO/PD SBarrios (ok)

PAU/POI (b)(6)

PAU/ECON (info)

CPAU (b)(6)

DCM JShrier

CDA MRatney

Article:

Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report
State Dept silent on removing references to malign Palestinian behavior in congressionally
mandated report

Adam Kredo • July 6, 2021 5:15 pm

<https://freebeacon.com/biden-administration/biden-admin-deletes-references-to-palestinian-terror-incitement-from-congressional-report/>

The State Department deleted references to the Palestinian government's terror incitement in a report sent last week to Congress, highlighting what some see as an effort by the Biden administration to downplay Palestinian violence as it restarts U.S. taxpayer aid to the government.

The Biden State Department's latest report to Congress, issued under a mandatory reporting statute included in the 1990 Palestine Liberation Organization Commitments Compliance Act, omits specific references to the Palestinian government's ongoing calls for violence, as well as its support for the Boycott, Divestment, and Sanctions movement, which wages economic warfare on Israel. Both issues, which are being closely tracked in Congress, were included in the outgoing Trump administration's October report, according to copies of both reports viewed by the Washington Free Beacon.

Officials in Congress say it is notable that the State Department would omit two closely watched issues in the report, which is otherwise nearly identical to the Trump administration version, fueling accusations the Biden administration is whitewashing the Palestinians' bad behavior. The changes come amid a broader push by the Biden administration to renew hundreds of millions of dollars in taxpayer aid to the Palestinian government, even as it continues to call for Israel's destruction and lend support to the anti-Semitic BDS movement.

The Biden administration's pivot on the Palestinian issue has already been the subject of heightened criticism, including in Congress, as the governing Palestinian Authority continues to use international aid dollars to pay terrorists and their families. The Biden administration approved millions of dollars in U.S. aid to the Palestinians earlier this year over congressional objections and a law that prohibits America from sending aid until the PA stops paying terrorists as part of a program known as "pay to slay."

The Free Beacon obtained copies of both reports and found the Biden administration deleted information about terror incitement and Palestinian support for the BDS movement. The State Department declined to comment on the changes.

Dave Vasquez, press secretary for Sen. Ted Cruz (R., Texas), said the State Department wants to downplay Palestinian incitement in order to stifle debate in Congress. Cruz has been an outspoken critic of U.S. aid to the Palestinian government and the Biden administration's decision to send it.

"The Biden administration is committed to pouring money into Palestinian areas, in defiance of U.S. laws that restrict funding because the Palestinian Authority incites and subsidizes acts of terrorism against Israel," Vasquez said. "It's no wonder this administration would try to downplay that behavior to limit public debate over their controversial policy."

In the latest report, the Biden State Department removed a section of text detailing how Palestinian schools and media outlets routinely employ violent rhetoric.

"Some PA schools and media outlets continue to promote the idea that Israel does not have a right to exist and support the elimination of Israel on maps that show 'Palestine' covering over Israel with indication 'Palestine' will be 'liberated' in the future," the Trump administration's October report stated in a now-removed section.

Secretary of State Antony Blinken promised in June to condition U.S. aid to the United Nations Relief and Works Agency, which oversees education in the Palestinian territories, on the agency

removing calls for Israel's destruction from its textbooks. By omitting reporting on this issue from its latest report to Congress, the State Department could be trying to bypass oversight on Blinken's vow.

Another portion on the Arab League's boycotts of Israel omits an entire paragraph detailing how the Palestinian government is undermining regional peace with Israel.

"The PA expressed its strong disapproval of Arab states normalizing relations with Israel," the October report stated in a now-deleted paragraph. "Referring to the [United Arab Emirates'] diplomatic normalization agreement with Israel, [Palestinian president Mahmoud] Abbas said, 'We consider this a stab in the back and we absolutely reject it.'"

The Trump administration's report also stated: "PA diplomats also worked [to] encourage statements, including from the Arab League, condemning normalization. The PA also expressed support for the Boycott, Divestment, and Sanctions movement against Israel."

These findings are omitted from the Biden administration's version of the report.

One GOP congressional aide who works on Middle East issues said the Biden administration is attempting to downplay the Palestinian government's anti-Israel actions.

"The Biden administration is shoveling taxpayer money toward the Palestinians, even though the Palestinians use their money to pay for terrorists and attack Israel," said the source, who was not authorized to speak on record. "The American people oppose terrorism and support Israel, so, of course, the State Department wouldn't want to talk about Palestinian behavior."

(b)(6)
 Acting Information Officer
 U.S. Embassy Israel - Branch Office Tel Aviv
 Cell: (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

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

From:	(b)(6)
To:	(b)(6)
Subject:	Re: Andrew - Hope you had a good weekend. Have you had a chance to send the incitement and PLOCCA report up the chain? Best, (b)(6)
Date:	Mon, 23 Mar 2020 10:16:33 +0000

Sounds good, will do.

Get Outlook for iOS

From: (b)(6)

Sent: Monday, March 23, 2020 11:33:01 AM

To: (b)(6)

Subject: Re: (b)(6) - Hope you had a good weekend. Have you had a chance to send the incitement and PLOCCA report up the chain? Best, (b)(6)

Sounds good, thank you! Keep me posted. Can you CC me when you send to the FO?

Best,

(b)(6)

(b)(6)

Special Assistant to U.S. Ambassador to Israel (b)(6)

U.S Embassy in Jerusalem, Israel

Mobile: (b)(6)

From: (b)(6)

Sent: Monday, March 23, 2020 11:21 AM

To: (b)(6)

Subject: Re: (b)(6) - Hope you had a good weekend. Have you had a chance to send the incitement and PLOCCA report up the chain? Best, (b)(6)

(b)(6)

Yes! Thanks for checking in. Yes, both are with (b)(6) now and as soon as I get them back I'll move them to the FO.

(b)(5)

Otherwise, looked really good to me.

Will hopefully have it up to the FO soon as I'd love to get both back to DC by the end of the week.

Get Outlook for iOS

From: (b)(6)

Sent: Monday, March 23, 2020 10:50:16 AM

To: (b)(6)

Subject: (b)(6) - Hope you had a good weekend. Have you had a chance to send the incitement and PLOCCA report up the chain? Best, (b)(6)

(b)(6)

Special Assistant to U.S. Ambassador to Israel David Friedman
U.S Embassy in Jerusalem, Israel

Mobile: (b)(6)

Sender: (b)(6)

Recipient: (b)(6)

From:	(b)(6)
To:	(b)(6)
Subject:	Fw: CLEARANCE: AM to D on PLOCCA Report; Clear by Tuesday, October 13, 1 p.m.
Date:	Wed, 14 Oct 2020 21:26:17 +0000

(b)(6)
 Egypt Desk
 Cell: (b)(6)
From: (b)(6)
Sent: Friday, October 9, 2020 3:52 PM
To: (b)(6)
 (b)(6)
 (b)(6) SP_NEA <SP_NEA@state.gov>; GPA-Specials <GPA-Specials@state.gov>
Subject: RE: CLEARANCE: AM to D on PLOCCA Report; Clear by Tuesday, October 13, 1 p.m.

(b)(6)

Please see comments to be addressed in the attached before D can clear. (b)(5)

(b)(5)

OK for D pending resolution of comments and outstanding clearances – please revert and I'll take a quick look.

Thanks,

(b)(6)
 Special Assistant
 Office of the Deputy Secretary of State
 Tel: (b)(6) Mob: (b)(6) (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From:	(b)(6)
Sent:	Friday, October 9, 2020 3:46 PM
To:	(b)(6)
	(b)(6)
	(b)(6) SP_NEA <SP_NEA@state.gov>; GPA-Specials <GPA-Specials@state.gov>
Subject:	Re: CLEARANCE: AM to D on PLOCCA Report; Clear by Tuesday, October 13, 1 p.m.

Clear for the Jordan Desk.

--

(b)(6)

Jordan and Lebanon Desk Officer

NEA/LEV

Department of State

Desk: (b)(6)

Cell: (b)(6)

From: (b)(6)

Sent: Friday, October 9, 2020 3:16 PM

To: (b)(6)

(b)(6)

(b)(6) SP_NEA <SP_NEA@state.gov>; GPA-Specials
<GPA-Specials@state.gov>

Subject: Re: CLEARANCE: AM to D on PLOCCA Report; Clear by Tuesday, October 13, 1 p.m.

Clear for Egypt

(b)(6)

Egypt Desk

Cell: (b)(6)

From: (b)(6)

Sent: Friday, October 9, 2020 2:56 PM

To: (b)(6)

(b)(6)

(b)(6) SP_NEA <SP_NEA@state.gov>; GPA-Specials
<GPA-Specials@state.gov>

Subject: CLEARANCE: AM to D on PLOCCA Report; Clear by Tuesday, October 13, 1 p.m.

Colleagues,

Please find for your clearance the AM to D for the PLOCCA report. L/AN has cleared as well as post.
Please provide your clearance by **Tuesday, October 13 at 1 p.m.**

Thank you.

(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)

~~SENSITIVE BUT UNCLASSIFIED~~

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

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)

This report and related determinations are transmitted in accordance with the provisions cited above. This report describes compliance by the Palestine Liberation Organization (PLO) and the Palestinian Authority (PA), as appropriate, with respect to commitments specified in section 602(1) of the Act, and any additional commitments in then-Chairman Yasser Arafat's September 9, 1993, letters to Israeli Prime Minister Rabin and Norwegian Foreign Minister Holst and to those contained in, and resulting from, the good-faith implementation of the Declaration of Principles. The commitments made by the PLO are cited in the Act. In addition, in 1998, the PLO, through the Palestine National Council (PNC), voted to affirm the PLO's decision to annul articles of the PLO covenant that deny Israel's right to exist and to strengthen cooperation with Israel on a wide range of security issues. As described in prior reports, both parties' further commitments are set out in the Wye River Memorandum of October 23, 1998, and the Sharm el-Sheikh Memorandum of September 4, 1999, which are intended to ensure the effective handling of any incident involving a threat or act of terrorism by cooperating in the exchange of information; coordinating policies; and taking measures to prevent acts of terrorism, violence, or incitement. The reporting period for this report is October 4, 2019 through April 4, 2020.

I. Overview of the Reporting Period: The Administration engaged in efforts to advance an enduring and comprehensive peace between Israel and the Palestinians, including engagement with key stakeholders in the region and other members of the international community as President Trump unveiled his plan "Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People" on January 28, 2020.

Economic growth in the West Bank was partially constrained by Israel's security-based restrictions that Israel states are important and necessary to preventing and countering Palestinian terrorism. These include restrictions on Palestinian access to land, natural resources, and movement and access, which can slow the transportation of goods and increases the costs of trade.

The PA continued to make payments to Palestinians connected to terrorism, including Palestinian terrorists in Israeli prison, released Palestinian terrorists, and the families of Palestinians who were wounded or died while committing terrorist acts or in connection with terrorism. In accordance with the July 2018 Israeli Deduction Law, Israel withheld the monthly sum equal to what the PA paid to them (approximately \$12 million a month) from its monthly clearance transfers to the PA. In response, the PA refused to accept any of the remaining roughly \$140 million in tax revenues from Israel, which altogether represented about 65 percent of the PA's budget. As the PA's fiscal situation worsened, Israel and the PA eventually reached an agreement October 5, 2019, for the PA to accept most of the taxes Israel collected on the PA's behalf. In December 2019, Defense Minister Naftali Bennett announced that the Israeli government would begin withholding an additional \$43 million annually from PA revenues for payments to families of Palestinians who were wounded or died while committing terrorist acts or in connection with terrorism. The United States takes the position that the payments

incentivize, encourage, and reward terrorism, with higher monthly payments for lengthier prison sentences tied to more severe crimes.

In Gaza, U.S.-designated foreign terrorist organizations that are supported by Iran, such as Hamas, Palestinian Islamic Jihad (PIJ), and other militant groups posed a serious threat to Israel's security. Their repeated attacks against Israel, Hamas's refusal to surrender security control of Gaza, the PA's cuts to civil servant salaries in Gaza, and Israel's security-based movement and access restrictions, including restrictions on the import and export of goods Israel has identified as of dual-use concern aimed at denying Hamas materials to reconstitute and build its arsenal against Israel, were the primary factors in the worsening economic and humanitarian situation in Gaza. At least 70 percent of Gaza's residents needed some form of humanitarian assistance during the reporting period.

PA security forces continued to maintain law and order in areas of the West Bank under full PA security control (Area A). Israeli--Palestinian security coordination continued at both the tactical and leadership levels to include preventing violent attacks on Israelis emanating from the West Bank, arresting members of U.S.--designated foreign terrorist organizations, such as Hamas and Palestinian Islamic Jihad, and confiscating illegal weapons. Nevertheless, there were continued terrorist attacks on Israelis by Palestinian residents of the West Bank during the period covered by this report.

II. Determinations as to Palestinian Compliance with their Commitments Required by Section 603 of the Act:

"Recognition of the right of the State of Israel to exist in peace and security:"

President Abbas has stated a commitment to non-violence, a two--state solution, and previous PLO commitments, including recognition of the right of the State of Israel to exist in peace. However, Abbas and others within the PLO and PA have also made public statements inconsistent with this commitment. Some PA schools and media outlets continue to promote the idea that Israel does not have a right to exist and support the elimination of Israel on maps that show "Palestine" covering over Israel with indications "Palestine" will be "liberated" in the future.

"Acceptance of United Nations Security Council Resolutions 242 and 338:"

The PLO and PA expressed their acceptance of UN Security Council Resolutions 242 and 338 as the basis for achieving a peaceful and comprehensive resolution of the Arab--Israeli conflict.

"Resolution of all outstanding issues in the conflict between the sides through negotiations and exclusively peaceful means:"

On February 11, 2020, PA President Abbas spoke at the United Nations Security Council, where he reiterated the PA's rejection of the Administration's peace plan. He said, "We

always call for peace. We reject violence and terrorism....We are fighting terrorism. We are not terrorists. And we will remain committed to combating terrorism.”

During the reporting period, the PA continued to provide support to the ICC Prosecutor who was conducting a preliminary examination into the situation in the “state of Palestine,” including in terms of alleged Israeli war crimes. On December 20, 2019, the ICC Prosecutor announced the result of the preliminary examination claiming there was a “reasonable basis to believe that war crimes were committed” by Israel and Hamas and requested the ICC PreTrial Chamber rule on the scope of territorial jurisdiction before launching a formal investigation. On March 16, 2020, the PA submitted its perspective on the ICC’s jurisdiction. The United States, and Israel have made clear their views about the fact this investigation should not proceed, but have not formally engaged with the ICC. Several other countries, who are States Parties to the Rome Statute of the ICC, have filed their views that the ICC does not have jurisdiction in this case. The Prosecutor is expected to file a response to these filings by April 30, 2020 and then the PreTrial Chamber should issue its ruling in the months following, although COVID19 has impacted the work of the ICC.

“Renunciation of the use of terrorism and all other acts of violence and responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations, and discipline violators:”

The PA took steps during this reporting period to prevent terrorism and other acts of violence in the West Bank areas under its control. Israeli authorities, among others, have noted the importance of the PA security forces’ continued commitment to security coordination and steady performance, despite political and financial uncertainty, in contributing to the maintenance of security in the West Bank.

Glorification of terrorism was also echoed in Palestinian Authority-controlled schools and media outlets, such as official PA TV and social media, including social media accounts affiliated with the Fatah political party, President Abbas’s party. Prominent Palestinians continued to engage in activities that honor and glorify terrorists who killed Israelis and Americans. At the same time, the PLO and PA leaders have praised Palestinian terrorists. For example, on November 11, 2019, on PA TV, Abbas again acknowledged and glorified the violent history of the PA, acknowledging: “These martyrs, these commanders...all of the heroic martyrs who have died for Allah, who sacrificed for Allah and the Palestinian cause. These martyrs...have died in their thousands for just one goal, which is the liberation of Palestine – and we are still continuing on their path.” Palestinian Legislative Council member Mahmoud Aloul said on PA TV on December 31, 2019, “How great is the suffering and pain of the prisoners who are dear to our hearts...wonderful fighters of whom we are proud.”

Since 2007, the PA has taken effective measures to prevent individuals involved in terrorist activities from serving in security services. During the reporting period, PA security forces continued to combat potential terrorist activity, including through

detentions and arrests of members of Hamas and members of other terrorist and extremist organizations.

The PLO and PA had no effective security control in Gaza, which remained under the *de facto* control of Hamas during the reporting period. Militants have exploited the limits of PA control and the PA has not fully complied with its commitments to assume responsibility over all elements and personnel to prevent violations and discipline violators.

The Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP), which are both part of the PLO, remained supportive of terrorist activity. The DFLP and its military arm, the National Resistance Brigades, even published a video during the reporting period highlighting their arsenal that included mortars and rockets. On January 9, 2020, PFLP in Gaza released a video showing a rocket and threatened Israel in support of a PFLP-led hunger strike. On November 28, 2019, the PFLP criticized peace negotiations, saying, "The escalating Israeli measures on the ground and U.S. attempts to end the Palestinian people's cause require taking a decision to drop down the peace settlement approach, stop security coordination, withdraw recognition of Israel, and cut relations with the U.S. Administration." Both organizations maintained active militant wings in Gaza that operated jointly with Hamas, PIJ, and other terrorist groups during the reporting period. In November 2019, Hamas decided not to join in as PIJ fired nearly 400 rockets into Israel in response to the Israeli killing of a PIJ militant leader. The PFLP claimed responsibility for several of the rockets fired in the PIJ-led escalation.

III. Imposition of Sanction under Section 604: Pursuant to section 603 of the Act, the Deputy Secretary of State has determined that the PLO and the PA are not in compliance with certain commitments to prevent violations, discipline violators, and assume responsibility over all PLO elements, as noted in this report. Thus, the sanction specified in section 604(a)(2) of the Act, denial of visa for PLO and PA officials has been imposed.

IV. Waiver of Sanction: An enduring and comprehensive peace between Israel and the Palestinians remains a longstanding goal of U.S. foreign policy. The Administration is committed to advancing this goal. In June 2019, the Administration unveiled its economic vision for a brighter future for Palestinians and the region in the context of a comprehensive peace agreement. The PA boycotted the workshop and the Palestinian leadership threatened and intimidated Palestinians who were invited; as a result, most did not participate. Those few Palestinians who did participate were harassed and targeted upon their return, with one participant arrested.

The Administration presented the political framework of "Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People" on January 28, 2020. The Administration urges the Palestinian leadership to engage on the Vision. Therefore, a blanket denial of visas to PLO members and PA officials is not consistent with the Administration's expressed willingness to negotiate with the PLO and PA leadership.

For these reasons, and consistent with the justification provided to Congress upon the President's exercise of his authority on April 7, 2010, under section 7034(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Div. F, P.L. 111-117), to waive the provisions of section 1003 of P.L. 100-204, the Deputy Secretary is invoking the waiver authority granted by Section 604(c) of the Act, based on his determination that such a waiver is in the national security interests of the United States. Please see the determination attached hereto.

V. Other PLOCCA Requirements: In addition to a report on compliance with the commitments detailed above, section 804(b) of the PLOCCA requires a report (covering the same reporting period) on the PLO's progress toward achievement of certain additional measures consistent with its commitments. Previous commitments, policy, and information from past PLOCCA reports remain as stated, unless new information is provided below.

- **Measures Taken to Prevent Violence and Punish Offenders:** PA security forces continue to prevent violence and punish offenders in the West Bank both on its own and in coordination with Israel. PA security forces continue to operate against terrorist groups in areas under full PA security control in the West Bank (Area A) and in some parts of areas under joint Israeli-Palestinian security control (Area B). Offenders are arrested and tried in accordance with legal arrangements currently in place under the PA. In areas of the West Bank outside PA control (parts of Area B and all areas where Israelis have full civil and security control (Area C) the PA continues security coordination with Israel.
- **PLO Charter:** As mentioned in previous reports, the PLO complied with its commitment to amend its charter.
- **Arab League Boycott of Israel:** As previously reported, the PLO and the PA officially disavowed the Arab League boycott. Nevertheless, Jibril Rajoub, Head of the PLO Supreme Council for Youth and Sports, called on Arab nations in January 2020 "to refuse to participate in any event that the occupation state hosts" and to "refuse to host any event in which Israeli groups participate," encouraging "every Arab athlete to refuse to compete against an Israeli athlete." The PA has also expressed support for the Boycott, Divestment, and Sanction (BDS) movement against Israel. Most recently, the PA praised the release of the United Nations Office for the High Commissioner of Human Rights (OHCHR) database of 112 companies engaging in business in the eastern part of Jerusalem and the West Bank. PM Mohammad Shtayyeh welcomed the OHCHR database, saying it was a "step towards exposing settlements and attempts to legalize them... We demand the companies immediately close their headquarters and branches inside illegal Israeli settlements because their presence contradicts international and U.N. resolutions....We will pursue companies listed in the report legally through international legal institutions and in courts in their countries for taking part in human rights violations in Palestine." The United States rejected the OHCHR database because it facilitates the discriminatory BDS campaign and delegitimizes Israel and called upon all UN member states to do the same and support their companies' business operations.

- **Assistance to Palestinians:** The Department of State and USAID continue to vet, monitor, and supervise the distribution and use of U.S.-provided assistance in line with requirements under relevant laws to ensure that U.S. foreign assistance is not diverted for terrorist purposes. As of February 1, 2019, at the request of the PA, the United States ceased providing any assistance under the authorities specified in the Anti-Terrorism Clarification Act (ATCA) in the West Bank and Gaza Strip. All USAID assistance in the West Bank and Gaza has ceased, as has U.S. security assistance to the PA from the International Narcotics and Law Enforcement (INCLE) funding stream.
- **Additional PLOCCA Reporting Requirements:** There are no new developments in the cases of Abu al-Abbas, Force 17, or the Hawari group.

VI. Report on Transfer of Proscribed Weapons to Persons or Entities in the West Bank and Gaza: Terrorist groups and their sympathizers continued to smuggle illegal weapons and cash into the Gaza Strip via the few remaining underground tunnels located along the Egypt-Gaza border throughout the reporting period, despite Egyptian military operations in the Sinai. The Department does not believe the Egyptian or Jordanian governments were complicit in the smuggling of weapons.

The Department has seen efforts by Egypt during this period to deter smuggling and extremist activity; Egyptian and Israeli security forces have destroyed nearly all smuggling tunnels. The smuggling of arms into Gaza, however, and future tunnel construction remain serious concerns. Egyptian military operations in Sinai are ongoing.

No basis exists to determine that smugglers along the Egypt-Gaza border received official support from any foreign person or entity to which U.S. assistance might be given or to which defense articles or services might be sold by the United States.

