



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 be "J. Miller for", written in a cursive style.

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

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:**

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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

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

✓

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)



United States Department of State

Washington, D.C. 20520

May 31, 2022

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 April 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 8 responsive records subject to the FOIA. We have determined that all eight 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 black ink, appearing to read "Diamonece Hickson", with a large, stylized initial "D" and "H".

Diamonece Hickson
Acting 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
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 - 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

**Report to Congress on Steps Taken by the Palestinian Authority to
Counter Incitement to Violence against Israelis and to
Promote Peace and Coexistence with Israel**

(b)(5)

Withheld pursuant to exemption

(b)(5)

**Report to Congress on Steps Taken by the Palestinian Authority to
Counter Incitement to Violence against Israelis and to
Promote Peace and Coexistence with Israel**

(b)(5)

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

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

From:	(b)(6)@state.gov>
To:	Friedman, David M (b)(6)@state.gov>
Subject:	Regarding your questions on PLOCCA
Date:	Wed, 25 Mar 2020 19:11:08 +0000

Amb. Friedman,

This PLOCCA reporting requirement requires the President to report to Congress on compliance by the PLO or the Palestinian Authority with each of the following commitments found in Sections 602, 603, and 604 of the Foreign Relations Authorization Act, FY 2003 ("the Act") (Public Law 107-228):

"(A) Recognition of the right of the State of Israel to exist in peace and security.

(B) Acceptance of United Nations Security Council Resolutions 242 and 338.

(C) Resolution of all outstanding issues in the conflict between the two sides through negotiations and exclusively peaceful means.

(D) 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."

These commitments are also listed word for word in quotes under **"II. Determinations as to Palestinian Compliance with their Commitments Required by Section 603 of the Act"** on p. 2 and 3 the PLOCCA report that we sent to you. And right after each one is a sentence or two whether or not the PLO or PA has been in compliant with each of them.

Then in summary of **Section 604 of the Act**, if the President has determined the PLO or PA has not complied with each of the commitments above or if the President fails to make a determination with respect to such compliance, the President shall for certain period of time as described in statute impose one or more of the following sanctions:

"(1) DENIAL OF VISAS TO PLO AND PALESTINIAN AUTHORITY OFFICIALS.—The Secretary shall direct consular officers not to issue a visa to any member of the PLO or any official of the Palestinian Authority.

(2) DOWNGRADE IN STATUS OF PLO OFFICE IN THE UNITED STATES.—Notwithstanding any other provision of law, the President shall withdraw or terminate any waiver by the President of the requirements of section 1003 of the Foreign Relations Authorization Act of 1988 and 1989 (22 U.S.C. 5202) (prohibiting the establishment or maintenance of a Palestinian information office in the United States), and such section shall apply so as to prohibit the operation of a PLO or Palestinian Authority office in the United States from carrying out any function other than those functions carried out by the Palestinian information office in existence prior to the Oslo Accords.

(3) DESIGNATION AS A FOREIGN TERRORIST ORGANIZATION.—The Secretary shall designate the PLO, or one or more of its constituent groups (including Fatah and Tanzim) or groups operating as arms of the Palestinian Authority (including Force 17), as a foreign terrorist organization, in accordance with section 219(a) of the Immigration and Nationality Act.

(4) PROHIBITION ON UNITED STATES ASSISTANCE TO THE WEST BANK AND GAZA.—United States assistance (except humanitarian assistance) may not be provided to programs or projects in the West Bank or Gaza."

(b)(5)

(b)(5)

Best

(b)(6)

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

(b)(6)

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

Recipient: Friedman, David M (b)(6)@state.gov>

From:	(b)(6)@state.gov>
To:	(b)(6)@state.gov>; (b)(6)@state.gov>
Subject:	Re: PLOCCA/MEPCA?
Date:	Mon, 22 Jul 2019 13:19:34 +0000

Hi (b)(6) - it's due to NEA/FO at the end of August and I'm the POC. (b)(5)

(b)(5) Let me know if you have July/Aug leave

planned that I should work around!

Sent from my BlackBerry 10 smartphone.

From: (b)(6)
Sent: Monday, July 22, 2019 9:13 AM
To: (b)(6)
Subject: PLOCCA/MEPCA?

(b)(6) —are we coming up on the next PLOCCA/MEPCA report? Just wanted to check when it is due, as I know some folks are leaving IPA in the near future ☺

(b)(6)
Attorney-Adviser
U.S. Department of State
Office of the Legal Adviser, L/AN
2201 C Street, N.W., Room 4811
Washington, D.C. 20520
(b)(6)
(b)(6)@state.gov

CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process or other privileges. Do not disseminate further without approval from the Office of the Legal Adviser.

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

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>;
NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>
(b)(6)@state.gov>;
CC: (b)(6)@state.gov>;
(b)(6)@state.gov>;
(b)(6)@state.gov>
Subject: RE: PLOCCA/MEPCA transmitted to the Hill?
Date: Fri, 11 Oct 2019 17:51:17 +0000

H (b)(6)

The PLOCCA/MEPCA report was sent to Congress on Oct 4 (b)(6)

Thanks,

(b)(6)

(b)(6)

Congressional Affairs
Regional and Multilateral Affairs Office
Near Eastern Affairs Bureau

(b)(6)

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)
Sent: Friday, October 11, 2019 11:35 AM
To: NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>
Cc: (b)(6)@state.gov>; (b)(6)@state.gov> (b)(6)
(b)(6)@state.gov> (b)(6)@state.gov>
Subject: PLOCCA/MEPCA transmitted to the Hill?

(b)(6)

Could you please confirm that the PLOCCA/MEPCA (approved by D in early October) has actually been transmitted to the Hill? Please let us know the date of the transmission, as (b)(6) will have to make note of that date in the next package, six months from now.

Thanks,

(b)(6)

SENSITIVE BUT UNCLASSIFIED

Sender: (b)(6)@state.gov>
(b)(6)@state.gov>;
NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>;
Recipient: (b)(6)@state.gov>;
(b)(6)@state.gov>;
(b)(6)@state.gov>

(b)(6)

@state.gov>

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>;
(b)(6)@state.gov>
CC: (b)(6)@state.gov>;
(b)(6)@state.gov>
Subject: RE: Incitement Report
Date: Fri, 27 Mar 2020 16:01:16 +0000

So helpful, thank you all! Were there any edits to the AM?

From: (b)(6)@state.gov>
Sent: Friday, March 27, 2020 11:58 AM
To: (b)(6)@state.gov>; (b)(6)@state.gov>
Cc: (b)(6)@state.gov>; (b)(6)@state.gov>
Subject: Incitement Report

From: Shrier, Jonathan (b)(6)@state.gov>
Sent: Friday, March 27, 2020 9:14 AM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>; (b)(6)@state.gov>; Embassy
Jerusalem SA <EmbassyJerusalemSA@state.gov>; (b)(6)@state.gov>;
(b)(6)@state.gov>; (b)(6)@state.gov>; (b)(6)
(b)(6)@state.gov>; (b)(6)@state.gov>
Subject: FW: DMF - FOR APPROVAL: Congressionally Mandated Report on Palestinian
Incitement/Counter-Incitement

(b)(6) The Ambassador approves the incitement report, with edits attached.

Thanks,
JLS

SENSITIVE BUT UNCLASSIFIED

From: Shrier, Jonathan
Sent: Wednesday, March 25, 2020 6:19 PM
To: Friedman, David N (b)(6)@state.gov>
Cc: (b)(6)@state.gov>; (b)(6)@state.gov>; (b)(6)
(b)(6)@state.gov>; (b)(6)@state.gov>
Subject: RE: DMF - FOR APPROVAL: Congressionally Mandated Report on Palestinian
Incitement/Counter-Incitement

Mr. Ambassador: Attached for your approval is a second Congressionally mandated report, this one on
Palestinian incitement to terrorism and efforts to counter incitement. Several of us, including (b)(6)

(b)(6) have reviewed it thoroughly. It is also ready for your clearance to send back to the State Department, this week if possible. Please let us know if you have changes or questions.

Jonathan

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)@state.gov>
Sent: Wednesday, March 25, 2020 3:56 PM
To: Shrier, Jonathan (b)(6)@state.gov>
Cc: (b)(6)@state.gov>; Embassy Jerusalem SA
<EmbassyJerusalemSA@state.gov>
Subject: FW: Two Congressional Reports for FO Clearance

Hi Jonathan,

You now have for review both PLOCCA and the final (I am promised now truly final) Incitement Report. I am also told (b)(6) has reached out with a keen interest in getting PLOCCA back to DC asap, so that one is the clear priority. My light, non-substantive touch-ups in the attached.

As far as flow, I defer to you on whether you would like to share these with Ambassador Friedman for approval or route back through (b)(6) and I, after you review.

Thank you,

(b)(6)

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)@state.gov>
Sent: Tuesday, March 24, 2020 4:17 PM
To: Shrier, Jonathan (b)(6)@state.gov>
Cc: Embassy Jerusalem SA <EmbassyJerusalemSA@state.gov> (b)(6)
(b)(6)@state.gov> (b)(6)@state.gov>
Subject: Re: Two Congressional Reports for FO Clearance

Ok, I figured out how to send these together. Incitement Report + PLOCCA now attached with very light edits.

Thank you for your review.

(b)(6)

From: (b)(6)@state.gov>

Sent: Monday, March 23, 2020 3:52 AM

To: (b)(6)@state.gov>; Embassy Jerusalem SA

<EmbassyJerusalemSA@state.gov>

Cc: (b)(6)@state.gov> (b)(6)@state.gov> (b)(6)

(b)(6)@state.gov>

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). We've cleared through PAU here and they're Palestinian-focused, so don't think we need an EBO clearance apart from the Front Office team there. (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)@state.gov>
	(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: PLOCCA/MEPCA
Date:	Wed, 5 May 2021 14:43:47 +0000

No problem, thanks! (b)(6)

From: (b)(6)@state.gov>
Sent: Wednesday, May 5, 2021 10:42 AM
To: (b)(6)@state.gov>
Subject: Re: PLOCCA/MEPCA

Sorry. Will draft and send tomorrow.

Get [Outlook for iOS](#)

From: (b)(6)@state.gov>
Sent: Wednesday, May 5, 2021 5:10:43 PM
To: (b)(6)@state.gov>
Subject: RE: PLOCCA/MEPCA

Thanks again (b)(6) By any chance do you have an executive summary of the report?

From: (b)(6)@state.gov>
Sent: Monday, May 3, 2021 10:04 AM
To: (b)(6)@state.gov>
Subject: RE: PLOCCA/MEPCA

Hi (b)(6)

Here is the cleared PLOCCA report. See question for (b)(6) on final page. If he has no updates, it's fine to delete the comments.

Thanks and let me know if any questions.

From: (b)(6)@state.gov>
Sent: Tuesday, April 20, 2021 4:17 PM
To: (b)(6)@state.gov>
Subject: RE: PLOCCA/MEPCA

Thanks!

From: (b)(6)@state.gov>
Sent: Tuesday, April 20, 2021 7:58 AM

To: (b)(6)@state.gov>

Subject: RE: PLOCCA/MEPCA

Thanks (b)(6) just sent it up to front office for clearance. Hope it won't be more than a day or two.

From: (b)(6)@state.gov>

Sent: Friday, April 16, 2021 8:41 PM

To: (b)(6)@state.gov>

Subject: PLOCCA/MEPCA

Hi (b)(6)

It was great speaking to you the other day.

Just checking if you can provide me with the status of the PLOCCA/MEPCA report. I was just pinged by RMA.

Best,

(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)@state.gov

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

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

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>
Subject: RE: PLOCCA report update / PSJVTA
Date: Thu, 1 Apr 2021 15:08:49 +0000

(b)(5)

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)@state.gov>
Sent: Thursday, April 1, 2021 3:31 PM
To: (b)(6)@state.gov>
Subject: RE: PLOCCA report update / PSJVTA

Thank (b)(6)

(b)(5)

Best,

(b)(6)

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)@state.gov>
Sent: Thursday, April 1, 2021 8:17 AM

To: (b)(6)@state.gov>

Subject: PLOCCA report update / PSJVTA

Hello (b)(6)

(b)(6) suggested I get an update from you on PSJVTA for the PLOCCA report. (b)(5)

(b)(5)

(b)(5) Thank you very much.

(b)(6) / Palestinian Affairs Unit / U.S. Department of State, Jerusalem / tel &
WhatsApp (b)(6)@state.gov

SENSITIVE BUT UNCLASSIFIED

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

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



United States Department of State

Washington, D.C. 20520

June 27, 2022

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 May 31, 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 three responsive records subject to the FOIA. We have determined that all three 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 dark ink, appearing to read "Diamonece Hickson", with a large, stylized initial "D" and a long horizontal stroke extending to the right.

Diamonece Hickson
Acting 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:	NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>
Subject:	Re: Overdue Congressional Taskers
Date:	Fri, 4 Oct 2019 12:46:21 +0000

Yes, drafters have been following up with DOD regularly on both reports.

(b)(6)

Special Assistant to the Assistant Secretary

Bureau of Near Eastern Affairs

U.S. Department of State

Office: (b)(6)

Email: (b)(6)@state.gov

From: (b)(6)@state.gov>

Sent: Thursday, October 3, 2019 2:37:19 PM

To: (b)(6)@state.gov>

Cc: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>

Subject: RE: Overdue Congressional Taskers

Thanks much (b)(6) Is anyone following up with DOD on the two reports that are pending their clearance?

UNCLASSIFIED

From: (b)(6)@state.gov>

Sent: Wednesday, October 2, 2019 2:49 PM

To: (b)(6)@state.gov>

Cc: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>

Subject: RE: Overdue Congressional Taskers

(b)(6), here are updates on these four reports from RMA (b)(6)

Report Number	Report Title	Legislation	Bureau	Principal	Frequency	Date Tasked to Bureau	Date Due to Congress
3015	The Military Activities of External Actors in Libya	Joint Explanatory Statement (page 293) accompanying The John S. McCain National Defense Authorization Act for Fiscal Year 2019, PL 115-232	NEA	P	One-Time	(b)(5)	8-Feb-19
3162	Military Action of Saudi Arabia and Its Coalitions Partners in Yemen	PL 115-91, Sec. 1265. National Defense Authorization Act FY 2018	NEA	P	Annual until 2020		7-Jun-19
3377	Iran-Related Multilateral Sanctions Regime Efforts	Sec. 10 of the Iran Sanctions Act, 50 U.S.C. 1701	NEA	P	Semiannual		1-Oct-19
3378	PLO Commitments Compliance Act of 1989, as amended.	Foreign Relations Authorization Act, PL 107-228; Section 603-604, and 699 // P.L. 101-246 Sec 803(b)sec 804(b)	NEA	S	Semiannual		4-Oct-19

(b)(6)

Special Assistant to the Assistant Secretary

Bureau of Near Eastern Affairs

U.S. Department of State

Office: (b)(6)

Email: (b)(6)@state.gov

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)@state.gov>
Sent: Wednesday, October 2, 2019 10:38 AM
To: (b)(6)@state.gov>
Cc: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>
Subject: Overdue Congressional Taskers

(b)(6) Could you let me know the status of the two reports below and also provide an update on reports 3377 and 3378 (see attached)? Thanks much, (b)(6)

3015	The Military Activities of External Actors in Libya	Joint Explanatory Statement (page 293) accompanying The John S. McCain National Defense Authorization Act for Fiscal Year 2019, PL 115-232	NEA	P	One-Time	(b)(5)	8-Feb-19
3162	Military Action of Saudi Arabia and Its Coalitions Partners in Yemen	PL 115-91, Sec. 1265. National Defense Authorization Act FY 2018	NEA	P	Annual until 2020		7-Jun-19

SENSITIVE BUT UNCLASSIFIED

Sender: (b)(6)@state.gov>
Recipient: (b)(6)@state.gov>; NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>;
 (b)(6)@state.gov>;
 NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>
Subject: RE: Overdue Congressional Taskers
Date: Wed, 2 Oct 2019 18:38:03 +0000

Looks great

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)@state.gov>
Sent: Wednesday, October 2, 2019 2:34 PM
To: (b)(6)@state.gov>; (b)(6)@state.gov>; NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>
Subject: RE: Overdue Congressional Taskers

(b)(6)

This is what I plan to send back. Let me know if you have any edits/issues/questions before I send.

(b)(6)

Report Number	Report Title	Legislation	Bureau	Principal	Frequency	Date Tasked to Bureau	Date Due to Congress
3015	The Military Activities of External Actors in Libya	Joint Explanatory Statement (page 293) accompanying The John S. McCain National Defense Authorization Act for Fiscal Year 2019, PL 115-232	NEA	P	One-Time	(b)(5)	8-Feb-19
3162	Military Action of Saudi Arabia and Its Coalitions Partners in Yemen	PL 115-91, Sec. 1265. National Defense Authorization Act FY 2018	NEA	P	Annual until 2020		7-Jun-19

3377	Iran-Related Multilateral Sanctions Regime Efforts	Sec. 10 of the Iran Sanctions Act, 50 U.S.C. 1701	NEA	P	Semiannual	(b)(5)	1-Oct-19
3378	PLO Commitments Compliance Act of 1989, as amended.	Foreign Relations Authorization Act, PL 107-228; Section 603-604, and 699 // P.L. 101-246 Sec 803(b)sec 804(b)	NEA	S	Semiannual		4-Oct-19

SENSITIVE BUT UNCLASSIFIED

From: (b)(6) DeutschCM@state.gov
 Sent: Wednesday, October 2, 2019 10:43 AM
 To: (b)(6) @state.gov; (b)(6) @state.gov; NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>
 Cc: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>
 Subject: FW: Overdue Congressional Taskers

P is looking for a status update on these four reports. Could you let me know how we should respond?

Report Number	Report Title	Legislation	Bureau	Principal	Frequency	Date Tasked to Bureau	Date Due to Congress	Date Due to H
003377	Iran-Related Multilateral Sanctions Regime Efforts	Sec. 10 of the Iran Sanctions Act, 50 U.S.C. 1701	NEA	P	Semiannual	(b)(5)	1-Oct-19	(b)(5)
003378	PLO Commitments Compliance Act of 1989, as amended.	Foreign Relations Authorization Act, PL 107-228; Section 603-604, and 699 // P.L. 101-246 Sec 803(b)sec 804(b)	NEA	S	Semiannual		4-Oct-19	

(b)(6)

Special Assistant to the Assistant Secretary

Bureau of Near Eastern Affairs
 U.S. Department of State
 Office: (b)(6)
 Email: (b)(6)@state.gov

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)@state.gov
Sent: Wednesday, October 2, 2019 10:38 AM
To: (b)(6)@state.gov
Cc: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>
Subject: Overdue Congressional Taskers

(b)(6) could you let me know the status of the two reports below and also provide an update on reports 3377 and 3378 (see attached)? Thanks much, (b)(6)

3015	The Military Activities of External Actors in Libya	Joint Explanatory Statement (page 293) accompanying The John S. McCain National Defense Authorization Act for Fiscal Year 2019, PL 115-232	NEA	P	One-Time	(b)(5)	8-Feb-19
3162	Military Action of Saudi Arabia and Its Coalitions Partners in Yemen	PL 115-91, Sec. 1265. National Defense Authorization Act FY 2018	NEA	P	Annual until 2020		7-Jun-19

SENSITIVE BUT UNCLASSIFIED

Sender: (b)(6)@state.gov
Recipient: (b)(6)@state.gov;
 (b)(6)@state.gov;
 NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>
CC: (b)(6)@state.gov>
Subject: RE: NEA Report Update
Date: Thu, 22 Oct 2020 16:22:09 +0000

I've pinged NEA again to see where it stands. They never sent me the DOD POC unless I missed an email.

Thanks,

(b)(6)

From: (b)(6)@state.gov>
Sent: Thursday, October 22, 2020 12:10 PM
To: (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: RE: NEA Report Update

H (b)(6)

(b)(5)

Thanks,

(b)(6)

Report Number	Report Title	Legislation	Bureau	Principal	Date Due to Congress
003781	Military Action of Saudi Arabia and its Coalition Partners in Yemen	Section 1265 of National Defense Authorization Act FY 2018 (P.L. 115-91)	NEA	P	8-Jun-20

From: (b)(6)
Sent: Thursday, October 15, 2020 1:39 PM
To: (b)(6)@state.gov>
Subject: NEA Report Update

Hi (b)(6)

I wanted to provide an update on NEA's standing when it comes to Congressional reports. They have two overdue reports. (b)(5)

(b)(5)

Thanks,

(b)(6)

Report Number	Report Title	Legislation	Bureau	Principal	Date Due to Congress
003781	Military Action of Saudi Arabia and its Coalition Partners in Yemen	Section 1265 of National Defense Authorization Act FY 2018 (P.L. 115-91)	NEA	P	8-Jun-20
003906	PLO Commitments Compliance Act of 1989, as amended.	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)	NEA	S	5-Oct-20

(b)(6)

Congressional Reports Coordinator
Executive Secretariat Staff, S/ES-S

(b)(6)

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



United States Department of State

Washington, D.C. 20520

July 28, 2022

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 June 27, 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 12 responsive records subject to the FOIA. We have determined eight records may be released in full and four 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 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', with a large, stylized initial 'D'.

Diamonece Hickson
Acting 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



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

Congressional Report Tasker Bureau of Legislative Affairs

Report Details

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: S *(please confirm delegation with L)*

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

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

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.

**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: 6 April 2020
REPORT NUMBER: 003554	
INSTRUCTIONS: <p style="text-align: center;">DELEGATION: P <i>Please confirm delegation with your L contact</i></p>	
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. <div style="background-color: #f0f0f0; padding: 5px; border: 1px solid #ccc;"> **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. </div> 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	

Withheld pursuant to exemption

(b)(5)



Month Day, 2020 (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, reading "Naz Durakoglu".

Naz Durakoglu
Acting Assistant Secretary of State
Bureau of Legislative Affairs

Enclosure:

As stated.

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 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 and engaged 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, which 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 increase 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 a monthly sum equal to what the PA paid to these individuals and families (approximately \$12 million a month) from its monthly clearance transfers to the PA. In response, the PA refused to accept any of the remaining \$140 million (approximate) in tax revenue transfers from Israel, which together represented about 65 percent of the PA's budget. As the PA's fiscal situation worsened, Israel and the PA reached an agreement on October 5, 2019, under which the PA accepted most of the taxes Israel collected on its behalf. In December 2019, Defense Minister Bennett announced that the Israeli government would begin withholding an additional \$43 million annually from PA revenues to account for PA 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 these PA payments incentivize, encourage, and reward terrorism, as higher monthly payments are made for lengthier prison sentences tied to more severe crimes.

In Gaza, U.S.-designated foreign terrorist organizations supported by Iran, including Hamas, Palestinian Islamic Jihad (PIJ), and other militant groups, posed a serious threat to Israel's security. Primary factors in Gaza's worsening economic and humanitarian situation included repeated attacks by these groups 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 identified as of dual-use concern. These restrictions are aimed at denying Hamas materials to reconstitute and build its arsenal against Israel. 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 emanating from the West Bank on Israelis, arresting members of U.S.-designated foreign terrorist organizations such as Hamas and PIJ, and confiscating illegal weapons. There were, nevertheless, 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 his commitment to non-violence, to a two-state solution, and to 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, displaying maps that show "Palestine" as a label for Israel, and indicating that "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 conducting a preliminary examination into the situation in the “state of Palestine”, including into 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 requesting 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 that 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 views that the ICC does not have jurisdiction in this case. On April 30, the Prosecutor reaffirmed her view that there is a reasonable basis to proceed with an investigation of the situation in Palestine. This includes investigation of alleged war crimes in the West Bank, including East Jerusalem, and the Gaza Strip. She also expressed the view that the Court's territorial jurisdiction covers these areas. The ICC PreTrial Chamber was expected to issue its ruling in the months following, although COVID-19 has affected 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 areas of the West Bank under its control. Israeli authorities noted PA security forces’ continued commitment to security coordination with Israel and steady contribution, despite political and financial uncertainty, to the maintenance of security in the West Bank.

Glorification of terrorism occurred in PA-controlled schools and media outlets, including official PA TV and social media accounts affiliated with President Abbas’s Fatah political party. Prominent Palestinians continued to engage in activities that honored and glorified terrorists who killed Israelis and Americans. PLO and PA leaders praised Palestinian terrorists. For example, on November 11, 2019, on PA TV, Abbas again acknowledged and glorified the violent history of the PA, stating “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 PA security services. During the reporting period, PA security forces continued to combat terrorist activity, including through detentions and arrests of members of Hamas and 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. The PA has not fully complied

with its commitments to assume responsibility over all elements and personnel to prevent violations and discipline violators, with militants exploiting the limits of PA control.

The Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP), both part of the PLO, remained supportive of terrorist activity. The DFLP and its military arm, the National Resistance Brigades, published a video during the reporting period highlighting an 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 peaceful efforts to resolve the conflict, 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 did not join as PIJ fired nearly 400 rockets into Israel in response to the killing of a PIJ militant leader. The PFLP claimed responsibility for several rockets fired in the PIJ attack.

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, 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 "Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People" political framework in January 2020. The Administration continues to urge the PLO and PA leadership to engage on the U.S. Vision and enter constructive talks with Israel based on the Vision. Therefore, a blanket denial of visas to PLO members and PA officials would not be consistent with the Administration's expressed willingness to engage with the PLO and PA leadership, and its hope that this leadership will enter negotiations.

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 reporting 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 independently 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 PA legal arrangements currently in place. In areas of the West Bank outside PA control (parts of Area B and all of Area C, in which Israel has full civil and security control), 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 a 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 publication of the OHCHR database, which facilitated the discriminatory BDS campaign which delegitimizes Israel, and called on 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. As of that date, all USAID assistance in the West Bank and Gaza ceased, as did U.S. security assistance to the PA from the International Narcotics and Law Enforcement (INCLE) funding stream. In April 2020, the United States provided \$5 million in International Disaster Assistance

(IDA) through USAID to Catholic Relief Services (CRS) to assist Palestinian hospitals and households in the West Bank in responding to the COVID-19 crisis, as part of the broader, global U.S.-led response to the COVID-19 pandemic.

- **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 and future tunnel construction nevertheless 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.

Executive Summary

Major points in the report are as follows:

- Palestinian Authority (PA) security forces continued to maintain law and order in areas of the West Bank under full or partial PA security control (Areas A and B). Israeli-Palestinian security coordination continued at both the tactical and leadership levels. Israeli security officials assessed that this coordination prevented numerous terrorist attacks. More effort is required by the Palestine Liberation Organization (PLO) and PA to comply fully with commitments to “prevent violations, discipline violators, and assume responsibility over all PLO elements.” The PA remained committed to peace and non-violence, continued to recognize Israel’s right to exist in peace and security, accepted UN Security Council Resolutions 242 and 338, and called upon all Palestinians – even those outside the PLO and PA – to refrain from violence.
- Despite some comments to the contrary by some members, the PLO and PA clam to remain committed to a peaceful, negotiated solution to the conflict. During the reporting period, the Administration released the political component of its Vision for Peace and remained engaged in efforts to advance an enduring and comprehensive peace between Israel and the Palestinians. This included engaging with stakeholders in the region and other members of the international community. The United States continued to oppose one-sided actions in international bodies or treaties that seek to circumvent or prejudge outcomes that can only be negotiated, including Palestinian statehood, or that seek to delegitimize Israel or undermine its security.
- In response to the Middle East Peace Commitments Act requirement that the President (in this case, the Secretary or Deputy Secretary of State) impose one or more of the sanctions in the event of a finding of noncompliance by the PLO or PA, the report and draft determination reflect the decision by the Deputy Secretary of State to deny visas to PLO members and PA officials. In light of the continued utility of engagement with PLO and PA officials aimed at advancing U.S. foreign-policy interests, the package reflects a decision simultaneously to invoke the authority given by the Act to waive the sanction on the basis of U.S. national-security interests. This course of action was also taken in the last iteration of this report.
- As required by section 699 of the Act, the report also addresses arms smuggling by foreign persons or entities, primarily Palestinian terrorist groups, and concludes that such terrorist groups continued their efforts to smuggle weapons into Gaza from or through Egypt (primarily through the Sinai). It notes that Egypt made effort during this period to deter smuggling. There is no indication that smugglers have official support from any foreign person or entity to which assistance might be given or defense articles sold by the United States; therefore, no sanctions determinations under the legislation are required.

Withheld pursuant to exemption

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(b)(5)



United States Department of State

Washington, D.C. 20520

August 29, 2022

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 July 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 six responsive records subject to the FOIA. We have determined all six 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 black ink, appearing to read "Diamonece Hickson", with a large, stylized 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

**Report to Congress on Steps Taken by the Palestinian Authority to
Counter Incitement to Violence against Israelis and to
Promote Peace and Coexistence with Israel**

(b)(5)

Withheld pursuant to exemption

(b)(5)

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 and cover the period from April 5, 2020 through October 4, 2020. 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.

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 advanced his "Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People" released in early 2020. On September 15, the United States hosted the leaders of Israel, UAE, and Bahrain at the White House to sign the Abraham Accords Declaration, and other instruments between Israel, the UAE, and Bahrain. Together, these agreements will serve as the foundation for a comprehensive peace across the entire region.

Economic growth in the West Bank was partially constrained by restrictions that Israel states are security-based, important, and necessary to preventing and countering Palestinian terrorism. These include restrictions on Palestinian access to land, water, natural resources, and movement and access, which can slow the transportation of goods and increases the costs of trade. Economic growth was further curtailed by COVID-19 restrictions and PA President Mahmoud Abbas's May 19 decision to end civil and security coordination with Israel and the United States.

Despite fiscal constraints associated with the PA's decision to end coordination and concomitantly stop accepting clearance revenues – taxes collected by Israel on the PA's behalf – [despite Israel's decision to suspend extension of sovereignty into the West Bank] the PA continued to make payments through the PLO 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 is to withhold a sum equal to what the PA paid these individuals from its monthly clearance transfers to the PA. Israel did not have to take this step since the Palestinians have refused transfers since May. The

Israeli government issued an order in February 2020 enabling fines and criminal penalties under the Israeli legal system on any bank in the West Bank or Gaza that facilitates these payments, though it has thus far suspended its implementation. The PA argues these transfers are social payments for families who have lost their primary breadwinner. The United States and Israel argue that the payments incentivize, encourage, and reward terrorism, given 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, cuts to Gaza-based PA employees' salaries given the PA's poor fiscal standing, COVID-19 restrictions, and Israel's security-based movement and access restrictions, including on the import of goods Israel wishes to deny Hamas to restrict its ability to build its arsenal used for terrorism 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). The PA ceased security coordination with Israel following President Abbas's May 19 announcement. Nevertheless, Israel and the PA continued to arrest members of U.S. designated foreign terrorist organizations, such as Hamas and PIJ operating in the West Bank. However, despite efforts by Israel and the PA, terrorist attacks on Israelis by Palestinian residents of the West Bank continued during the reporting period.

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 as stated a commitment to nonviolence, 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 May 19, Abbas gave a speech in which he announced "The Palestine Liberation Organization and the State of Palestine are absolved, as of today, of all the agreements and understandings with the American and Israeli governments and of all the obligations based on these understandings and agreements, including the security ones ... The Israeli occupation authority, as of today, has to shoulder all responsibilities and obligations in front of the international community as an occupying power over the territory of

the occupied state of Palestine, with all its consequences and repercussions based on international law and international humanitarian law.” Abbas announced the PA was joining more international agreements and conventions but stated support for a “two-state solution, with our readiness to accept the presence of a third party on the borders between them, on the condition that negotiations will be held to achieve that under international auspices and through an international peace conference based on international legitimacy.” Abbas also called upon countries who oppose the Trump Administration’s Vision for Peace “to take deterrent steps and impose serious sanctions” against Israel, countries to also “recognize the state of Palestine ... and to implement the Security Council resolutions on providing international protection to our people in their occupied state.”

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. The ICC Pre- Trial Chamber is expected to issue a ruling on the Prosecutor’s request that the Pre-Trial Chamber rule on the scope of territorial jurisdiction before the Prosecutor launches a formal investigation. 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. “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, including arrests of Hamas members and, while not necessarily coordinated, the acquiescence of PA security forces in allowing Israeli security forces to operate against threats. Israeli authorities, among others, have noted the importance of the PA security forces’ continued commitment to security, despite political and financial uncertainty. even amid concerns over the PA’s cut in formal security coordination with Israel.

At the same time, the PLO and PA leaders have praised Palestinian terrorists and claimed that all forms of resistance are legitimate. In a June interview, Jibril Rajoub, Secretary-General of the PLO’s preeminent party, Fatah, said, “If this occupation causes escalation, I believe that we will decide to start a confrontation... I also say that international legitimacy permits us resistance in all its forms, and nothing is forbidden... Our resistance in the occupied lands is against all the occupation’s symbols. Whether it is the settlers, their farms, their army, or all their brats and the like.” Official Palestinian media have also celebrated Palestinian prisoners and “martyrs” for their role in attacks on Israelis. One example was the early May broadcast of “The Giants of Palestinian History” television program, on which several individuals involved in serious attacks were celebrated. This glorification of violence was echoed in PA public schools and media outlets, including social media accounts affiliated with PLO parties.

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. Both organizations advocated and defended the PA's security coordination cut with Israel and the United States. Both organizations maintained active militant wings in Gaza that operated jointly with Hamas, PIJ, and other terrorist groups during the reporting period as they escalated tensions, including through aerial explosive balloons launched from Gaza in late August and early September.

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: The Administration is committed to advancing an enduring and comprehensive peace between Israel and the Palestinians. The Administration presented the political framework "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 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. 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 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 has ended official security coordination with Israel but has de-conflicted its engagements.

- **PLO Charter:** As previously reported, 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, the PA expressed its strong disapproval of Arab states normalizing relations with Israel. Referring to the UAE's diplomatic normalization agreement with Israel, President Abbas said, "We consider this a stab in the back and we absolutely reject it." PA diplomats also worked to encourage statements, including from the Arab League, condemning normalization. The PA also expressed support for the Boycott, Divestment, and Sanction (BDS) movement against Israel.
- **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 assistance under the authorities specified in the Anti-Terrorism Clarification Act (ATCA) in the West Bank and Gaza Strip. All USAID Economic Support Funding assistance in the West Bank and Gaza ceased, as did U.S. security assistance to the PA from the International Narcotics and Law Enforcement (INCLE) funding stream. The United States announced in April \$5 million in international disaster assistance funding to support Palestinian efforts against COVID-19.
- **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. We do not believe the Egyptian or Jordanian governments were complicit in weapons smuggling.

We have 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.

**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)

**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)

UNCLASSIFIED

**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)

**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") (Public Law 107-228) (P.L. 107-228)**

(b)(5)

Withheld pursuant to exemption

(b)(5)



United States Department of State

Washington, D.C. 20520

September 28, 2022

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 August 29, 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 not identified any additional responsive records subject to the FOIA.

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 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



United States Department of State

Washington, D.C. 20520

October 28, 2022

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 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 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", with a stylized, flowing script.

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,

Naz Durakoglu
Acting Assistant Secretary of State
Bureau of Legislative Affairs

Enclosure:

As stated.

From:	(b)(6)
To:	
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)

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>

Sender:	(b)(6)	
Recipient:		

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

Fyi. The report has been transmitted. Thanks!

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)

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 



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)

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

Sender:	(b)(6)
Recipient:	





U.S. DEPARTMENT *of* STATE

From:	(b)(6)
To:	
Subject:	FW: Status Check on NEA CMRs 4204, 4109, 4340
Date:	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)

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)

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)

Sender:	(b)(6)	
Recipient:		

From:	<NEA-Staff-Assistants-DL@state.gov>
To:	<NEA-IPA-DL@state.gov>
Subject:	Archived : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report) : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)
Date:	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.

Thank you,

The NEA Staff Assistants

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

Withheld pursuant to exemption

(b)(5)



United States Department of State

Washington, D.C. 20520

November 28, 2022

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 October 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 20 responsive records subject to the FOIA. We have determined 1 record may be released in full and 19 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 black ink, appearing to read "Diamonece Hickson", with a large, stylized 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)
To:	
CC:	(b)(6)
	NEA-Staff-Assistants <NEA-Staff-Assistants@state.gov>
Subject:	Status Check on NEA Congressional Reports
Date:	Fri, 4 Jun 2021 17:07:25 +0000

H(b)(6) – Happy Friday! I’m reviewing (b)(6) notes to get up to speed on overdue and coming-due reports. Do you have updates on the below reports? The first two are overdue, the next two are past the Cascades deadline, and the last one is due to Cascades next week. Please let me know their current status. Thanks (b)(6)

Report Number	Report Title	Legislation	Bureau	Date Due to Cascades	Date Uploaded to Cascades	Date Due to Congress	Status
004204	Steps Taken by the Palestinian Authority to Counter Incitement of Violence against Israelis and to Promote Peace and Coexistence with Israel	Section 7041(k)(5) of the Consolidated Appropriations Act, 2021 (Div. K, P.L. 116-260)	NEA	(b)(5)		(b)(5)	With Draft
004109	PLO Commitments Compliance Act of 1989, as amended.	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)	NEA				With Draft
004333	A Comprehensive Strategy to Stabilize and Rebuild Critical Institutions and Infrastructure in Iraq and Respond to the Heightening Tensions with Iran	Section 7019(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (Div. K, P.L. 116-260) and the Joint Explanatory Statement	NEA				With Draft

004340	Iran's Compliance with the Joint Comprehensive Plan of Action	Section 7019(e) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2021 (Div. K, P.L. 116-260) and House Report 116-444	NEA	(b)(5)	(b)(5)	Wi Draf
004429	U.S. Compliance with the Authorization for Use of Military Force in Iraq	Section 4 of the Authorization for the Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) (50 USC 1541)	NEA			Wi Draf

(b)(6)

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

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

Sender:	(b)(6)
Recipient:	NEA-Staff-Assistants <NEA-Staff-Assistants@state.gov>

From:	(b)(6)
To:	
Subject:	RE: PLOCCA question
Date:	Thu, 1 Apr 2021 18:08:34 +0000

Thanks!

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)
Sent: Thursday, April 1, 2021 7:25 PM
To: (b)(6)
Subject: RE: PLOCCA question

Hi (b)(6) say stick to the phrase for now. Thanks! (b)(6)

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)
Sent: Thursday, April 1, 2021 8:09 AM
To: (b)(6)
Subject: PLOCCA question

Hi (b)(6)
(b)(5)
(b)(5) Thanks for any guidance. Promise
I will get this through post clearances asap.

(b)(6) Palestinian Affairs Unit / U.S. Department of State, Jerusalem / tel &
WhatsApp (b)(6)

SENSITIVE BUT UNCLASSIFIED

Sender:	(b)(6)
Recipient:	

From: (b)(6)
To: (b)(6)
Subject: RE: IPA Congressional Reports
Date: Thu, 12 Aug 2021 12:27:59 +0000

Will do! Thanks (b)(6)

Best,

(b)(6)

From: (b)(6)
Sent: Thursday, August 12, 2021 8:27 AM
To: (b)(6)
Subject: Re: IPA Congressional Reports

Not yet but please feel free to follow up with (b)(6)

Get [Outlook for iOS](#)

From: (b)(6)
Sent: Thursday, August 12, 2021 8:15:23 AM
To: (b)(6)
Cc: (b)(6)
Subject: RE: IPA Congressional Reports

Good Morning (b)(6)

I just wanted to check if RMA responded to this inquiry?

Best,

(b)(6)

From: (b)(6)
Sent: Monday, August 9, 2021 10:58 AM
To: NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>
Cc: NEA-IPA-DL <NEA-IPA-DL@state.gov>
Subject: IPA Congressional Reports

Good morning RMAC colleagues

I just wanted to check on whether the following report has been tasked by H? The last one was initially due in March but was tasked late so we submitted it in June. It's a semiannual report.

- PLO Commitments Compliance Act of 1989, as amended.

Thanks,

(b)(6)

(b)(6)

Office of Israel and Palestinian Affairs (NEA/IPA)

U.S. Department of State

Mobile: (b)(6)

Office:

Sender:

(b)(6)

Recipient:

From:	"Price, Edward C" (b)(6)
To:	Amr, Hady A (b)(6)
Subject:	Re: GC on response to Free Beacon Article on Pal Congressional Report and Response to question on Abraham Fund
Date:	Thu, 8 Jul 2021 02:16:27 +0000

(b)(5)

From: Amr, Hady A (b)(6)

Sent: Wednesday, July 7, 2021 8:19:56 PM

To: Price, Edward C (b)(6)

Subject: RE: GC on response to Free Beacon Article on Pal Congressional Report and Response to question on Abraham Fund

Hi Ned,

(b)(5)

hady

From: Price, Edward C (b)(6)

Sent: Wednesday, July 7, 2021 7:31 PM

To: (b)(6)

Cc: NEA-Press <NEA-Press@state.gov>; (b)(6)

<SPOX2@state.gov>; Amr, Hady A (b)(6) (b)(6)

Subject: RE: GC on response to Free Beacon Article on Pal Congressional Report and Response to question on Abraham Fund

Hi all,

(b)(5)

(b)(5)

Ned

From: (b)(6)

(b)(6)

Sent: Wednesday, July 7, 2021 7:17 PM

To: (b)(6) (b)(6) Price, Edward C (b)(6)

Cc: NEA-Press (b)(6) (b)(6) (b)(6) SPOX2

<SPOX2@state.gov>; Amr, Hady A (b)(6) (b)(6) (b)(6)

Subject: RE: GC on response to Free Beacon Article on Pal Congressional Report and Response to question on Abraham Fund

Ned,

(b)(5)

(b)(6)

(b)(5)

(b)(5)



(b)(5)

Background:

Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

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

Cleared:

NEA/IPA: (b)(6)

NEA/FO: HAmr OK

JLM: MRatney OK

NSC: (b)(6) OK

From: Binder, Daniel R (b)(6)

Sent: Wednesday, July 7, 2021 1:20 PM

To: (b)(6)

Cc: NEA-Press <NEA-Press@state.gov> (b)(6)

Subject: RE: GC on response to Free Beacon Article on Pal Congressional Report and Response to question on Abraham Fund

Got it, in the book. V/r, Daniel

From: (b)(6)

Sent: Wednesday, July 7, 2021 1:16 PM

To: GuidanceCollection <GuidanceCollection@state.gov>

Cc: SPOX2 <SPOX2@state.gov>; NEA-Press <NEA-Press@state.gov> (b)(6)

(b)(6)

Subject: GC on response to Free Beacon Article on Pal Congressional Report and Response to question on Abraham Fund

Importance: High

Colleagues,

Please find attached the GC for the response to the FB article on the Pal congressional report and our response to the question on the Abraham Fund. We are still waiting on post's final clearance on the CG for the congressional report, but have received full clearance on the Abraham Fund response.

Thanks.

(b)(6)

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

(b)(6)

Sender:	"Price, Edward C"	(b)(6)
Recipient:	Amr, Hady A	(b)(6)

From:	(b)(6)
To:	
CC:	(b)(6)
Subject:	RE: FW: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report
Date:	Wed, 7 Jul 2021 01:02:24 +0000

(b)(5)

From: (b)(6)
Sent: Tuesday, July 6, 2021 8:18 PM
To: (b)(6)
Cc:
Sub:

Incitement From Congressional Report

(b)(5)

Sent from Workspace ONE Boxer

On July 6, 2021 at 7:45:33 PM EDT (b)(6):

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

From: Amr, Hady A <AmrHA@state.gov>

Sent: Tuesday, July 6, 2021 7:02 PM

To: Price, Edward C (b)(6) NEA-Press <NEA-Press@state.gov>

Cc: SPOX2 <SPOX2@state.gov>; Durakoglu, Naz (b)(6)

(b)(6)

Subject: RE: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

+ (b)(6) on the report.

When did the questions come in?

From: Price, Edward C (b)(6)

Sent: Tuesday, July 6, 2021 6:40 PM

To: NEA-Press <NEA-Press@state.gov>; Amr, Hady A (b)(6)

Cc: SPOX2 <SPOX2@state.gov>; Durakoglu, Naz (b)(6)

(b)(6)

Subject: FW: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

(b)(5)

d?

From

(b)(6)

Sent: Tuesday, July 6, 2021 6:35 PM

To: SPOX2 <SPOX2@state.gov>

Cc: PA Press Duty <PAPressDuty@state.gov>

Subject: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

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."

Sender:	(b)(6)
Recipient:	

From:	(b)(6)
To:	
CC:	Embassy Jerusalem SA <EmbassyJerusalemSA@state.gov>
Subject:	RE: for FO clearance -- PLOCCA report
Date:	Tue, 20 Apr 2021 12:09:24 +0000

Received. Thanks!

Best,

(b)(6)
Front Office Staff Assistant
US Embassy Jerusalem
Ext: 7291 Cell: (b)(6)

From: (b)(6)
Sent: Tuesday, April 20, 2021 3:04 PM
To: (b)(6)
Cc: Jerusalem SA <EmbassyJerusalemSA@state.gov>
Subject: for FO clearance -- PLOCCA report

Hi (b)(6), here is the semi-annual PLOCCA report for FO clearance. The reporting period is October to April.

It's due as soon as possible – but please let me know if more time is needed and I'll arrange that.

Thanks

Sender:	(b)(6)
Recipient:	Embassy Jerusalem SA <EmbassyJerusalemSA@state.gov>

From:	(b)(6)
To:	(b)(6)
Subject:	RE: Flash Clearance: SPOX Lines on PLOCCA/MEPCA in response to Free Beacon Story (8PM deadline)
Date:	Wed, 7 Jul 2021 16:14:17 +0000

OK w me

From:	(b)(6)
Sent:	Wednesday, July 7, 2021 6:53 PM
To:	(b)(6)

(b)(6)

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From:	(b)(6)
Sent:	wednesday, July 7, 2021 6:12:08 PM
To:	(b)(6)

(b)(6)

Subject: Flash Clearance: SPOX Lines on PLOCCA/MEPCA in response to Free Beacon Story (8PM deadline)

All,

This is a longer one, so thanks in advance for your patience. SPOX has requested the following lines be cleared to deploy from the podium today, if needed, in response to a story that ran yesterday in the Free Beacon on PLOCCA/MEPCA. I've included the full text at the bottom for reference only.

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

BLUF: (b)(5)

(b)(5)

Response:

(b)(5)

CLEAR:

EBO/PO (b)(6)

EBO/PO

EBO/ECON

EBO/PO (b)(6)

PAU/PO

PAU/ECON

CPAU (b)(6)

DCM

CDA

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/>

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(b)(6)

Acting Information Officer
U.S. Embassy Israel - Branch Office Tel Aviv

(b)(6)

Sender:	(b)(6)
Recipient:	

From:	(b)(6)
To:	
CC:	
Subject:	Re: Congressionally Mandated Report: 004462: PLO Commitments Compliance Act of 1989, as amended
Date:	Fri, 13 Aug 2021 08:32:08 +0000

Yes, thank you (b)(6) Please let me know if/when H agrees to an extension. In the meantime, I'll start working on updating the PLOCCA.

Best,

(b)(6)

From: (b)(6)

Sent: Thursday, August 12, 2021 8:21 PM

To: (b)(6)

Cc: (b)(6)

Subject: Re: Congressionally Mandated Report: 004462: PLO Commitments Compliance Act of 1989, as amended

Thank you (b)(6)

From: (b)(6)

Sent: Thursday, August 12, 2021 12:03 PM

To: (b)(6)

Cc: (b)(6)

Subject: FW: Congressionally Mandated Report: 004462: PLO Commitments Compliance Act of 1989, as amended

PLOCCA tasker below.

From: State-LRM <State-LRM@state.gov>

Sent: Monday, May 24, 2021 4:18 PM

To: H Tasking-NEA <H_Tasking-NEA@state.gov>

Cc: (b)(6)

<St

.RM

Subject: Congressionally Mandated Report: 004462: PLO Commitments Compliance Act of 1989, as amended

Importance: High

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 (b)(5)

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

Sender:	(b)(6)	
Recipient:		

~~UNCLASSIFIED~~

**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") (Public Law 107-228) (P.L. 107-228)**

(b)(5)

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

-2-

(b)(5)

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

-3-

(b)(5)

~~UNCLASSIFIED~~

UNCLASSIFIED

-4-

(b)(5)



UNCLASSIFIED

~~UNCLASSIFIED~~

-5-

(b)(5)

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

-6-

Approved: EXEC

Cleared:

ADCM GNoll

PO (b)(6)

PO

ECON (b)(6)

ECON

PAS (b)(6)

PAS

~~UNCLASSIFIED~~

Executive Summary

Major points in the report are as follows:

- (b)(5)

-

-

-



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

From: (b)(6)
To: [REDACTED]
Subject: RE: PLOCCA and Incitement Reports
Date: Wed, 11 Aug 2021 16:02:40 +0000

Thanks (b)(6)

From: (b)(6)
Sent: Wednesday, August 11, 2021 12:02 PM
To: (b)(6)
Cc: [REDACTED]
(b)(6)
Subject: Re: PLOCCA and Incitement Reports

Hi, folks, greetings the park! (b)(5)
(b)(5) (b)(6) (b)(5)
(b)(5)
(b)(5) I can forward those emails from (b)(6) shortly.
(b)(5)

Hope this helps!

(b)(6)

Sent from [Workspace ONE Boxer](#)

On August 11, 2021 at 10:44:03 AM EDT (b)(6) wrote:
Hi (b)(6)

Looping in (b)(6) who worked on the last two US Assistance Reports (b)(5)
(b)(5)

Thanks,

(b)(6)

Get [Outlook for iOS](#)

From: (b)(6)
Sent: Tuesday, August 10, 2021 8:10 PM
To: (b)(6)

Cc: (b)(6)
Subject: RE: PLOCCA and Incitement Reports

Hi (b)(6)

I'm glad you asked. I'm just getting up to speed on these annual and semi-annual reports as well. After speaking with (b)(6) she told me (b)(5)

(b)(5)

(b)(5) Please let me know if you have any questions and I will do my best to get the information.

Best,

(b)(6)

From: (b)(6)
Sent: Tuesday, August 10, 2021 10:54 AM
To: (b)(6)
Cc: (b)(6) ✓>
Subject: Re: PLOCCA and Incitement Reports

Hi (b)(6) and (b)(6)

Many thanks for these documents and for checking with H on the deadline/whether it's been tasked. (b)(5)

(b)(5) I want to make sure I'm not dropping the ball on anything.

Thanks again (and welcome, (b)(6)),

(b)(6)

From: (b)(6) >
Sent: Monday, August 9, 2021 6:19 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: PLOCCA and Incitement Reports

Dear (b)(6) and (b)(6)

Please find attached the last reports and other relevant materials from our PLOCCA MEPCA and Incitement shared drives - (b)(6) (b)(5)

(b)(5)

(b)(5)

(b)(5)

Please let us know if you

have any additional questions or need additional information/clarification.

(b)(6)

From: (b)(6)

Sent: Monday, August 9, 2021 3:28 AM

To: (b)(6)

Cc:

Subject: PLOCCA and Incitement Reports

Hi

(b)(6)

and (b)(6)

I'm new in the PAU POL section covering West Bank and PA issues

(b)(6)

(b)(5)

(b)(5)

Thanks,

(b)(6)

Political Officer

Palestinian Affairs Unit

(b)(6)

Sender:

(b)(6)

Recipient:

From:	(b)(6)
To:	
CC:	
Subject:	RE: PLOCCA and Incitement Reports
Date:	Mon, 9 Aug 2021 13:11:47 +0000

Hello (b)(6) and (b)(6)

I'm looking into your questions and should have answers for you shortly.

Best,

(b)(6)

From: (b)(6)
Sent: Monday, August 9, 2021 3:31 AM
To: (b)(6)
(b)(6)
Subject: RE: PLOCCA and Incitement Reports

Sorry, jumping in here –

(b)(6) if you have copies of the last reports in final form, that would be great too, thanks!

From: (b)(6)
Sent: Monday, August 9, 2021 10:28 AM
To: (b)(6)
Cc: (b)(6)
Subject: PLOCCA and Incitement Reports

Hello (b)(6) and (b)(6)

I'm new in the PAU POL section covering West Bank and PA issues (b)(6) (b)(5)

(b)(5)

Thanks,

(b)(6)

Political Officer

Palestinian Affairs Unit

+(b)(6)

Sender:	(b)(6)	
Recipient:		

From:	(b)(6)
To:	
Subject:	RE: Overdue Congressionally Mandated Reports
Date:	Fri, 4 Jun 2021 17:39:23 +0000

Here you go. (b)(5)

(b)(5)

From: (b)(6)
Sent: Friday, June 4, 2021 1:35 PM
To: (b)(6)
Subject: RE: Overdue Congressionally Mandated Reports

Awesome! I'm aiming to have the PLOCCA/MEPCA to you by Monday, but need clarification from H. H did clear on the package, but L asked if we are (b)(5)

(b)(5)

From: (b)(6)
Sent: Friday, June 4, 2021 1:31 PM
To: (b)(6)
Subject: RE: Overdue Congressionally Mandated Reports

Nope! Thank you!

From: (b)(6)
Sent: Friday, June 4, 2021 1:25 PM
To: (b)(6)
Subject: RE: Overdue Congressionally Mandated Reports

It's good to go! Is there anything else I need to do?

From: (b)(6)
Sent: Friday, June 4, 2021 1:24 PM
To: (b)(6); NEA-IPA-DL <NEA-IPA-DL@state.gov>
Subject: RE: Overdue Congressionally Mandated Reports

Thanks, (b)(6)! Did you still want to hold transmittal of the incitement report, or is it good to go?

From: (b)(6) >
Sent: Friday, June 4, 2021 1:22 PM
To: (b)(6); NEA-IPA-DL <NEA-IPA-DL@state.gov>
Subject: RE: Overdue Congressionally Mandated Reports

Hi, (b)(6)

The Incitement report was cleared by the NEA/FO earlier this week. As for the PLOCCA/MEPCA, that is with us pending a clarification from H on the type of transmittal letter required for a determination. Otherwise, we have all other laterals for it.

Best,

(b)(6)

From: (b)(6)
Sent: Friday, June 4, 2021 1:19 PM
To: NEA-IPA-DL <NEA-IPA-DL@state.gov>
Subject: Overdue Congressionally Mandated Reports

Hi IPA, could I get a status update on these reports, please? Thanks!

Report Number	Report Title	
004204	Steps Taken by the Palestinian Authority to Counter Incitement of Violence against Israelis and to Promote Peace and Coexistence with Israel	Section 704 K, P.L. 116-
004109	PLO Commitments Compliance Act of 1989, as amended.	Section 803 RelationsAu and Sections Act, Fiscal Y

(b)(6)

Congressional Advisor | RMA
 Bureau of Near Eastern Affairs
 U.S. Department of State
 Follow NEA on Twitter @StateDept_NEA 

Sender:	(b)(6)
Recipient:	

From:	(b)(6)
To:	
CC:	
Subject:	RE: CLEARANCE: FW: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report
Date:	Wed, 7 Jul 2021 13:58:54 +0000

(b)(6)

From: (b)(6)
Sent: Wednesday, July 7, 2021 9:55 AM
To: (b)(6)
Cc:
Subject: CLEARANCE: FW: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report
Importance: High

(b)(6) and (b)(6)

Below for your review and clearance is a response to the Free Beacon article on the PLOCCA/MEPCA report.

Thank you.

(b)(6)

(b)(5)

From: Amr, Hady A (b)(6)
Sent: Wednesday, July 7, 2021 8:31 AM
To: Price, Edward C (b)(6) (b)(6) NEA-Press <NEA-Press@state.gov>

Cc: SPOX2 <SPOX2@state.gov>; Durakoglu, Naz (b)(6); Bonine, David N (b)(6)

Subject: RE: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

That works, Ned.

Thanks team, and sorry for the late night effort.

From: Price, Edward C (b)(6)
Sent: Tuesday, July 6, 2021 11:04 PM
To: (b)(6) Amr, Hady A (b)(6) NEA-Press <NEA-Press@state.gov>

Cc: SPOX2 <SPOX2@state.gov>; Durakoglu, Naz (b)(6); Bonine, David N (b)(6)

Subject: Re: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

(b)(5)

From: (b)(6)
Sent: Tuesday, July 6, 2021 10:11:30 PM
To: Amr, Hady A (b)(6); Price, Edward C (b)(6) NEA-Press <NEA-Press@state.gov>

Cc: SPOX2 <SPOX2@state.gov>; Durakoglu, Naz (b)(6); Bonine, David N (b)(6)

Subject: RE: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

Pardon the delayed response (b)(6) and I went through all the reports. (b)(5)

(b)(5)

(b)(5)

(b)(5)

(b)(5)

(b)(5) Of note, we have a separate, congressionally mandated report on instances of BDS that we're currently working on.

From: Amr, Hady A (b)(6)
Sent: Tuesday, July 6, 2021 7:02 PM
To: Price, Edward C (b)(6); NEA-Press <NEA-Press@state.gov>
Cc: SPOX2 <SPOX2@state.gov>; Durakoglu, Naz (b)(6); Bonine, David N (b)(6)

Subject: RE: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

+ (b)(6) and (b)(6) on the report.

When did the questions come in?

From: Price, Edward C (b)(6)
Sent: Tuesday, July 6, 2021 6:40 PM
To: NEA-Press <NEA-Press@state.gov>; Amr, Hady A (b)(6)
Cc: SPOX2 <SPOX2@state.gov>; Durakoglu, Naz (b)(6); Bonine, David N (b)(6)

Subject: FW: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

(b)(5)

From: (b)(6)
Sent: Tuesday, July 6, 2021 6:35 PM
To: SPOX2 <SPOX2@state.gov>
Cc: PA Press Duty <PAPressDuty@state.gov>
Subject: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

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."

Sender:	(b)(6)	
Recipient:		

From: (b)(6)
To: (b)(6)
Subject: RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/3 at 3 p.m.
Date: Thu, 3 Jun 2021 19:55:49 +0000

Thanks (b)(6) Best (b)(6)

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)
Sent: Thursday, June 3, 2021 3:49 PM
To: (b)(6) A Duty Officer <P-NEADuty@state.gov>; D-MR_StaffAssistants <D-MR_StaffAssistants@state.gov> (b)(6)
(b)(6) NEA-Egypt <NEA-Egypt@state.gov>
Subject: Re: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/3 at 3 p.m.

(b)(6)

Ok for NEA/NA, Egypt Desk. Thanks.

(b)(6)

From: (b)(6)
Sent: Thursday, June 3, 2021 3:48:18 PM
To: (b)(6) P/NEA Duty Officer <P-NEADuty@state.gov>; D-MR_StaffAssistants <D-MR_StaffAssistants@state.gov> (b)(6) NEA-Egypt <NEA-Egypt@state.gov>
Subject: FW: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/3 at 3 p.m.

Colleagues,

Just a reminder of the clearance request below.

Thank you.

Best,

(b)(6)

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)
Sent: Thursday, June 3, 2021 10:29 AM
To: D-MR_StaffAssistants <D-MR_StaffAssistants@state.gov>; C_Special Assistants

<C_SpecialAssistants@state.gov>(b)(6); SP_NEA
<SP_NEA@state.gov> CT_SCAN_NEA <CT_SCAN_NEA@state.gov>; NEA-Egypt <NEA-Egypt@state.gov>;
Miller, (b)(6)
Subject: FW: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/3 at 3 p.m.
Importance: High

Colleagues,

Just a reminder to have your clearance on **this by today at 3 p.m.**

Thank you.

(b)(6)

SENSITIVE BUT UNCLASSIFIED

From: Pardo, Greg
Sent: Tuesday, June 1, 2021 3:57 PM
To: C_Special Assistants <C_SpecialAssistants@state.gov>; P/NEA Duty Officer <P-NEADuty@state.gov>;
(b)(6) SP_NEA <SP_NEA@state.gov>; R_Clearances
<R_Clearances@state.gov>; GPA Clearances <GPA_Clearances@state.gov>; D-MR_StaffAssistants <D-
MR_StaffAssistants@state.gov>; CT_SCAN_NEA <CT_SCAN_NEA@state.gov>; NEA-Egypt <NEA-
Egypt@state.gov>; NEA-Jordan-DL <NEA-Jordan-DL@state.gov>; H_Staffers <H_Staffers@state.gov>
Subject: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/3 at 3 p.m.
Importance: High

Colleagues,

Attached for your clearance is the AM to D for the PLOCCA/MEPCA report. Please provide your
clearances by **Thursday, June 3 no later than 3 p.m.**

Thank you.

(b)(6)

(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.

(O)(b)(6)

(b)(6)

SENSITIVE BUT UNCLASSIFIED

Sender:	(b)(6)	
Recipient:		

From: (b)(6) <[REDACTED]>
To: [REDACTED]
Subject: RE: Clarification needed on PLOCCA/MEPCA report
Date: Mon, 14 Jun 2021 13:10:30 +0000

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

Best,

(b)(6)

Acting Political Unit Chief and Political-Military Officer
Office of Israel and Palestinian Affairs
Bureau of Near Eastern Affairs
U.S. Department of State

Office: (b)(6)

(b)(6)

SENSITIVE BUT UNCLASSIFIED

From: (b)(6)
Sent: Monday, June 14, 2021 8:53 AM
To: (b)(6)
Subject: FW: Clarification needed on PLOCCA/MEPCA report

Doug,

(b)(5)

Best,

(b)(6)

SENSITIVE BUT UNCLASSIFIED

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

H (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)
Sent: Tuesday, June 8, 2021 7:33 PM
To: (b)(6)
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)
Recipient:

From:	(b)(6)
To:	
CC:	
Subject:	RE: Archived : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report) : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)
Date:	Wed, 23 Jun 2021 16:47:43 +0000

Fantastic, thank you!

(b)(6)
Bureau of Near Eastern Affairs (b)(6)
U.S. Department of State | mobile: (b)(6)

From: (b)(6)
Sent: Wednesday, June 23, 2021 12:47 PM
To: (b)(6)
Cc:
Subject: RE: Archived : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report) : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)

Submitted to the line.

From: (b)(6)
Sent: Wednesday, June 23, 2021 12:02 PM
To: (b)(6)
Cc:
Subject: FW: Archived : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report) : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)

(b)(6)
Can you pull this report from the one paper archives and upload to Cascades?

(b)(6)
Bureau of Near Eastern Affairs (b)(6)
U.S. Department of State

From: NEA-Staff-Assistants-DL@state.gov <NEA-Staff-Assistants-DL@state.gov>
Sent: Wednesday, June 23, 2021 9:39 AM
To: NEA-RMA-CONGRESSIONAL-DL <NEA-RMA-CONGRESSIONAL-DL@state.gov>
Subject: Archived : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report) : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)

PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report) has been cleared by the NEA Front Office and archived in onePAPER, but you now need to take the final action. You can find the cleared package under "Archived (2 weeks)" on the onePAPER Dashboard.

The NEA Front Office will not take any further action on this package.

If you have any questions, please contact the NEA Staff Assistants at NEA-Staff-Assistants-DL@state.gov.

Thank you,

The NEA Staff Assistants

Sender:	(b)(6)	
Recipient:		

From:	(b)(6)
To:	Shrier, Jonathan (b)(6)
CC:	Embassy Jerusalem SA <EmbassyJerusalemSA@state.gov>
Subject:	Paper Priorities (CDA) 04/23: AM edition
Date:	Fri, 23 Apr 2021 05:38:32 +0000

(b)(6)

The PLOCCA report is ready for your review. If you'd like (b)(6) clearance to suffice let me know and I'll move it on to the desk.

Best,

(b)(6)

Sharepoint: CDA Clearances

Cables

- Israeli MIA Readout (POL: (b)(6))

Memos

- AM to CDA – Volunteer Activity Request (b)(6) MGT (b)(6)
- AM to CDA – Change RN to ANP (MGT: (b)(6))

Other

- PLOCCA (POL: (b)(6))

SENSITIVE BUT UNCLASSIFIED

Sender:	(b)(6)
Recipient:	Shrier, Jonathan (b)(6) Embassy Jerusalem SA <EmbassyJerusalemSA@state.gov>

From:	"Durakoglu, Naz" (b)(6)
To:	(b)(6)
Subject:	Fwd: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report
Date:	Tue, 6 Jul 2021 22:40:27 +0000

FYSA

Sent from my iPhone

Begin forwarded message:

From: "Price, Edward C" (b)(6)
Date: July 6, 2021 at 6:39:43 PM EDT
To: NEA-Press <NEA-Press@state.gov>, "Amr, Hady A" (b)(6)
Cc: SPOX2 <SPOX2@state.gov>, "Durakoglu, Naz" (b)(6) "Bonine, David N" (b)(6)
Subject: FW: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

(b)(5)

From: (b)(5)
Sent: Tuesday, July 6, 2021 6:35 PM
To: SPOX2 <SPOX2@state.gov>
Cc: PA Press Duty <PAPressDuty@state.gov>
Subject: Flag - Wash Free Beacon: Biden Admin Deletes References to Palestinian Terror Incitement From Congressional Report

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.

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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.

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"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."

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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.

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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."

Sender:	"Durakoglu, Naz" (b)(6)
Recipient:	(b)(6)

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

From: (b)(6) (b)(6)
To: (b)(6)
Subject: RE: FINAL: AM to D for PLOCCA Report
Date: Fri, 16 Oct 2020 19:41:47 +0000

Huzzah! Great work (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Friday, October 16, 2020 3:31 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: FINAL: AM to D for PLOCCA Report

Thanks much (b)(6)

(b)(6) Director / Office of Israel 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)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Friday, October 16, 2020 3:22 PM
To: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>
Cc: NEA-IPA-DL <NEA-IPA-DL@state.gov>
Subject: FINAL: AM to D for PLOCCA Report

Colleagues,

Happy Friday!

Please find attached the final AM to D package for the latest PLOCCA report. DAS Chris Hodges has cleared and so has the H/FO.

Please let me know if you have any questions.

Best,

(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:

From:	(b)(6)
To:	
Subject:	RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.
Date:	Fri, 4 Jun 2021 18:41:46 +0000

Thanks, (b)(6) Best, (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Friday, June 4, 2021 2:41 PM
To: (b)(6)
Subject: RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.

(b)(5)

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Friday, June 4, 2021 11:34 AM
To: (b)(6)
Subject: RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.
Importance: High

Hi, (b)(6) (b)(5)

(b)(5) Thank you. (b)(6)

(b)(6)

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

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Thursday, June 3, 2021 2:15 PM

To: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov> (b)(6)

Subject: RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.

(b)(5)

(b)(6)

(b)(6)

Staff Assistant
(H) Bureau of Legislative Affairs
HST 7805

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)

Sent: Tuesday, June 1, 2021 3:57 PM

To: C_Special Assistants <C_SpecialAssistants@state.gov>; P/NEA Duty Officer <P-NEADuty@state.gov>;

(b)(6); SP_NEA <SP_NEA@state.gov>; R_Clearances
<R_Clearances@state.gov>; GPA Clearances <GPA_Clearances@state.gov>; D-MR_StaffAssistants <D-MR_StaffAssistants@state.gov>; CT_SCAN_NEA <CT_SCAN_NEA@state.gov>; NEA-Egypt <NEA-Egypt@state.gov>; NEA-Jordan-DL <NEA-Jordan-DL@state.gov>; H_Staffers <H_Staffers@state.gov>

Subject: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.

Importance: High

Colleagues,

(b)(5)

Thank you.

(b)(6)

(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)

~~SENSITIVE BUT UNCLASSIFIED~~

Sender:	(b)(6)	
Recipient:		

From: (b)(6)
To: (b)(6)
Subject: RE: (b)(6) Thanks again for your help with this. (b)(5)
(b)(5)
Date: Thu, 19 Mar 2020 08:33:28 +0000

(b)(5)

Thanks

From: (b)(6)
Sent: Thursday, March 19, 2020 10:29 AM
To: (b)(6)
Subject: (b)(6) - Thanks again for your help with this. I think we need to make sure the agreed verbiage.....

(b)(5)

Best,

(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)



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)

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 <JerusalemEMBAIUsers@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 Kredo)-- Palestine Liberation Organization Commitments Compliance Act Report
Date:	Fri, 30 Oct 2020 22:39:19 +0000

Clear

Get Outlook for iOS

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 Kredo)-- 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

Get [Outlook for iOS](#)

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)



United States Department of State

Washington, D.C. 20520

February 28, 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 January 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 has processed more than 300 pages of potentially responsive material since its last release and has identified an additional six responsive records subject to the FOIA. We have determined all six 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 black ink, appearing to read "Diamonece Hickson", with a stylized flourish at the end.

Diamonece Hickson
Chief, Litigations 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:	(b)(6)
Subject:	Re: Two Congressional Reports for FO Clearance
Date:	Tue, 24 Mar 2020 14:23:15 +0000

Shoot I am sorry. I meant to send earlier. I thought you were just showing him PLOCCA today. They are minor though so hopefully not a problem.

(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: Tuesday, March 24, 2020 4:22 PM
To: (b)(6)
Subject: Re: Two Congressional Reports for FO Clearance

Erg ok - he has it already. No worries, I'll flag the changes and get them incorporated.

(b)(6) Staff Assistant | U.S. Embassy Jerusalem

(b)(6) EmbassyJerusalemSA@state.gov (b)(6)

From: (b)(6)
Sent: Tuesday, March 24, 2020 3:20 AM
To: (b)(6)
Subject: Re: Two Congressional Reports for FO Clearance

(b)(6)

Please use this version of the Incitement report when sending to (b)(6) if you have not sent it to him yet. (b)(6) has seen these small tweaks after (b)(6) approved. I flagged it for him yesterday. Please tell (b)(6) (b)(5)

(b)(5)

Best,

(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: Tuesday, March 24, 2020 1:17 PM
To: (b)(6)
Subject: Re: Two Congressional Reports for FO Clearance

of course, will do.

(b)(6) | Staff Assistant | U.S. Embassy Jerusalem

(b)(6) | EmbassyJerusalemSA@state.gov | (b)(6)

From: (b)(6)

Sent: Monday, March 23, 2020 4:44 AM

To: (b)(6)

Subject: Fw: Two Congressional Reports for FO Clearance

Thank you, (b)(6)

Can you let me know once the DCM approves and before we send to the Amb?

Best,

(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: Monday, March 23, 2020 5:14 PM

To: (b)(6) Embassy Jerusalem SA

<EmbassyJerusalemSA@state.gov>

Cc: (b)(6)

(b)(6)

Subject: Re: Two Congressional Reports for FO Clearance

Thanks (b)(6) received; I'll ask DCM to review asap.

From: (b)(6)

Sent: Monday, March 23, 2020 3:52 AM

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). We've cleared through PAU here (b)(5) so don't think we need an EBO clearance apart from the Front Office team there. (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)	

From:	(b)(6)
To:	(b)(6)
CC:	(b)(6)
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)
Sent: Tuesday, March 10, 2020 2:01 PM
To: (b)(6)
Cc: (b)(6)
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)
Sent: Monday, March 9, 2020 6:04 PM
To: (b)(6)
Cc: (b)(6)
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)
Sent: Monday, March 9, 2020 1:48 PM
To: (b)(6)
Cc: (b)(6)
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)
Sent: Monday, March 9, 2020 12:37 PM
To: (b)(6)
Cc: (b)(6)
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)
Sent: Monday, March 9, 2020 12:15 PM
To: (b)(6)
Cc: (b)(6)
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)
Sent: Sunday, March 8, 2020 7:48 PM
To: (b)(6)
Cc: (b)(6)
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)
Sent: Saturday, March 7, 2020 2:10 PM
To: (b)(6)
Cc: (b)(6)
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)
Sent: Friday, March 6, 2020 4:53 PM

To: (b)(6)
Cc: (b)(6)
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)
Recipient:	(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:	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)
Sent: Thursday, February 27, 2020 9:08 AM
To: (b)(6)
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)
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) / sipr:
(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Thursday, February 27, 2020 8:36 AM
To: (b)(6)
(b)(6)
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) / sipr:
(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Thursday, February 27, 2020 8:10 AM
To: (b)(6)
Cc: (b)(6)
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)
Recipient:	(b)(6)

From: (b)(6)
To: (b)(6)
Subject: Fw: For Approval: PLOCCA October Report
Date: Tue, 29 Sep 2020 19:16:23 +0000

Hey! Thanks for your help with this.

In the future can you also CC me when you send things to the Amb for his approval?

Thank you :)

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: Friedman, David M (b)(6)

Sent: Tuesday, September 29, 2020 12:50 PM

To: (b)(6)

Cc: (b)(6)

(b)(6)

Subject: Re: For Approval: PLOCCA October Report

+ (b)(6)

Clear. Thanks

Get [Outlook for iOS](#)

From: (b)(6)

Sent: Tuesday, September 29, 2020 11:59 AM

To: Friedman, David M

Cc: (b)(6)

Subject: For Approval: PLOCCA October Report

Sir:

The PAU POL team compiled the PLOCCA October report for your final approval. Both DCM (b)(6) and (b)(6) cleared this report.

Best,

(b)(6)

Front Office Staff Assistant

US Embassy Jerusalem

Ext: (b)(6) Cell: (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") (Public Law 107-228) (P.L. 107-228)**

(b)(5)

Withheld pursuant to exemption

(b)(5)

(b)(5)

~~SENSITIVE BUT UNCLASSIFIED~~

Sender: (b)(5)

Recipient: (b)(5)

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. Separately, I know this is co-signed by H, but is this being reviewed outside the H/FO in the lateral process? If so, please list those clearers on the clearance page as well.

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)	



United States Department of State

Washington, D.C. 20520

March 28, 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 February 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 7 responsive records subject to the FOIA. We have determined six records 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). The document identification number for the record withheld in full is A-00000511258. 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 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 black ink, appearing to read 'Diamonece Hickson', with a stylized, flowing script.

Diamonece Hickson
Chief, Litigations 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

**Report to Congress on Steps Taken by the Palestinian Authority to
Counter Incitement to Violence against Israelis and to
Promote Peace and Coexistence with Israel**

(b)(5)



Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

Withheld pursuant to exemption

(b)(5)

Executive Summary

Major points in the report are as follows:

(b)(5)

Withheld pursuant to exemption

(b)(5)

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.
NC

~~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/PO (b)(6)

EBO/ECON (info)

EBO/PD SBarrios (ok)

PAU/PO (b)(6)

PAU/ECON (info)

CPA (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:	
CC:	
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)
Date: February 27, 2019 at 10:39:51 AM EST
To: (b)(6)
Cc:
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)
Recipient:	

Executive Summary

Major points in the report are as follows:

- Palestinian Authority (PA) security forces continued to maintain law and order in areas of the West Bank under full or partial PA security control (Areas A and B). Israeli-Palestinian security coordination continued at both the tactical and leadership levels. Israeli security officials assessed that this coordination prevented numerous terrorist attacks. More effort is required by the Palestine Liberation Organization (PLO) and PA to comply fully with commitments to “prevent violations and discipline violators” and “assume responsibility over all PLO elements.” The PA remained committed to peace and non-violence, continued to recognize Israel’s right to exist in peace and security, accepted UN Security Council Resolutions 242 and 338, and called upon all Palestinians – even those outside of the PLO and PA – to refrain from violence.
- Despite some comments to the contrary by some members, the PLO and PA claim to remain committed to a peaceful, negotiated solution to the Israeli-Palestinian conflict. During the reporting period, the Administration remained engaged in efforts to advance an enduring and comprehensive peace between Israel and the Palestinians. This included engaging with stakeholders in the region and other members of the international community. The United States continued to oppose one-sided actions in international bodies or treaties that seek to circumvent or prejudge outcomes that can only be negotiated between the parties, including Palestinian statehood, or that seek to delegitimize Israel or undermine its security.
- In response to the Middle East Peace Commitments Act requirement that the President (in this case, the Secretary or Deputy Secretary of State) impose one or more of the sanctions in the event of a finding of noncompliance by the PLO or PA, the report and draft determination reflected the decision by the former Deputy Secretary of State in October 2020 to deny visas to PLO members and PA officials. In light of the continued utility of engagement with PLO and PA officials aimed at advancing U.S. foreign policy interests, the package reflected a decision to simultaneously invoke the authority given by the Act to waive the sanction on the basis of U.S. national security interests. This course of action was also taken in the last iteration of this report.
- As required by section 699 of the Act, the report also addresses arms smuggling by foreign persons or entities, primarily Palestinian terrorist groups, and concludes that such terrorist groups continued their efforts to smuggle weapons into Gaza from or through Egypt (primarily through the Sinai). It notes that Egypt made effort during this period to deter smuggling. There is no indication that smugglers have official support from any foreign person or entity to which assistance might be given or defense articles sold by the United States; therefore, no sanctions determinations under the legislation are required.

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.

Withheld pursuant to exemption

(b)(5)



United States Department of State

Washington, D.C. 20520

April 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 March 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 9 responsive records subject to the FOIA. We have determined that all nine 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

Determination on Imposition and Waiver of Sanctions under
Sections 603 and 604 of the Foreign Relations Authorization Act,
Fiscal Year 2003 (Public Law 107-228)

(b)(5)



Date

Wendy Sherman
Deputy Secretary of State

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**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)



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Withheld pursuant to exemption

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**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)



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Withheld pursuant to exemption

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Executive Summary

Major points in the report are as follows:

(b)(5)

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**Report to Congress on Steps Taken by the Palestinian Authority to
Counter Incitement to Violence against Israelis and to
Promote Peace and Coexistence with Israel**

(b)(5)



UNCLASSIFIED

Withheld pursuant to exemption

(b)(5)

UNCLASSIFIED

Executive Summary

Major points in the report are as follows:

(b)(5)

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Withheld pursuant to exemption

(b)(5)

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Executive Summary

Major points in the report are as follows:

(b)(5)



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**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") (Public Law 107-228) (P.L. 107-228)**

(b)(5)



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Withheld pursuant to exemption

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**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") (Public Law 107-228) (P.L. 107-228)**

(b)(5)



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Withheld pursuant to exemption

(b)(5)



United States Department of State

Washington, D.C. 20520

May 30, 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:

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Diamonece Hickson
Chief, Litigation and Appeals Branch
Office of Information Programs and Services

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 - 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
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 - (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
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Other Grounds for Withholding

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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 and cover the period from October 4, 2020 to April 1, 2021. 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 Chairman 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 include ensuring 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.

I. Overview of the Reporting Period:

The PA cut security and civil coordination with Israel, and security coordination with the United States, between May-November 2020 in protest against Israel's potential extension of sovereignty into areas of the West Bank. 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 resumed November 17, 2020, whereupon the PA began again working with Israel to prevent violent attacks on Israelis emanating from the West Bank, arrest members of U.S. designated foreign terrorist organizations such as Hamas and Palestinian Islamic Jihad, and confiscate illegal weapons. Nevertheless, there were terrorist attacks on Israelis by Palestinian residents of the West Bank during the period covered by this report. After a six-month hiatus during which the PA refused to accept tax and customs revenues collected on its behalf by Israel, the PA resumed accepting these revenues and in December 2020 received approximately \$1.1 billion from Israel. During the suspension of customs revenues, the PA paid reduced salaries to its employees including security forces, which put additional negative pressure on the West Bank economy.

In Gaza, U.S.-designated foreign terrorist organization Hamas, which is not part of the PLO, largely maintained the ceasefire with Israel, but continued to pose a serious threat. Iran-backed Palestinian Islamic Jihad and other militant groups also posed a serious threat to Israel's security.

The PA continued to make payments to prisoners convicted of committing acts of terrorism and the families of individuals who were wounded or died while committing acts of terrorism or in connection with terrorism that Israeli government officials state incentivize and reward terrorism.

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-2-

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 nonviolence, a two--state solution, and previous PLO commitments, including recognition of the right of the State of Israel to exist in peace.

“Acceptance of United Nations Security Council Resolutions 242 and 338”: The PA and PLO maintained 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”: PLO Chairman and PA President Abbas said on Palestinian media in September 2020 that decisions by Arab states to normalize diplomatic relations with Israel were a “violation of a just and lasting solution under international law.” In his address to the United Nations General Assembly, Abbas called for an international conference in October 2020 to “launch a genuine peace process” in the wake of the UAE’s and Bahrain’s normalization of relations with Israel.

“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 in contributing to the maintenance of security in the West Bank.

A military order criminalizing the facilitation of financial transactions that “support, promote, fund, or reward” terror was to come into effect in the West Bank and Gaza on May 9, 2020, but Israeli Defense Minister Benny Gantz suspended its entry into force until December 31, 2020. At the beginning of April, the PA utilized post office branches in the West Bank and Gaza to facilitate March payments to prisoners and families of “martyrs,” in an effort to avoid causing Palestinian banks to run afoul of the Israeli military order. Palestinian Monetary Authority Governor Milhem noted that he hopes the current arrangement is a temporary measure and a more permanent solution can come from the Palestinian committee working with the United States and Israel to reform the prisoner payment system. Palestinian bank officials told us that they will not resume facilitation of the payments. PA Prisoner Affairs Commissioner Qadri Abu Bakr told international media in November 2020 that the PA was preparing a plan to revise payments to Palestinian prisoners so that stipends were based on financial need instead of the length of incarceration, which favors prisoners sentenced for more serious crimes, though no final plan has been announced.

Since 2007, the PA has taken effective measures to prevent those individuals involved in terrorist activities from serving in security services. On February 9, Abu Bakr announced that the PA would begin to integrate some released prisoners into the military and the civil service.

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-3-

According to PA officials, the PA will conduct extensive background checks, rehabilitation, and training before bringing ex-prisoners into civil or security service.

PA and PLO officials, as well as political factions, continued to engage in activities that honor and glorify terrorists who killed Israelis and Americans. Praise and glorification of terrorists was echoed in media outlets, and summer camps and schools in the West Bank were named after terrorists.

During the reporting period, PA security forces continued to combat potential terrorist activity, including detentions and arrests of members of Hamas and other terrorist and violent extremist organizations. PA security forces arrested individuals suspected of attacks.

The PA and PLO have had no effective security control in Gaza, which remained under the de facto control of Hamas during this reporting period.

The Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP), which are part of the PLO, remained actively engaged in terrorist activity. Both organizations maintained military wings in Gaza that operated jointly with Hamas, Palestinian Islamic Jihad, and other terrorist groups in attacks against Israel. For example, in February 2020, the DFLP military wing National Resistance Brigades announced one of its fighters was injured following an exchange of fire with IDF soldiers near Erez crossing, northern Gaza. The DFLP fighters used machine guns and rocket-propelled grenades during the exchange. In December 2020, both DFLP and PFLP armed wings participated in the largest-ever drill organized by the for all armed factions. In March 2021, the DFLP military wing National Resistance Brigades announced it had exchanged fire with IDF forces conducting a limited incursion 60 meters into eastern Deir al-Balah, central Gaza, adding that its fighters managed to flee the scene. The DFLP military wing posted photos and videos online showing its rockets.

Other terrorist groups unaffiliated with the PLO, including Hamas, Palestinian Islamic Jihad (PIJ), and the Popular Resistance Committees, likewise remained active during the reporting period.

Due in part to the fact that militants exploit the limits of PA control, the PA has not fully complied with its commitments to assume responsibility over all elements and personnel to prevent violations and discipline violators.

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. A blanket denial of visas to PLO members and PA officials,

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-4-

to include those whose travel to the United States to advance Administration goals and objectives, is not consistent with the Administration's expressed willingness to partner 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 PA security control in the West Bank (Area A) and in areas under Israeli security control (Area B), coordinated through a standing joint mechanism. Offenders arrested by the PA are tried under the authority of the PA. Those apprehended by Israel are tried by Israeli civil courts if the person is an Israeli citizen or in Israeli military courts.
- **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.
- **Assistance to Palestinians:** On March 25, 2021, the Department announced that the U.S. Government would provide \$15 million in humanitarian assistance to Palestinians living in the West Bank and Gaza to address the COVID-19 pandemic and food insecurity. The Department of State and USAID have not provided any other assistance during the reporting period, but continue to be ready 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. The administration is in the process of completing necessary procedures to resume USAID assistance in the West Bank and Gaza and U.S. security assistance to the PA from the International Narcotics Control and Law Enforcement (INCLE) funding stream.
- **Role of the Palestinian Legislative Council (PLC):** The PLC is currently dissolved by a previous presidential decree.

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-5-

- **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 reportedly continued to smuggle illegal weapons and cash into Gaza via underground tunnels located along the Egypt-Gaza border throughout the reporting period, despite Egyptian military operations in the Sinai. We do not believe the Egyptian or Jordanian governments were complicit in the smuggling of weapons. The smuggling of weapons into the West Bank from Israel remains a concern as well.

We have seen efforts by Egypt during this period to deter smuggling and violent extremist activity; the Egyptian security forces have destroyed many smuggling tunnels. The smuggling of arms into Gaza, however, including by sea, remains a serious concern. 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.

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From: (b)(6)@state.gov>
To: (b)(6)@state.gov>
Subject: RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.
Date: Fri, 4 Jun 2021 18:41:46 +0000

Thanks, (b)(6) Best, (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov>
Sent: Friday, June 4, 2021 2:41 PM
To: (b)(6)@state.gov>
Subject: RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.

(b)(5)

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov>
Sent: Friday, June 4, 2021 11:34 AM
To: (b)(6)@state.gov>
Subject: RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.
Importance: High

Hi, (b)(6) (b)(5)

(b)(5)

Thank you. (b)(6)

(b)(6)

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

(b)(6)

(b)(6)@state.gov

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov>
Sent: Thursday, June 3, 2021 2:15 PM

To: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>; (b)(6)@state.gov
Subject: RE: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.

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

(b)(6)

Staff Assistant
(H) Bureau of Legislative Affairs
HST 7805

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)@state.gov

Sent: Tuesday, June 1, 2021 3:57 PM

To: C_Special Assistants <C_SpecialAssistants@state.gov>; P/NEA Duty Officer <P-NEADuty@state.gov>; (b)(6)@state.gov; SP_NEA <SP_NEA@state.gov>; R_Clearances

<R_Clearances@state.gov>; GPA Clearances <GPA_Clearances@state.gov>; D-MR_StaffAssistants <D-MR_StaffAssistants@state.gov>; CT_SCAN_NEA <CT_SCAN_NEA@state.gov>; NEA-Egypt <NEA-Egypt@state.gov>; NEA-Jordan-DL <NEA-Jordan-DL@state.gov>; H_Staffers <H_Staffers@state.gov>

Subject: CLEARANCE: AM to D on PLOCCA/MEPCA Report; Clear by 6/2 at 3 p.m.

Importance: High

Colleagues,

Attached for your clearance is the AM to D for the PLOCCA/MEPCA report. Please provide your clearances by **Thursday, June 3 no later than 3 p.m.**

Thank you.

(b)(6)

(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)

(b)(6)@state.gov

~~SENSITIVE BUT UNCLASSIFIED~~

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

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>
Subject: RE: (b)(6) Thanks again for your help with this. (b)(5)
(b)(5)
Date: Thu, 19 Mar 2020 08:33:28 +0000

(b)(5)

Thanks

From: (b)(6)@state.gov>
Sent: Thursday, March 19, 2020 10:29 AM
To: (b)(6)@state.gov>
Subject: (b)(6) - Thanks again for your help with this. (b)(5)

(b)(5)

(b)(5)

Best,

(b)(6)

Special Assistant to U.S. Ambassador to Israel David Friedman

U.S Embassy in Jerusalem, Israel

Mobile: (b)(6)

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

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>
Subject: Fw: For Approval: PLOCCA October Report
Date: Tue, 29 Sep 2020 19:16:23 +0000

Hey! Thanks for your help with this.

In the future can you also CC me when you send things to the Amb for his approval?

Thank you :)

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: Friedman, David M (b)(6)@state.gov>

Sent: Tuesday, September 29, 2020 12:50 PM

To: (b)(6)@state.gov>

Cc: (b)(6)@state.gov>; (b)(6)@state.gov>; (b)(6)

(b)(6)@state.gov>; (b)(6)@state.gov>

Subject: Re: For Approval: PLOCCA October Report

+ (b)(6)

Clear. Thanks

Get Outlook for iOS

From: (b)(6)@state.gov>

Sent: Tuesday, September 29, 2020 11:59 AM

To: Friedman, David M

Cc: (b)(6)

Subject: For Approval: PLOCCA October Report

Sir:

The PAU POL team compiled the PLOCCA October report for your final approval. Both DCM (b)(6) and (b)(6) cleared this report.

Best,

(b)(6)

Front Office Staff Assistant

US Embassy Jerusalem

Ext: (b)(6) Cell: (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") (Public Law 107-228) (P.L. 107-228)**

(b)(5)

Withheld pursuant to exemption

(b)(5)

(b)(5)

~~SENSITIVE BUT UNCLASSIFIED~~

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



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', with a stylized, flowing script.

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:		@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:		@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) / npr: (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) / npr: (b)(6)@state.gov / sipr:
(b)(6)@state.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>



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/PO (b)(6)

PAU/ECON (info)

CPA (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.



United States Department of State

Washington, D.C. 20520

August 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 July 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 10 responsive records subject to the FOIA. We have determined that all 10 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 stylized, flowing script.

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:	(b)(6) (b)(6) (b)(6)
Subject:	Seeking clearance on the PLOCCA/MEPCA report
Date:	Mon, 25 Feb 2019 19:03:53 +0000

Hi all – flagging a clearance request I sent on classnet on Friday, seeking your review of the PLOCCA/MEPCA report. It’s due to the NEA/FO tomorrow so I would appreciate your clearance by COB today.

Thanks,

(b)(6)

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

From:	(b)(6)
To:	Kaldahl, Ryan M (b)(6)
CC:	H_Staffers <H_Staffers@state.gov>
Subject:	RMK RED - The proposed PLOCCA/MEPCA report (003554) and Determination
Date:	Thu, 18 Jun 2020 19:06:50 +0000

Ryan attached is a report and Determination. After you final approval I will PDF the letters.

(b)(6)

Staff Assistant

Bureau of Legislative Affairs (H)

HST 7805

(b)(6)

Sender:	(b)(6)
Recipient:	Kaldahl, Ryan M (b)(6) H_Staffers <H_Staffers@state.gov>

From:	(b)(6)
To:	H_Staffers <H_Staffers@state.gov>
Subject:	Report on PLO Commitments (003554)
Date:	Thu, 18 Jun 2020 18:52:29 +0000

Dear (b)(6)

Attached is the report for 003554, on PLO Commitments.

Sincerely,

(b)(6)

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

From:	(b)(6)
To:	(b)(6)
Subject:	RE: Status Update on the PLOCCA/MEPCA Report?
Date:	Tue, 25 Feb 2020 14:11:38 +0000

I'm checking with post today. Last time I checked it was still with the Embassy's FO. Best, (b)(6)

From: (b)(6)
Sent: Tuesday, February 25, 2020 8:49 AM
To: (b)(6)
Subject: Fwd: Status Update on the PLOCCA/MEPCA Report?

You brought this up yesterday. I know the last one is in.

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

**** Sent on my mobile phone. Please excuse any typos. ****

From: (b)(6)
Sent: Tuesday, February 25, 2020 8:43:04 AM
To: (b)(6)
Subject: Status Update on the PLOCCA/MEPCA Report?

Thanks!

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

From:	(b)(6)
To:	(b)(6)
Subject:	RE: PLOCCA/MEPCA
Date:	Wed, 27 Feb 2019 14:45:26 +0000

Hi (b)(6)

I'll go have a look right now. That's a frightening acronym....

Best,

(b)(6)

From: (b)(6)
Sent: Wednesday, February 27, 2019 4:42 PM
To: (b)(6)
Subject: PLOCCA/MEPCA

Hi (b)(6) - hope all is well. Just wanted to make sure you had seen my classnet email with the PLOCCA/MEPCA report. As mentioned, (b)(5)

(b)(5) Let me know if you think you or someone from your team will have a chance to review today.

Thanks,

(b)(6)

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

From:	(b)(6)
To:	(b)(6)
Subject:	FW: PIOCCA
Date:	Fri, 30 Aug 2019 14:42:02 +0000

FYI

Unclassified

From: (b)(6)
Sent: Friday, August 30, 2019 10:26 AM
To: (b)(6)
Subject: PIOCCA

Hi –

(b)(5) we are inputting them and getting back to him. We are doing our best to get them to you as soon as we can.

(b)(6)

(b)(6)

Political Counselor
Palestinian Affairs Unit
Office: (b)(6)

Unclassified

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

From:	<NEA-Staff-Assistants-DL@state.gov>
To:	(b)(6)
Subject:	Awaiting Your Clearance : AM to D on 2019 PLOCCA-MEPCA Report
Date:	Wed, 19 Feb 2020 13:30:41 -0500

The following onePAPER package is currently awaiting your clearance:

AM to D on 2019 PLOCCA-MEPCA Report

If you have any questions, please contact the NEA Staff Assistants at NEA-Staff-Assistants-DL@state.gov.

Thank you,

The NEA Staff Assistants

Sender:	<NEA-Staff-Assistants-DL@state.gov>
Recipient:	(b)(6)

From:	<NEA-Staff-Assistants-DL@state.gov>
To:	(b)(6)
Subject:	Returned to Drafter : PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)
Date:	Tue, 22 Jun 2021 10:38:10 -0400

The following document has been returned to drafter and is currently pending your action:

PLO Commitments Compliance Act of 1989, as amended. (PLOCCA/MEPCA report)

If you have any questions, please contact the NEA Staff Assistants at NEA-Staff-Assistants-DL@state.gov.

Thank you,

The NEA Staff Assistants

Sender:	<NEA-Staff-Assistants-DL@state.gov>
Recipient:	(b)(6)

Reports with H (April 30 2020)

(b)(5)

- #3554: 2020 PLOCC/MEPCA
 - submitted 4/13

(b)(5)

Congressional Notifications with H

(b)(5)

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)	



United States Department of State

Washington, D.C. 20520

September 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 August 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 7 responsive records subject to the FOIA. We have determined that all seven 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 stylized, flowing script.

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/PO (b)(6)

EBO/PD JWierichs (ok)

EBO/PO (b)(6)

EBO/ECON (info)

EBO/PD SBarrios (ok)

PAU/PO (b)(6)

PAU/ECON (info)

CPA (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)	(b)(6)
To:	(b)(6)	
Subject:	RE: FINAL: AM to D for PLOCCA Report	
Date:	Fri, 16 Oct 2020 19:41:47 +0000	

Huzzah! Great work (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Friday, October 16, 2020 3:31 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: FINAL: AM to D for PLOCCA Report

Thanks much (b)(6)

(b)(6) Director / Office of Israel 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)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Friday, October 16, 2020 3:22 PM
To: NEA-Staff-Assistants-DL <NEA-Staff-Assistants-DL@state.gov>
Cc: NEA-IPA-DL <NEA-IPA-DL@state.gov>
Subject: FINAL: AM to D for PLOCCA Report

Colleagues,

Happy Friday!

Please find attached the final AM to D package for the latest PLOCCA report. DAS Chris Hodges has cleared and so has the H/FO.

Please let me know if you have any questions.

Best,

(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:		

From:	(b)(6)
To:	Shrier, Jonathan (b)(6)
Subject:	RE: DMF - FOR APPROVAL: Congressionally Mandated Report on PLO Compliance
Date:	Tue, 7 Apr 2020 07:48:36 +0000

Hi Jonathan,

Have you seen PLOCCA go back to DC already or come back to us after this exchange? Just want to make sure I am tracking the latest.

Thanks,

(b)(6) | Staff Assistant | U.S. Embassy Jerusalem | Branch Office Tel Aviv

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: Friedman, David M (b)(6)
Sent: Wednesday, March 25, 2020 7:59 PM
To: Shrier, Jonathan (b)(6)
Cc: (b)(6) (b)(6)
 (b)(6) (b)(6) Berkowitz, Avraham J.
 (b)(6)
Subject: Re: DMF - FOR APPROVAL: Congressionally Mandated Report on PLO Compliance

+ Avi

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

From: Shrier, Jonathan (b)(6)
Sent: Wednesday, March 25, 2020 4:32 PM
To: Friedman, David M
Cc: (b)(6)
Subject: DMF - FOR APPROVAL: Congressionally Mandated Report on PLO Compliance

Mr. Ambassador: Attached for your approval is the semi-annual report on PLO compliance with counterterrorism and peace undertakings, mandated by Congress. Several of us, including (b)(6) (b)(6) have reviewed it thoroughly. It is ready for your final chop, this week if possible. A second Congressionally mandated report, on incitement, is heading your way today or tomorrow.

Jonathan

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Wednesday, March 25, 2020 3:56 PM
To: Shrier, Jonathan (b)(6)
Cc: (b)(6); Embassy Jerusalem SA
<EmbassyJerusalemSA@state.gov>
Subject: FW: Two Congressional Reports for FO Clearance

Hi Jonathan,

You now have for review both PLOCCA and the final (I am promised now truly final) Incitement Report. I am also told IPA Office Director (b)(6) has reached out with a keen interest in getting PLOCCA back to DC asap, so that one is the clear priority. My light, non-substantive touch-ups in the attached.

As far as flow, I defer to you on whether you would like to share these with Ambassador Friedman for approval or route back through (b)(6) and I, after you review.

Thank you,

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Tuesday, March 24, 2020 4:17 PM
To: Shrier, Jonathan (b)(6)
Cc: Embassy Jerusalem SA <EmbassyJerusalemSA@state.gov> (b)(6)
(b)(6)
Subject: Re: Two Congressional Reports for FO Clearance

(b)(5)

Thank you for your review.

(b)(6)

From: (b)(6)
Sent: Monday, March 23, 2020 3:52 AM
To: (b)(6) Embassy Jerusalem SA
<EmbassyJerusalemSA@state.gov>
Cc: (b)(6) (b)(6)
(b)(6)
Subject: Two Congressional Reports for FO Clearance

(b)(6)

(b)(5)

Many thanks and all the best,

(b)(6)

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

From:	(b)(6)
	Sawyer, Julie L. EOP/NSC (b)(6)
To:	(b)(6)
	Evans, Patrick L. EOP/NSC (b)(6)
CC:	(b)(6)
Subject:	RE: CLEARANCE: Response to Free Beacon Article on PLOCCA/MEPCA
Date:	Wed, 7 Jul 2021 15:54:35 +0000

(b)(5)

From: Sawyer, Julie L. EOP/NSC (b)(6)
Sent: Wednesday, July 7, 2021 11:28 AM
To: Pardo, Greg <PardoG@state.gov>; Evans, Patrick L. EOP/NSC (b)(6)
Cc: (b)(6)
Subject: RE: CLEARANCE: Response to Free Beacon Article on PLOCCA/MEPCA

(b)(5)

From: (b)(6)
Sent: Wednesday, July 7, 2021 11:24 AM
To: Sawyer, Julie L. EOP/NSC (b)(6) Evans, Patrick L. EOP/NSC
(b)(6)
Cc: (b)(6)
Subject: CLEARANCE: Response to Free Beacon Article on PLOCCA/MEPCA
Importance: High

(b)(6)

Apologies for the short-turn around request. For your clearance, here's our response to the Free Beacon article on the PLOCCA/MEPCA.

Thanks!

(b)(6)

• (b)(5)

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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/>

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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."

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"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.

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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.

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(b)(6)

Political Officer/Acting Press Officer
Office of Israel and Palestinian Affairs (IPA)
Bureau of Near Eastern Affairs (NEA)

U.S. Department of State
Washington, D.C.

(b)(6)

Sender:

(b)(6)

Sawyer, Julie L. EOP/NSC

(b)(6)

Recipient:

(b)(6)

Evans, Patrick L. EOP/NSC

(b)(6)

(b)(6)

From: (b)(6)
To: (b)(6)
(b)(6)
Subject: RE: CLEARANCE: PLOCCA/MEPCA Report
Date: Wed, 6 May 2020 18:24:31 +0000

Thank you (b)(6)

From: (b)(6)
Sent: Wednesday, May 6, 2020 2:12 PM
To: (b)(6)
Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

Edits:

(b)(5)

From: (b)(6)
Sent: Wednesday, May 6, 2020 1:02 PM
To: (b)(6)
Cc: (b)(6)
Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

Thanks (b)(6) adding L/UNA as (b)(6) (b)(5)
(b)(5)

From: (b)(6)
Sent: Wednesday, May 6, 2020 12:54 PM
To: (b)(6)
Subject: FW: CLEARANCE: PLOCCA/MEPCA Report

(b)(6) just checking if (b)(6) recommended language is okay? Once we clear this, it's off (b)(6)
Finally. ☺ (b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

From: (b)(6)
Sent: Wednesday, May 6, 2020 12:09 PM
To: (b)(6)
Cc: (b)(6)
Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

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

(b)(5)

(b)(6)

From: (b)(6)
Sent: Tuesday, May 5, 2020 5:31 PM
To: (b)(6)
Cc: (b)(6)
Subject: CLEARANCE: PLOCCA/MEPCA Report

(b)(6)

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

Best,

(b)(6)

(b)(6)

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

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

Sender:

(b)(6)

Recipient:

(b)(6)

From: (b)(6)
To: [REDACTED]
Subject: Re: CLEARANCE: PLOCCA/MEPCA Report
Date: Mon, 4 May 2020 18:43:31 +0000

sure! no rush. (b)(6)

(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: Monday, May 4, 2020 2:38 PM
To: (b)(6)
Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

Thanks, Greg! Mind if I take a look later tonight once I'm on GO?

(b)(6)

NEA/IPA

(b)(6)

Sent: Monday, May 4, 2020 2:28 PM
To: (b)(6)
Subject: Fw: CLEARANCE: PLOCCA/MEPCA Report

(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: Monday, May 4, 2020 1:31 PM
To: (b)(6); GPA-Specials <GPA-Specials@state.gov>
Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

(b)(5)

(b)(6)

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

(b)(6)

PardoG@state.gov

From: (b)(6)

Sent: Monday, May 4, 2020 12:03 PM

To: (b)(6) GPA-Specials <GPA-Specials@state.gov>

Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

(b)(5)

(b)(6)

Special Assistant | Front Office
U.S. Department of State
Bureau of Global Public Affairs

(b)(6)

From: (b)(6)

Sent: Monday, May 4, 2020 10:28 AM

To: (b)(6) Specials <GPA-Specials@state.gov>

Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

(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, May 1, 2020 7:20 PM

To: (b)(6) GPA-Specials <GPA-Specials@state.gov>

Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

(b)(5)

(b)(6)

Special Assistant | Front Office
U.S. Department of State
Bureau of Global Public Affairs

(b)(6)



From (b)(6)

Sent: Friday, May 1, 2020 5:44 PM

To: (b)(6) GPA-Specials <GPA-Specials@state.gov>

Subject: RE: CLEARANCE: PLOCCA/MEPCA Report

(b)(5)

From (b)(6)

Sent: Friday, May 1, 2020 5:33 PM

To: (b)(6) GPA-Specials <GPA-Specials@state.gov>

Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

(b)(5)

Thanks (b)(6)

(b)(6)

Special Assistant | Front Office
U.S. Department of State
Bureau of Global Public Affairs

(b)(6)



From: (b)(6)
Sent: Friday, May 1, 2020 5:22 PM
To: (b)(6)-Specials <GPA-Specials@state.gov>
Subject: RE: CLEARANCE: PLOCCA/MEPCA Report

(b)(5)

From: (b)(6)
Sent: Friday, May 1, 2020 5:20 PM
To: (b)(6) GPA-Specials <GPA-Specials@state.gov>
Subject: Re: CLEARANCE: PLOCCA/MEPCA Report

(b)(5)

(b)(6)
Special Assistant | Front Office
U.S. Department of State
Bureau of Global Public Affairs
Telework: (b)(6)



From: (b)(6)
Sent: Friday, May 1, 2020 5:13 PM
To: GPA-Specials <GPA-Specials@state.gov>
Subject: CLEARANCE: PLOCCA/MEPCA Report

Colleagues,

(b)(5)

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

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

Sender: (b)(6) />

Recipient:

(b)(6)

From: (b)(6)
To: H_Clearances <HClearances@state.gov>
Subject: Fw: CLEARANCE: 2020 PLOCCA/MEPCA report
Date: Mon, 27 Apr 2020 16:39:17 +0000

Colleagues, just checking on the status of the clearance request below. Thank you. Best (b)(6)

(b)(6)

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: Monday, April 13, 2020 3:47 PM

To: (b)(6); H_Clearances <HClearances@state.gov> (b)(6)
(b)(6) NEA <SP_NEA@state.gov>; R_Clearances <R_Clearances@state.gov>;

(b)(6)

(b)(6)

(b)(6)

Cc: (b)(6)

Subject: CLEARANCE: 2020 PLOCCA/MEPCA report

Colleagues,

Attached for your clearance is the Action Memo along with the 2020 PLOCCA/MEPCA report.

Please let me know if you have any questions or suggestions.

Best,

(b)(6)

(b)(6)

Office of Israel and Palestinian Affairs (NEA/IPA)
Bureau of Near East Affairs
Washington, D.C.

(b)(6)

~~SENSITIVE BUT UNCLASSIFIED~~

Sender: (b)(6)**Recipient:** H_Clearances <HClearances@state.gov>

**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)

Executive Summary

Major points in the report are as follows:

(b)(5)

**United States Department of State*****Washington, D.C. 20520*****~~SENSITIVE BUT UNCLASSIFIED~~**

April 10, 2020

ACTION MEMO FOR THE DEPUTY SECRETARY

FROM: NEA – David Schenker
H – Mary Elizabeth Taylor

SUBJECT: ~~(SBU)~~ Report to Congress under the Palestine Liberation Organization Commitments Compliance Act (PLOCCA) and the Middle East Peace Commitments Act (MEPCA), and Determination Imposing and Waiving Sanctions

BLUF:

(b)(5)

Recommendations

(b)(5)

Background

~~(SBU)~~ The PLO Commitments Compliance Act of 1989 (PLOCCA) and the Middle East Peace Commitments Act (title VI of the Foreign Relations Authorization Act, Fiscal Year 2003 (MEPCA) require the President to determine whether the PLO and Palestinian Authority (PA) are in compliance with certain conditions specified in the legislation, to include renouncing violence, preventing terrorism, and disciplining PLO elements and personnel for violations. If the President determines the PLO and/or PA are not in compliance, MEPCA requires that he impose one or more sanctions from a list provided. The legislation provides a waiver for the President to set aside the selected sanction if he determines it is in the U.S. national security interest to do so. The President has delegated these functions to the Secretary of State.

~~(SBU)~~ On October 2, 2019 former Deputy Secretary of State John J. Sullivan approved the last report and determination, which imposed – then waived – the sanction of denying visas to PLO

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members and PA officials. This was coordinated with White House and NSC staff. (b)(5)

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~~(SBU)~~ Former Deputy Secretary of State John J. Sullivan approved the September 2019 report on October 2, 2020, signed the accompanying determination, and authorized the transmission of the report and determination to Congress and its publication in the *Federal Register*. This report and determination were due to the Congress on March 19, 2020. The report is late due to the recent COVID-19 crisis, which delayed the clearance process when offices transitioned to a teleworking posture. There are no assistance-related ramifications of this report, determination, and waiver package.

(U) Upon your signature, H will transmit the report and determination to Congress, and NEA will publish the determination in the *Federal Register*. You have authority to take this action pursuant to Delegation of Authority 245-2.

Attachments:

- Tab 1 – Executive Summary
- Tab 2 – Proposed Report
- Tab 3 – Transmittal Letters
- Tab 4 – Draft Determination (Imposition of Sanction and Waiver)
- Tab 5 – PLO Commitments Compliance Act of 1989, as amended and Foreign Relations Authorization Act, FY 2003, Title VI (MEPCA) and Section 699
- Tab 6 – President’s Delegation of Functions, dated March 14, 1990
- Tab 7 – President’s Delegation of Functions, dated April 30, 2009

Approved: NEA: David Schenker ()
H: Mary Elizabeth Taylor ()

Drafted: NEA/IPA (b)(6)

Cleared: NEA/FO: (b)(6)
NEA/FO: (b)(6)
NEA/IPA (b)(6)
NEA/IPA (b)(6)
D: (b)(6)
P: (b)(6)
S/P:
CT: (b)(6)
NEA/EGY: (b)(6)
NEA/RMA (b)(6)
H: (b)(6)
INR/NEA: (b)(6)
L/AN: (b)(6) OK
L/UNA: (b)(6) OK
Embassy Jerusalem: DFriedman OK