



United States Department of State

Washington, D.C. 20520

April 26, 2023

Case No. F-2022-06035/
FL-2023-00036

Reed Rubinstein
America First Legal
611 Pennsylvania Avenue, SE #231
Washington, DC 20003

Dear Mr. Rubinstein:

This letter is in response to your request dated March 16, 2022, 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 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. 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.

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 Assistant United States Attorney Jeremy Simon, at Jeremy.simon@usdoj.gov. Please refer to the case number, F-2022-06035/FL-2023-00036, and the civil action number, 23-cv-00419, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink that reads "Jeanne Miller". The signature is written in a cursive style with a large, stylized "J" and "M".

Jeanne Miller
Chief, Programs and Policies Division
Office of Information Programs and Services

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

(b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:

- 1.4(a) Military plans, systems, or operations
- 1.4(b) Foreign government information
- 1.4(c) Intelligence activities, sources or methods, or cryptology
- 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
- 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
- 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
- 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
- 1.4(h) Weapons of mass destruction

(b)(2) Related solely to the internal personnel rules and practices of an agency

(b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

ARMSEXP	Arms Export Control Act, 50a USC 2411(c)
CIA PERS/ORG	Central Intelligence Agency Act of 1949, 50 USC 403(g)
EXPORT CONTROL	Export Administration Act of 1979, 50 USC App. Sec. 2411(c)
FS ACT	Foreign Service Act of 1980, 22 USC 4004
INA	Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f)
IRAN	Iran Claims Settlement Act, Public Law 99-99, Sec. 505

(b)(4) Trade secrets and confidential commercial or financial information

(b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product

(b)(6) Personal privacy information

(b)(7) Law enforcement information whose disclosure would:

- (A) interfere with enforcement proceedings
- (B) deprive a person of a fair trial
- (C) constitute an unwarranted invasion of personal privacy
- (D) disclose confidential sources
- (E) disclose investigation techniques
- (F) endanger life or physical safety of an individual

(b)(8) Prepared by or for a government agency regulating or supervising financial institutions

(b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

NR Material not responsive to a FOIA request excised with the agreement of the requester

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>; (b)(6)@state.gov>
CC: (b)(6)@state.gov>
Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO
Date: Fri, 11 Feb 2022 21:08:14 +0000

Thanks!

(b)(6)

Financial Management Analyst
 Bureau of Democracy, Human Rights, and Labor (DRL)
 Office of Global Programming (GP)
 U.S. Department of State
 Work: (b)(6)

Contractor/CRG

From: (b)(6)@state.gov>
Sent: Friday, February 11, 2022 12:28 PM
To: (b)(6)@state.gov>; (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: FW: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

Posted today 2/11, closes 4/13. PO (b)(6) GO (b)(6) This one is Open.

From: (b)(6)@state.gov>
Sent: Friday, February 11, 2022 3:23 PM
To: (b)(6)@state.gov>; (b)(6)@state.gov>
Cc: (b)(6)@state.gov>
Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

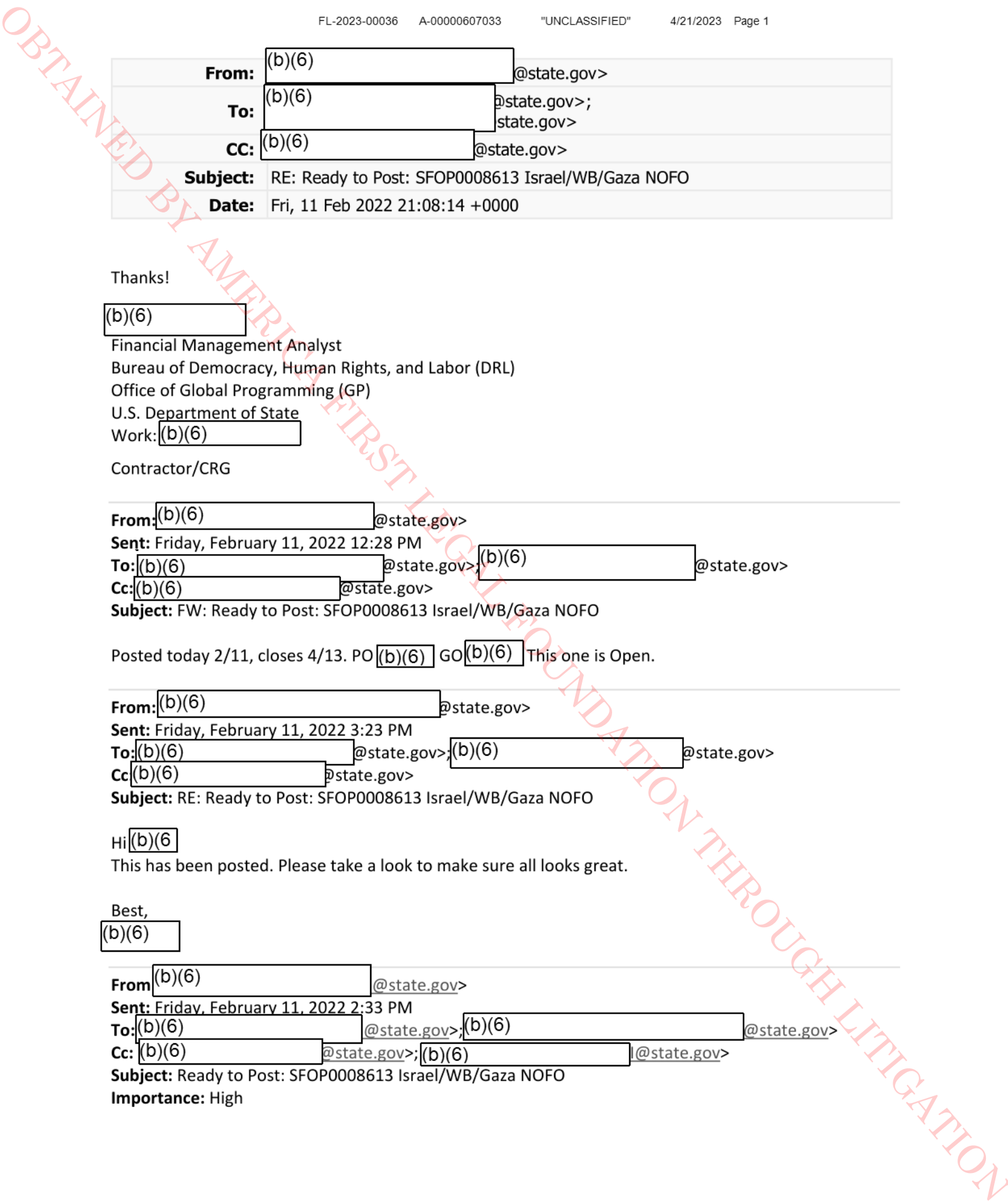
Hi (b)(6)

This has been posted. Please take a look to make sure all looks great.

Best,

(b)(6)

From: (b)(6)@state.gov>
Sent: Friday, February 11, 2022 2:33 PM
To: (b)(6)@state.gov>; (b)(6)@state.gov>
Cc: (b)(6)@state.gov>; (b)(6)@state.gov>
Subject: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO
Importance: High



Hi (b)(6)

Reaching out for your assistance in posting **SFOP0008613** to SAMS Domestic and grants.gov. If posted today, this will be live for 61 days (set to close at 11:59p EST on Wednesday 4/13). As the Passover holiday begins on Friday 4/15, it is slightly urgent that this be posted today to ensure it can meet the 60 threshold without falling over a large holiday break in Israel.

The attached NOFO has been uploaded to SD in PDF format. Please let me know if you have any questions or concerns, and apologies for the rushed request on a Friday afternoon. The holiday schedule didn't dawn on me until I was going through the calendar to find the 60-days-from-now date.

Thanks,

(b)(6)

(b)(6)

Office of Global Programs
Bureau of Democracy, Human Rights, and Labor
U.S. Department of State
Office: (b)(6)
Mobile: (b)(6)

* Contracted by Contracting Resources Group

Click to follow and like @StateDRL: 

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

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

From: (b)(6)@state.gov>
To: (b)(6)@state.gov>
Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO
Date: Fri, 11 Feb 2022 19:54:35 +0000

Thanks. Will post this when I'm done with this.

From: (b)(6)@state.gov>
Sent: Friday, February 11, 2022 2:44 PM
To: (b)(6)@state.gov>
Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

Correct, for a sole or limited source it's only posted to SAMS-D.

From: (b)(6)@state.gov>
Sent: Friday, February 11, 2022 2:43 PM
To: (b)(6)@state.gov>
Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

Hi (b)(6)
 I can post this, I was working on another one for (b)(6) Since you sent this email, I'm going to ask you this question since she hasn't responded to my email. For sole source NOFO's, it is only posted in SAMS Domestic, right?

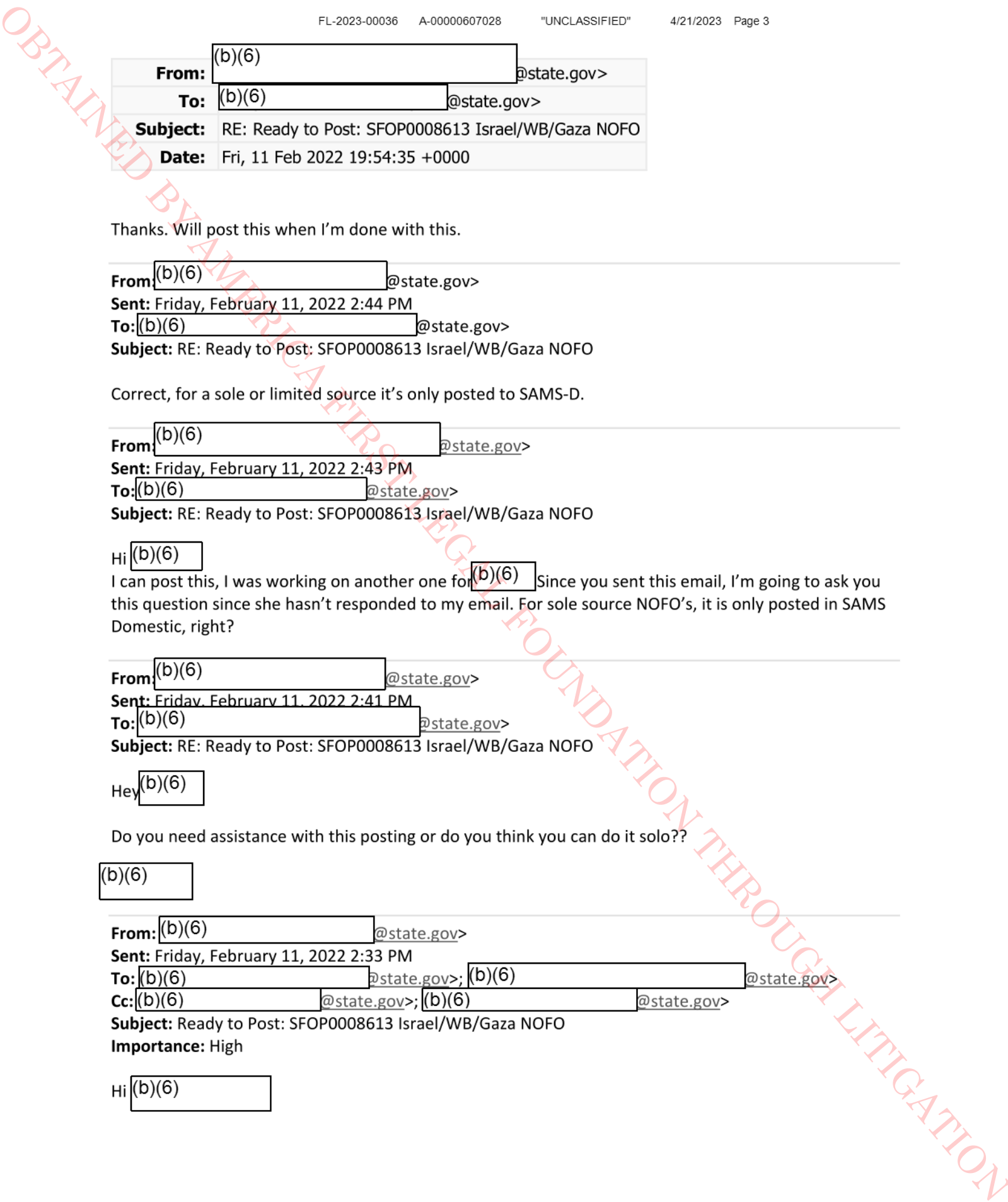
From: (b)(6)@state.gov>
Sent: Friday, February 11, 2022 2:41 PM
To: (b)(6)@state.gov>
Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

Hey (b)(6)
 Do you need assistance with this posting or do you think you can do it solo??

(b)(6)

From: (b)(6)@state.gov>
Sent: Friday, February 11, 2022 2:33 PM
To: (b)(6)@state.gov>; (b)(6)@state.gov>
Cc: (b)(6)@state.gov>; (b)(6)@state.gov>
Subject: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO
Importance: High

Hi (b)(6)





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Bureau of Democracy, Human Rights, and Labor
U.S. Department of State
Office: (b)(6)
Mobile (b)(6)
* Contracted by Contracting Resources Group

Click to follow and like @StateDRL:  

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

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From: (b)(6)
To: (b)(6)@state.gov;
(b)(6)@state.gov;
(b)(6)@state.gov>
CC: (b)(6)@state.gov>
Subject: Re: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO
Date: Fri, 11 Feb 2022 20:28:45 +0000

No worries, (b)(6) is on it!!

Best,

(b)(6)

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

Sent: Friday, February 11, 2022 3:27 PM

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

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

Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

Also shoot, this should have gone to (b)(6) and (b)(6) not (b)(6) I keep doing that. My apologies for the mix-up.

(b)(6)

From: (b)(6)

Sent: Friday, February 11, 2022 3:25 PM

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

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

Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

Looks great, thank you for acting on this quickly!

(b)(6)

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

Sent: Friday, February 11, 2022 3:23 PM

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

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

Subject: RE: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

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

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

Subject: Ready to Post: SFOP0008613 Israel/WB/Gaza NOFO

Importance: High

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(b)(6)

Office of Global Programs
Bureau of Democracy, Human Rights, and Labor
U.S. Department of State

Office: (b)(6)
Mobile: (b)(6)

* Contracted by Contracting Resources Group

Click to follow and like @StateDRL:  

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

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DRL Panel Guidance

Panelists are responsible for the following:

- Reading and familiarizing themselves with the proposals and other supporting materials prior to the panel;
- Evaluating each proposal on its own merit and providing comments on the proposal that adhere to the evaluation criteria from the solicitation;
- Completing scoresheets as a record of concerns and evaluation of the proposals;
- Understanding that their evaluations will form the basis for funding decisions. Panelists do not have the responsibility of recommending funding amounts;
- Identifying any conflict of interest that could preclude an unbiased evaluation (and excusing themselves from the review of those proposals);
- Including comments from Post in the Regional Bureau scoresheet, as applicable;
- Including specific suggested conditions and/or recommendations that could enhance each proposal in the evaluation scoresheet, and sharing those suggestions during the panel;
 - Conditions are hard and fast rules that *must* be met for the proposal to be funded. Recommendations are strong requests for clarifications that should be addressed by the applicant in a revised proposal if it is voted forward by the panel and approved by the DRL Front Office.

Please Note: Should a disagreement on a condition or recommendation occur, there will be a discussion and vote at the panel on the condition/recommendation in question.

Panelist who cannot meet these qualifications must abstain and forfeit the vote.

Withheld pursuant to exemption

(b)(5)

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION THROUGH LITIGATION

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