



United States Department of State

Washington, D.C. 20520

October 21, 2020

Case No. FL-2020-00018

Melanie Sloan
American Oversight
1030 15th Street NW, B255
Washington, DC 20005

Dear Ms. Sloan:

As noted in our letter dated January 08, 2020, we are processing your request for material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has identified an additional five responsive records subject to the FOIA. We have determined that three records may be released in part and two must be withheld in full.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable FOIA exemptions are marked on each document. The documents 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, you may contact Trial Attorney, Joshua C. Abbuhl at Joshua.Abbuhl@usdoj.gov; (202) 616-2531. Please refer to the case number, FL-2020-00018, and the civil action number, 19-cv-02934, in all correspondence about this case.

Sincerely,

Susan C. Weetman
Deputy Director
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:	"Taylor, Mary Elizabeth" (b)(6)
To:	Moore, Jessica L (b)(6)
Subject:	FW: Response to Hoyer/Engel Letter on Ambassador Yovanovitch
Date:	Mon, 6 May 2019 22:10:18 +0000

Official
UNCLASSIFIED

From: (b)(6)
Sent: Monday, May 6, 2019 3:33 PM
To: Taylor, Mary Elizabeth (b)(6)
Subject: FW: Response to Hoyer/Engel Letter on Ambassador Yovanovitch

FYSA

Official
UNCLASSIFIED

From: (b)(6)
Sent: Friday, May 3, 2019 4:03 PM
To: C_Special Assistants <C_SpecialAssistants@state.gov>
Subject: FW: Response to Hoyer/Engel Letter on Ambassador Yovanovitch

(b)(6) here are the fixed versions of the letters for C's review; that is, if he had a chance to discuss/OK this with MET.

(b)(6)

Official
UNCLASSIFIED

From: (b)(6)
Sent: Wednesday, April 24, 2019 9:28 AM
To: (b)(6) (b)(6) (b)(6)
(b)(6)
Cc: D/EUR Duty Officer 2 <DDutyOfficer2@state.gov> (b)(6) (b)(6)
(b)(6)
Subject: RE: Response to Hoyer/Engel Letter on Ambassador Yovanovitch

(b)(6)

Attached are the two letters. Thanks – (b)(6)

From: (b)(6)
Sent: Wednesday, April 24, 2019 8:48 AM
To: (b)(6)
 (b)(6)
Cc: D/EUR Duty Officer 2 <DDutyOfficer2@state.gov>; (b)(6)
 (b)(6)
Subject: RE: Response to Hoyer/Engel Letter on Ambassador Yovanovitch

(b)(6), Can you go ahead and do 2 letters, fix the name of A/S Taylor, and send this back also with changes accepted version(s)? thanks,

(b)(6)
 Senior Advisor, Office of the Counselor to the Secretary of State
 Suite 7249A | 2201 C. St. NW | Washington, D.C.
 (b)(6) office | (b)(6) mobile

Official
UNCLASSIFIED

From: (b)(6)
Sent: Wednesday, April 24, 2019 8:40 AM
To: (b)(6)
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Cc: D/EUR Duty Officer 2 <DDutyOfficer2@state.gov>; (b)(6)
 (b)(6)
Subject: Response to Hoyer/Engel Letter on Ambassador Yovanovitch

(b)(6)

(b)(6) is out sick today but I wanted to check in to see if C has had the opportunity to clear on the attached. We have been given a new deadline of 4/25 for the letter.

Thanks – (b)(6)

(b)(6)
 Ukraine Political Unit Chief
 U.S. Department of State
 Tel: (b)(6)
 Mob: (b)(6)

From: (b)(6)
Sent: Wednesday, April 17, 2019 9:36 AM
To: (b)(6)
 (b)(6)
Cc: (b)(6) (b)(6)
Subject: RE: Asap: **COB Clear -- Response Letter

(b)(6) and C team – Please find attached edits made in the final stage of internal clearance here. These are from my Director, (b)(6) If you could pass this version to C when he gets a chance to review, that would be good. Thanks again. - JG

(b)(6)
 Ukraine Desk Officer
 Phone: (b)(6)

From: (b)(6)
Sent: Wednesday, April 17, 2019 8:38 AM
To: (b)(6)
 (b)(6)
Cc: (b)(6)
Subject: RE: Asap: **COB Clear -- Response Letter

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Thanks, (b)(6)

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(b)(6)

Ukraine Desk Officer

Phone: (b)(6)

From: (b)(6)

Sent: Tuesday, April 16, 2019 5:35 PM

To: (b)(6)

(b)(6)

Cc: (b)(6)

Subject: RE: **COB Clear -- Response Letter

+ C team's (b)(6)

(b)(6) *Special Assistant*

Office of the Counselor (C) | U.S. Department of State

(b)(6) (office) | (b)(6) (mobile) | (b)(6)

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UNCLASSIFIED

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Cc: (b)(6)

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Clear for D with P and C okay.

(b)(6)

Special Assistant

Office of the Deputy Secretary of State

(b)(6)

(b)(6)

From: (b)(6)

Sent: Tuesday, April 16, 2019 1:24 PM

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

(b)(6)

Cc: (b)(6)

Subject: **COB Clear -- Response Letter

Colleagues – Please clear on the attached response to Congress (word doc). Also attached are the original letter (pdf) and an email containing the latest PG on the attacks on Yovanovitch. Since it's a

(b)(5)

Thanks and let me know if you have questions.

- (b)(6)

(b)(6)

Ukraine Desk Officer

Phone: (b)(6)

Sender: "Taylor, Mary Elizabeth" (b)(6)

Recipient: Moore, Jessica L (b)(6)

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

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

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(b)(6)

Cc: (b)(6)**Subject:** RE: Asap: **COB Clear -- Response Letter

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Thanks and let me know if you have questions.

- Jamie

(b)(6)
 Ukraine Desk Officer
 Phone: (b)(6)

Sender:	(b)(6)
Recipient:	Taylor, Mary Elizabeth (b)(6)

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From:	"Taylor, Mary Elizabeth" (b)(6)
To:	Hale, David (b)(6)
Subject:	RE: Foreign Service Caucus Follow Up
Date:	Tue, 14 May 2019 18:59:26 +0000

(b)(5)

(b)(5) Thank you.

Official
UNCLASSIFIED

From: Hale, David (b)(6)
Sent: Tuesday, May 14, 2019 2:39 PM
To: Taylor, Mary Elizabeth (b)(6)
Subject: Foreign Service Caucus Follow Up

Mary Elizabeth -

Thank you to (b)(6) and the team for putting on a successful Foreign Service Caucus event this morning. It was good to connect with Senators Sullivan and Van Hollen and to reiterate the Secretary's focus on developing our people, including through the Ethos Initiative. During a Q&A with the State fellows and congressional staffers there, I got a couple trickier questions:

On Ambassador Yovanovitch's departure, I said she was leaving at the end of her assignment with her head held high and the support of State leadership. I was also asked about accusation of politically-motivated retribution of career officers. I said we took those very seriously, some of the allegations pointed to possible violations of the law, and therefore were under OIG investigation. I pointed to the ethos initiative as one of our tools to prevent this kind of behavior.

On my recent visit to Burma, I said I gained a better understanding of the country's complicated challenges but the Rohingya crisis still had to be effectively addressed. U.S. actions should aim at driving constructive outcomes, I noted. On a drawdown of Embassy Kabul, I said Embassy staffing was being adjusted to match our current operational demands and explained our diplomatic strategy and goals. I said we will reevaluate our posture for a post-reconciliation Afghanistan if we reach an agreement.

David

Sender:	"Taylor, Mary Elizabeth"	(b)(6)
Recipient:	Hale, David	(b)(6)