



United States Department of State

Washington, D.C. 20520

December 11, 2020

Case No. FL-2020-00017

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

Dear Ms. Sloan:

As noted in our letter dated September 14, 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 one additional responsive record subject to the FOIA. We have determined that record can be released in part.

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. 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, F-2019-06331/FL-2020-00017, and the civil action number, 19-cv-02934, in all correspondence about this case.

Sincerely,

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)
To:	Hale, David (b)(6)
Subject:	Fwd: Ukraine tweet update - Embassy/Masha preelection vid
Date:	Sun, 24 Mar 2019 15:11:02 +0000

(b)(6) has reached out to Phil to help.

Sent from my iPhone

Begin forwarded message:

From: (b)(6)
Date: March 24, 2019 at 7:25:20 AM PDT
To: "Hale, David" (b)(6)
Subject: Re: Ukraine tweet update - Embassy/Masha preelection vid

I am sure (b)(6) and/or (b)(6) would be happy to help gather secure or non-secure input. Is a fleshed out menu of options what S is looking for? Within a few hours or later this afternoon? Shall I ask (b)(6) or (b)(6) to call you? Or I can call you shortly.

Sent from my iPhone

On Mar 24, 2019, at 7:16 AM, Hale, David (b)(6) wrote:

Can you help corral this? Or (b)(6)?

Sent from my iPhone

Begin forwarded message:

From: "Hale, David" (b)(6)
Date: March 24, 2019 at 10:16:10 AM EDT
To: "Reeker, Philip T" (b)(6)
Cc: (b)(6)
 "Kenna, Lisa D" (b)(6)
Subject: Re: Ukraine tweet update - Embassy/Masha preelection vid

Hi, then your team should send me their thoughts while you are out. I want to send him an email

before you are available again. We can send a more detailed product later after you can review. I promised him responses today.

Sent from my iPhone

On Mar 24, 2019, at 8:52 AM, Reeker, Philip T

(b)(6) wrote:

Good morning. Focus on VZ /RUS this morning, but also the ongoing UKR-related stuff.

(b)(6)

(b)(6) But will monitor email/phones.

Sent from my BlackBerry 10 smartphone.

From: Kent, George P (b)(6)

Sent: Sunday, March 24, 2019 8:35 AM

To: Reeker, Philip T; Murphy, Michael J; (b)(6)
(b)(6)

Subject: Re: Ukraine tweet update - Embassy/Masha preelection vid

Embassy taped two videos. This one is a 90 second public service announcement, urging Ukrainians to vote, then unite to carry the country forward.

<https://youtu.be/6IJxkAPFOjw>

At the 45 second mark: "...and i promote and carry out the policies of the Trump administration."

From: Kent, George P

(b)(6)

Sent: Sunday, March 24, 2019 8:07 AM

To: Reeker, Philip T; Murphy, Michael J;

(b)(6)

Subject: Ukraine tweet update - Sunday morning

Morning. Rudy Giuliani and one of the other main tweeters tryin to keep the Ukraine connection alive thru retweets and reiterating "it was ukraine" (vice russia).

Separately, embassy kyiv released a pre (ukrainian) election video calling on all Ukrainians to vote, and then unite to carey the country forward after the vote regardless of who wins. Masha slipped in references to he being nominated by various presidents, serving under others, as a government servant loyal to all, promoting national interests.

Not quite sure how to paste a link from FB with the firewall, but will try to forward from my private account.

From: [REDACTED] (b)(6)

[REDACTED] (b)(6)

Date: March 24, 2019 at 8:41:03 AM GMT+2

To:

Cc: EUR-Press <EUR-Press-DL@state.gov>

Subject: Reactions to Hill article - Sunday morning

A few Ukraine updates this morning:

Rudy Giuliani also retweeted the Ryan Saavedra post featuring DiGenova criticizing Amb. Y.

Jack Posobiec of OANN has some new Ukraine tweets in the past hour:

It was Ukraine
It was always Ukraine
They didn't even hide it

And a separate tweet from the same individual with just the hashtags:

#UkraineCash

#UkrainiumOne

#UkraineJoe

Not directly related to this issue, but just for awareness of other Ukraine-related topics the Western media are covering this weekend, the AP published the following article Saturday, which has been picked up by various media outlets such as the New York Times and Fox News.

5,000 nationalists protest corruption

in Ukraine

KIEV, Ukraine – About 5,000 nationalist demonstrators have held a protest in the Ukrainian capital of Kiev calling for arrests in a defense industry corruption case. The Saturday protest was the latest in several weeks of demonstrations by supporters of the far-right focusing on corruption.

A journalistic investigation in February reported that figures close to President Petro Poroshenko and a factory controlled by him were involved in an embezzlement scheme. It has become a top issue in the heated campaign ahead

of Ukraine's March 31 presidential election.

Poroshenko is trying to get re-elected, but a deep recession, endemic corruption and a war with Russia-backed separatists that has killed some 13,000 people since 2014 are weighing heavily on his ambitions.

Sender:	(b)(6)		
Recipient:	Hale, David	(b)(6)	