



United States Department of State

Washington, D.C. 20520

February 17, 2023

Case No. FL-2020-00018

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

Dear Ms. Sloan:

As we noted in our letter dated January 3, 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 identified two additional responsive records subject to the FOIA. We have determined both 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, you may contact Trial Attorney Joshua C. Abbuhl at Joshua.Abbuhl@usdoj.gov or (202) 616-2531. Please refer to the case number, F-2019-06332/FL-2020-00018, and the civil action number, 19-cv-02934, in all correspondence about this case.

Sincerely,

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)
Sent: Fri, 22 Mar 2019 20:10:00 +0000
To: Brechbuhl, Thomas U
Cc: C_Special Assistants
Subject: (SBU) 3/22 DAR: DPRK, Venezuela, MPP, Boeing, Ukraine, Yemen, Nicaragua

DeControlled

Sir,

A few items for awareness.

(b)(6)

HEADS UP

~~(SBU)~~ **President Withdraws New DPRK Sanctions:** Treasury announced the first tranche of new sanctions against DPRK since the Trump-Kim Summit in Hanoi. At around 1:30pm, POTUS tweeted that he would withdraw those additional sanctions.

~~(SBU)~~ **Treasury Plans Additional Sanctions Today:** The action would be in response to the former Maduro regime's abduction of key members of Guaido's team, and would target a financial institution.

~~(SBU)~~ **Maduro Requests WTO Dispute Settlement Panel:** The former Maduro regime placed a request for a WTO dispute settlement panel in a case against the United States on the agenda of the March 26 WTO Dispute Settlement Body meeting. We intend to remove the panel request from the agenda. Maduro claims U.S. economic sanctions constitute a breach of WTO rules.

~~(SBU)~~ **Expected Migrant Protection Protocols Injunction:** State is preparing press guidance for today's expected injunction by the Ninth Circuit of DHS's Migrant Protection Protocols.

INFO

AF

~~(SBU)~~ **UNSC Visits Mali, Burkina Faso:** Led by France, Germany, and Cote d'Ivoire, this is the fourth UNSC trip to Mali since 2014 and the second to Burkina Faso. This visit comes two months before the Council will negotiate the mandate for the UN peacekeeping mission in Mali (MINUSMA), an underperforming mission. Mali's PM Maiga will almost certainly push for U.S. support for enhanced UN assistance for the Group of Five (G5) Sahel joint force during your March 26 meeting with him.

EAP

~~(SBU)~~ **Xi's Visit to Italy:** The centerpiece will be the signing of an MOU to make Italy the first major democracy to join China's Belt and Road initiative.

~~(SBU)~~ **Garuda Indonesia Seeks to Cancel Order for 49 Boeing 737 Max 8 Jets:** The order is worth \$4.9 billion. The airline originally ordered 50 jets in 2014 and so far has received one. Garuda plans to meet with Boeing representatives next week in Jakarta.

EUR

~~(SBU)~~ **Ukraine Statements Supporting Amb. Yovanovitch:** President Poroshenko and FM Klimkin both expressed support for Amb. Yovanovitch with public statements. The statements came after A/S Reeker demarched the Embassy yesterday regarding Ukraine's Prosecutor General Lutsenko's allegation that Yovanovitch gave him a list of persons who should not be prosecuted.

NEA

~~(SBU)~~ **Yemen Update:** (b)(5)

(b)(5)

~~(SBU)~~ **New Saudi Ambassador Receives Agrément:** While incoming Saudi Amb to the U.S. Reema bint Bandar could come as early as mid-April to present her credentials, (b)(5)

(b)(5)

(b)(5)

WHA

(U) Nicaragua Government, Opposition to Discuss Prisoner Release: After Ortega's Wednesday announcement he would free hundreds of political prisoners within the next 90 days, the opposition group Committee for the Liberation of Political Prisoners said prisoners should be freed within 15 days, and negotiations would not begin before all were released. Both sides have agreed the International Red Cross would monitor the releases.

Official ~~(SBU)~~
UNCLASSIFIED

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**(SBU) Checklist for Under Secretary Hale's Meeting with
Ambassador Marie "Masha" Yovanovitch, Kyiv
Friday, October 5, 2018, 30 Minutes**

Portions classified by DAS,
A/GIS/IPS, Eric Stein 08-16-2022.
CONFIDENTIAL. Declassify on
09-30-2043.

(SBU) LAST INTERACTION: This is your first meeting with Ambassador Yovanovitch in your role as Under Secretary for Political Affairs.

1. **(SBU) U.S. Support for Ukraine against Russian Aggression:** The conflict in eastern Ukraine remains hot, with Ukraine suffering daily casualties. Special Representative Volker continues to push for a diplomatic solution, but Russia has disengaged and failed to meet its Minsk agreements commitments. Russia is instead focused on undermining Ukraine's stability, subjecting it to cyber attacks, disinformation, and other forms of malign influence; consolidating its occupation of Crimea; and harassing ships headed to Ukrainian ports on the Azov Sea. Our support for Ukraine's territorial integrity remains steadfast, underlined by the Secretary's "Crimea Declaration." We have succeeded in maintaining transatlantic unity on Ukraine by engaging diplomatically with our Allies and calling out Russia's bad behavior repeatedly and publicly, but "Ukraine fatigue" endangers our unified approach.

2. **(SBU) Reforms:** Over the past year, Ukraine has made progress on reforms in education, health care, pensions, privatization, defense, and anti-corruption. We welcomed legislation establishing an anti-corruption court and the passage of a Law on National Security consistent with NATO standards. (b)(1)

(b)(1)

(b)(1)

The government has not met the IMF conditions on raising gas prices and limiting budget deficits that are needed to release \$1-1.5 billion in IMF funds. An IMF agreement would also unlock additional funds needed to pay more than \$8 billion in external debt coming due in 2018-2019.

3. **(SBU) Elections:** Ukraine will hold presidential elections in March and parliamentary elections in October 2019. President Poroshenko faces a tough re-election battle against a diverse cast of potential candidates, including current front-runner Yulia Tymoshenko. No candidate, however, enjoys support above 20 percent in recent polling. (b)(1)

(b)(1)

(b)(1)

The Poroshenko administration has also largely failed to condemn a series of recent attacks on civil society activists and has disparaged anti-corruption NGOs and civil society groups critical of the government.

(SBU) The mission is staffed with (b)(7)(E) U.S. direct hires and (b)(7) locally employed staff and eligible family members. There are more than (b)(7) Peace Corps volunteers (b)(7)(E) (b)(7)(E) and (b)(7)(E) TDY U.S. military trainers in country at any given time. Kyiv has significant interagency representation with (b)(7)(E)

(b)(7)(E)

Attachment:

Biographic Information

Approved: EUR: A. Wess Mitchell (AWM)

Drafted: EUR/EE – (b)(6)

Cleared: EUR/FO: EMillard (ok)
EUR/FO: GKent (ok)
EUR/EE: (b)(6) (ok)
S/P: (b)(6) (ok)
D: (b)(6) (ok)
P: (b)(6) (ok)
EUR/PD: LWahl-Tuco (ok)
DRL: (b)(6) (ok)
EUR/RUS: (b)(6) (ok)