



United States Department of State

Washington, D.C. 20520

December 22, 2021

Case No. FL-2020-00043;
FL-2020-00045

Sarah Columbo
American Oversight
1030 15th Street, NW, B255
Washington, DC 20005

Dear Ms. Columbo:

As we noted in our letter dated November 10, 2021, 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 13 additional responsive records subject to the FOIA. We have determined that 1 record may be released in part and 12 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 the record. The records withheld in full are exempt from release pursuant to FOIA Exemptions 1, 5, and 6, 5 U.S.C. §§ 552 (b)(1), (b)(5), and (b)(6). 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 questions, you may contact Trial Attorney Indraneel Sur at Indraneel.Sur@usdoj.gov, or by phone at (202) 616-8488. Please refer to the case numbers FL-2020-00043 and FL-2020-00045, and the civil action number, 20-cv-322, 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:	"SMART Core" <svcSmarrHBtsEwsHPrec@state.sgov.gov>
CC:	(b)(6)
Subject:	Poles Positive on Vice President Pence's Visit to Warsaw
Date:	Fri, 13 Sep 2019 07:56:59 -0400

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Info Office: PRINCIPAL, POLAD, STAFF_ASST

MRN: 19 WARSAW 361
Date/DTG: Sep 13, 2019 / 131155Z SEP 19
From: AMEMBASSY WARSAW
Action: WASHDC, SECSTATE ROUTINE
E.O.: 13526
TAGS: PGOV, PREL, MARR, MASS, TRGY, ENRG, KDEM, UA, PL
Captions: SENSITIVE
Reference: 19 WARSAW 321
Pass Line: AMCONSUL FRANKFURT PASS TO AMCONSUL DUSSELDORF
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Subject: Poles Positive on Vice President Pence's Visit to Warsaw

1. (SBU) **Summary and Comment:** Vice President Pence visited Warsaw from September 1-2, 2019 to commemorate the 80th anniversary of the start of World War II. He was accompanied by then-National Security Advisor John Bolton and Secretary of Energy Rick Perry. Poles have been largely positive in their assessment of the visit, including regarding the signing of a joint declaration on 5G with Prime Minister Mateusz Morawiecki. Vice President Pence's public remarks were also very well received. Secretary of Energy Rick Perry held a series of events to highlight the importance of energy cooperation to the bilateral relationship, including the second round of the U.S.-Poland Strategic Energy Dialogue and signed a Memorandum of Cooperation on security of natural gas supply with his Polish and Ukrainian counterparts. The lack of an announcement regarding next steps following the June 12 Joint Declaration on Defense Cooperation Regarding U.S. Force Posture in Poland caused some disappointment, but Poles anticipate such an announcement before the end of the year. **End Summary and Comment.**

Public Perceptions

2. (SBU) Vice President Pence's visit to Warsaw for the 80th anniversary of the start of World War II included a nationally televised speech in Warsaw's central Pilsudski Square, as well as bilateral meetings with President Duda and Prime Minister Morawiecki. German Chancellor Angela Merkel, as well as dozens of heads of state and government – including Ukrainian President Volodymyr Zelenskyy who concluded his first state visit to Poland on August 31 – also attended the solemn commemoration. The importance of the bilateral relationship with the United States was stressed, with Vice President Pence seated next to President Duda. Ambassador Mosbacher, then-National Security Advisor Bolton, and Secretary Perry were seated by Prime Minister Mateusz Morawiecki and President Duda's Chief of Cabinet Krzysztof Szczerski. Glaringly absent was Russian President Vladimir Putin, who the Poles did not invite to the event. President Duda paid tribute to all victims of WWII, highlighting the historic struggle of the Polish people against Nazi and Soviet invaders. He cautioned that the world had yet to learn from the terrible lessons of the war, and alluded to ongoing conflict and aggression spurred on by Moscow. German President Frank-Walter Steinmeier, meanwhile, asked Poland to forgive Germany for past Nazi crimes.

3. (SBU) Polish commentators said they appreciated the Vice President's emphasis on Polish independence and references to traditional values in his speech on Pilsudski Square. They also reacted well to his allusions of the threat posed by Russia. Elzbieta Jakubiak, a PiS party insider and former chief of staff to then-President Lech Kaczynski, told PolOff governing party members specifically were pleased with the tone of the Vice President's speech. She said the Vice President's reference to Pope John Paul II's visit to the same location and the fact that he closed his remarks with "God bless Poland" went down well with party members. Jakubiak added, "I think [President] Duda wished he had thought of that." Miroslawa Grabowska, director of reliable Polish polling firm CBOS, assessed the reaction to the Vice President's speech split along existing social divides in Poland, with more liberal opposition supporters reacting negatively to the overt religious references.

4. (SBU) Marek Swierczynski, an analyst at Polityka Insight, assessed that some policy differences between Poland and the United States were visible during the visit. For example,

Duda said rapprochement with Russia was unacceptable while President Trump was asking for Russia to be brought back to the G8. Swierczynski concluded, however, that the visit added to the impression of a special relationship between Washington and Warsaw, but did not fulfill Polish expectations on specific agreements related to security cooperation and visa-free travel. Journalist Maciej Kozuszek of the pro-PiS weekly *Gazeta Polska* voiced a similar view, telling Post that Vice President Pence's trip was a "success," but acknowledging that PiS had hoped a high-profile visit by President Trump would boost the party's electoral campaign, with party leaders disappointed by the last-minute cancellation.

Progress on Key Policy Issues in Bilateral Meetings

5. (SBU) The Vice President's signing of a joint declaration on 5G with Prime Minister Morawiecki arguably grabbed the most national and international headlines of the visit in terms of deliverables. The declaration, which endorsed the Prague Principles and expressed the importance of protecting 5G infrastructure from untrustworthy sources, received largely positive reactions from the press, and will be publicly released by the PM's Chancellery and the Vice President's Office. It has also sparked interest from other EU member states regarding 5G. Commenting on visa-free travel between the United States and Poland, the Vice President remarked that he was "glad Poland [was] nearing eligibility for the Visa Waiver Program," during his press conference with President Duda. His comments were covered widely in the press, with Poles eagerly waiting an official announcement in the future.

Expectations about Security Cooperation

6. (SBU) Leading up to the visit, Polish media widely expected further progress and additional details on the June 12 Joint Declaration on Defense Cooperation Regarding U.S. Force Posture in Poland. Media noted Defense Minister Mariusz Blaszczak's comments that the two sides had agreed on the locations for six elements of the planned increased U.S. military presence in Poland as well as then-National Security Advisor Bolton's remarks during their August 30 press conference that the two countries would have signed a subsequent bilateral declaration had President Trump made the trip to Poland. During the September 2 joint press conference, Vice President Pence reiterated the agreements concluded to date and noted that the United States was working toward signing a new defense cooperation agreement with Poland. President Duda highlighted his hope that "final decisions would be taken concerning the locations" of the expanded U.S. presence in Poland and expressed his desire for U.S. companies to participate in planned tenders for helicopters that the Polish Armed Forces will procure as part of its modernization plan.

Secretary Perry Highlights Energy Cooperation and Signs Trilateral Agreement with Poland and Ukraine

(b)(1)

(b)(1)

8. (SBU) At a joint press conference in Warsaw August 31, Secretary Perry, Plenipotentiary Naimski and Ukrainian National Security Advisor Oleksander Danylyuk signed a trilateral memorandum of cooperation on enhancing regional security of natural gas (attached) to highlight a joint commitment to integrate Ukraine into European sources of natural gas and protect it from Russian dominance. Perry and Naimski spoke positively about the proposed interconnector at the Polish-Ukrainian border, but Danylyuk said Ukraine was still considering all options, referencing the fact that Ukraine believed less costly and time extensive options may be present. Secretary Perry, Minister Naimski, and Secretary Danylyuk all agreed that the DOE led technical delegation would play an important role in mediating any disputes on the specific path to approach for enhanced interconnections. In response to a question from the press, Secretary Perry stated it was his opinion that the United States would eventually impose sanctions on the Nord Stream 2 project.

Signature: ALIU

Classified By: Name: B. Bix Aliu, Title: Charge d'Affaire
Office: Political Section
Agency: STATE

Reason: 1.4 (b), (d)

Declassify On: 2044/09/13

Drafted By: WARSAW: (b)(6)

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