



United States Department of State

Washington, D.C. 20520

February 27, 2022

Case No. FL-2016-11198

John Michael Miano
Immigration Reform Law Institute
25 Massachusetts Ave., N.W., Suite 335
Washington, D.C., 20001

Dear Mr. Miano:

As we noted in our letter dated January 27, 2022, 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 an additional three responsive records subject to the FOIA. Upon review, we have determined that two records may be released in full and one record must be withheld in its entirety.

An enclosure explains the FOIA exemptions and other grounds for withholding material. The record withheld in full is 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, please contact Assistant United States Attorney Kartik Venguswamy at (202) 252-1790 or Kartik.Venguswamy@usdoj.gov. Please refer to the associated case number, F-2016-11198, and the civil action number, 1:17-cv-00118, in all communications regarding this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Diamonece Hickson", with a stylized flourish at the end.

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

Released in Full

Training

- Embassy Tel Aviv plans to redouble its efforts to ensure that consular officers receive all necessary training to have the tools and knowledge to continue adjudicating visas fairly and appropriately.
- Embassy Tel Aviv plans to continue inviting members of groups of potential concern, such as Orthodox Jews or post-army travelers, to give the consular officers a better understanding of the socio-economic reality of their lifestyles. This background information will give consular officers more context to make informed decisions.
- Embassy Tel Aviv will strengthen its introductory training program for new consular officers. This will consist of in-depth training on advanced interview techniques, focus on difficult cases, and prepare consular officers to better understand the Israeli applicant pool.
- In addition to a training program for new officers, Embassy Tel Aviv will implement regular feedback and training sessions with officers to discuss decisions made in specific cases and review the steps taken to make those decisions. These sessions, which could be held on "training days" dedicated to consular development, could be organized by topics and led by the consular officer responsible for a particular portfolio. In addition to the topical training, consular managers would hold sessions on techniques for how officers can better explain an adjudication decision, particularly for visa denials, to ensure that applicants understand their case has been heard and they fully understand the reason for the refusal.
- Consular managers will continue conducting periodic reviews of visa adjudications to ensure that all visas are adjudicated fairly and appropriately, and to ensure that all consular officers have the necessary training to make the best possible decisions.
- Embassy Tel Aviv will also periodically solicit feedback from applicants through online surveys to continue improving its customer service standards and incorporate its findings in training sessions.

Outreach

- Embassy Tel Aviv will redouble its efforts to conduct robust outreach efforts to educate the most at-risk segment of the applicant pool on the proper use of B1/B2 visas.
- Embassy Tel Aviv has a two-part YouTube video series posted on the main Embassy website that further explains what activities are permitted on a visitor (B) visa and highlights the potential consequences of violating the terms of the visas. Post collaborated with the Israeli Ministry of Foreign Affairs (MFA) and the Israeli Defense Forces (IDF) in the production of the videos.

<https://www.youtube.com/watch?v=OLiorPHmGyY>

<https://www.youtube.com/watch?v=NMsorqgtljc>

The visa section has played the video in its waiting room to ensure that applicants can see it before their interview. Embassy Tel Aviv will explore how to leverage this successful outreach program to further raise awareness on this important issue.

- Embassy Tel Aviv will continue to engage directly with the MFA and the IDF to publicize the issue. It succeeded in banning the unscrupulous recruiters that advertise illegal employment in the United States from IDF job fairs and will continue working with IDF to cooperate more closely in curbing the recruitment of young Israelis for illegal work in the United States.
- Embassy Tel Aviv participated in the IDF job fairs to explain what activities are permitted on a visitor (B) visa and what other visa categories might be available to young Israelis wishing to travel to the United States and will work further with IDF representatives to highlight the issue at IDF job fairs and in public statements.
- Embassy Tel Aviv will engage more strongly with local media on this. Already, local media have reported extensively on the dangers of working illegally in the United States. For example, in August 2013 Jerusalem Post published an article on this topic: [IDF campaign warns soldiers of illegal work in the US](#).
- Embassy Tel Aviv will intensify its effort to publicize potential legal avenues for young Israelis to travel and work in the United States, including through outreach on social media.
- In March, Embassy Tel Aviv created a new website highlighting the Summer Work and Travel (SWT) program for young university students which allows Israeli students to live and work in the United States during their summer vacation from college or university.
<http://israel.usembassy.gov/consular/niv/nivswt.html>
Embassy Tel Aviv plans to publicize other similar programs in the near future.
- Embassy Tel Aviv also publicized the SWT on Facebook and recent post alerting young Israelis to the opportunity of applying for a J-1 visa to participate in the program was shared widely and was seen by 19,000 people. As a result of this campaign, and after post provided answers to specific follow-up questions, Israel's second-largest newspaper, Yediot Ahronot published a full-page article highlighting this possibility of working legally in the United States. Embassy Tel Aviv will continue utilizing social media to reach the young Israelis.
- Embassy Tel Aviv has worked with the Jewish Agency and the World Zionist Organization to highlight opportunities for young Israelis to come to the United States to work as camp counselors on J-1 exchange visas. It will redouble its efforts to create avenues for legal employment of young Israelis in the United States.

MINISTRY OF FOREIGN AFFAIRS
JERUSALEM



משרד החוץ
ירושלים

Note 567

The Ministry of Foreign Affairs presents its compliments to the United States Department of State and the Department of Homeland Security and has the honor to address the issue of the Visa Waiver Program.

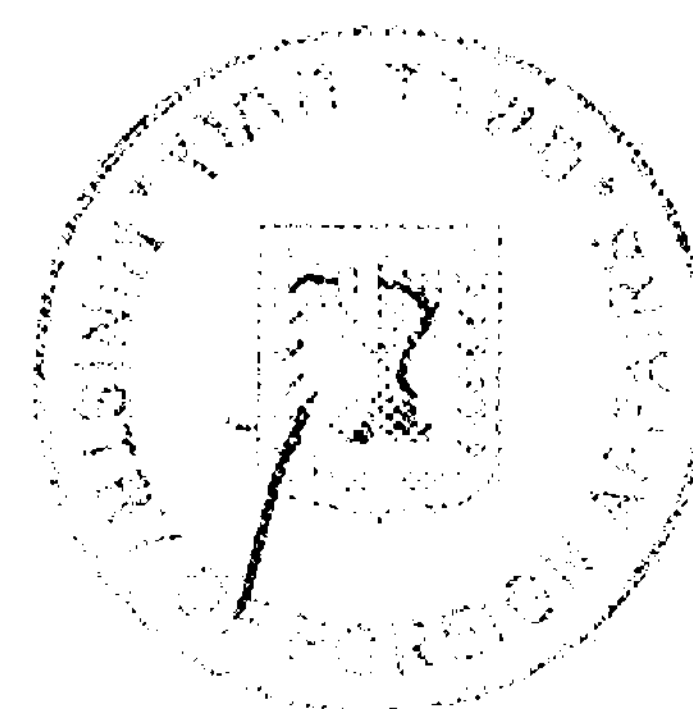
Israel and the United States have maintained close relations since President Harry S. Truman became the first head of state to recognize the State of Israel, eleven minutes after its independence was declared. Throughout the last 65 years the relationship between our two countries has both expanded and deepened as we confronted, shoulder to shoulder, international challenges of the first order, whether during the Cold War or the current fight against terrorism. We are grateful for the support of the United States, which has been critical for Israel's security and prosperity.

On the basis of the special relations which exist between our two countries, relations which have led to Israel's status as a Major Non-NATO Ally of the United States, Israel asks for the consideration of the United States in initiating the steps necessary to begin formal discussions for Israel to join the "Visa Waiver Program," a program which includes 35 countries. Please be assured that Israel is prepared to fulfill all of the necessary requirements for accession to this program. Moreover, Israel is willing to work with the United States in order to find creative solutions to issues which may be raised by the United States.

It should also be noted within this context that United States citizens have traveled to Israel for many decades without the necessity of an entrance visa to Israel.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the United States Department of State and the Department of Homeland Security the assurances of its highest consideration.

United States Department of State and
the Department of Homeland Security
Washington, D.C.



27 February 2014

Withheld pursuant to exemption

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Withheld pursuant to exemption

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