

RELEASE IN PART
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From: Jake Sullivan [redacted]
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To: H
Subject: settlements

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Jeff has sent a number of items to Huma that are useful for you to review, including the Bush-Sharon letter, the Weisglas-Rice letter, and the Bush-Abdullah letter. He also sent Kessler and AFP articles from 2008 that have *Bush* spokespeople denying any secret agreements with the Israelis on settlement growth, and disputing the Israelis' characterization of the Bush-Sharon letter.

General Selva said that the Bush-Sharon letter cannot fairly be read as any kind of green light on settlement expansion because both sides subsequently came to realize that moving forward on the terms of that letter would prove unworkable, and they abandoned the process.

Jeff will soon send along the enumeration of the supposed oral agreements that the Israelis laid out for Mitchell and his team in London. You should know that Dan Shapiro responded by saying to the Israelis that nobody in the Bush administration indicated the existence of oral understandings to anyone in the transition -- not to him, not to General Jones, not to you, not to anyone. Dan also said, "I'm sitting in Eliot's chair and he never told me about them."

Bottom line -- your statement that nobody in the Bush administration informed anyone in the Obama administration appears to be accurate. Your statement that these oral understandings are not memorialized in any way also appears to be accurate -- Hadley refused to include them even in an informal binder of agreements passed on to the transition.

I spoke with Jonathan Prince about working up a communications strategy to address the arguments that Krauthammer is making and that others will surely echo. He is looking for someone with credibility to write an op-ed that puts this settlements business in a broader context, and is pursuing other avenues as well.

One other point. Jeff forwarded me his email exchange with Eliot Abrams. I think the story that Eliot read misquoted you, which may be part of the reason he reacted so strongly today.

This is how you are quoted in the article Eliot cited in his email to Jeff

"I do not recall any agreement between Israel and George Bush's... previous government, according to which Israel will be authorized to extend the construction of settlements in the West Bank," Clinton said at a news conference with Turkish Foreign Minister Ahmet Davutoglu at the State Department.

"There is no memory of any informal and oral agreements. If they did occur, which of course people say they did, they did not become part of the official position of the United States government.

"And there are contrary documents that suggest that they were not to be viewed as in any way contradicting the obligations that Israel undertook pursuant to the road map," she added. "And those obligations are very clear."

This is what our transcript has you saying:

With respect to the conditions regarding understandings between the United States and the former Israeli government and the former government of the United States, we have the negotiating record. That is the official record that was turned over to the Obama Administration by the outgoing Bush Administration. There is no memorialization of any informal and oral agreements. If they did occur, which, of course, people say they did, they did not become part of the official position of the United States Government. And there are contrary documents that suggest that they were not to be viewed as in any way contradicting the obligations that Israel undertook pursuant to the Roadmap. And those obligations are very clear.

* In my view, there is a big difference between "there is no memory" and "there is no memorialization," and you do not appear to have said "I do not recall...." Eliot may be taking issue with the "I do not recall" and "there is no memory" as suggesting these things didn't exist, when in fact what you are saying is that they were never memorialized or made part of the official negotiating record.

* And here is what you said on Stephanopoulos:

QUESTION: But they say that included an understanding for natural growth inside the settlements.

SECRETARY CLINTON: Well, that was an understanding that was entered into, so far as we are told, orally, that was never made a part of the official record of the negotiations, as it was passed on to our Administration. No one in the Bush Administration said to anyone that we can find in our Administration --

QUESTION: Not Elliott Abrams? He wrote about that.

SECRETARY CLINTON: Nobody in a position of authority at the time that the Obama Administration came into office said anything about it. And in fact, there's also a record that President Bush contradicted even that oral agreement.

But the fact is that the Roadmap, which was agreed to officially, adopted by the Israeli Government, says something very clear about settlements. So I think that what the President is doing is saying, look, everybody should comply with the obligations you've already committed to. And for the Palestinians, let's not forget, they must end incitement against Israel, they must demonstrate an ability to provide security.

*I will follow with other updates as necessary, including on the Bush-Abdullah letter. Please let me know if you have any questions.