

March 17, 2015

Office of Information Programs and Services  
A/GIS/IPS/RL  
U. S. Department Of State  
Washington, D.C. 20522- 8100

RE: Freedom of Information Act Request

Dear FOIA Officer:

In recent weeks, it has become readily apparent that former Secretary of State Hillary Clinton's use of a private email server to conduct official business was unorthodox, a potential threat to national security, and, at the very least, illustrative of a disregard for transparency in government. It has also become clear that Secretary Clinton caused the Department of State to fail to abide by the regulations of the Federal Record Act, 44 U.S.C. § 3101 et seq., specifically 36 C.F.R. § 1236.22, which requires federal agencies to preserve any federal records sent or received by employees who use personal email systems.

It is less clear whether Secretary Clinton and her senior advisers abided by State Department directive 12 FAM 564.4 entitled "Termination," which requires all outgoing employees to undergo a security debriefing and sign Form OF-109, acknowledging that they have surrendered all classified and unclassified documents relating to official State Department business. According to Jen Psaki, a spokesperson for the State Department, Secretary Clinton was required to follow this policy. However, despite resigning from her post in early 2013, Secretary Clinton did not hand over government-related emails from her private server until nearly two years later.

The American public deserves to know whether Secretary Clinton and her top aides complied with the same policy directive applicable to all other State Department employees. Therefore, under the Freedom of Information Act, 5 U.S.C. § 552, I request that copies of the following records be provided to me. If your office cannot fulfill any (or portions) of the requests below, please proceed with all requests able to be fulfilled by your office. Upon notification, I will amend or provide additional information pertaining to requests that cannot be fulfilled.

- The completed Form OF-109, as referenced at 12 FAM 564.4, signed by Hillary R. Clinton, dated on or prior to her resignation as Secretary of State on February 1, 2013.
- The completed Form OF-109, as referenced at 12 FAM 564.4, signed by former State Department Chief of Staff and Counselor Cheryl D. Mills dated on or prior to her resignation from her official post on February 1, 2013.
- The completed Form OF-109, as referenced at 12 FAM 564.4, signed by former State Department Deputy Chief of Staff and "special government employee" Huma M. Abedin dated on or prior to her resignation from her official post on February 1, 2013.

- The completed Form OF-109, as referenced at 12 FAM 564.4, signed by former Deputy Assistant Secretary of State Philippe Reines dated on or prior to his resignation from his official post on February 1, 2013.
- Any and all documents and communications concerning the preparation, conduct, and results of the security debriefings of Hillary R. Clinton, Cheryl D. Mills, Huma M. Abedin, and/or Philippe Reines, as required by 12 FAM 564.4.

In order to determine my status to assess fees, you should know that I am the Research Director and a Deputy Communications Director for the Republican National Committee, and this request is made as part of an information gathering activity and not for commercial use.

I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to the public understanding of the operations or activities of the government and is not primarily in my or the Republican National Committee's commercial interest.

If you have any questions regarding this request, please contact me at 202-863-8614. I look forward to receiving your prompt response within the twenty day statutory period.

Sincerely,

A handwritten signature in black ink, appearing to read 'Raj Shah', with a stylized, cursive script.

Raj Shah  
Research Director and Deputy Communications Director  
Republican National Committee