

Exhibit A

From: FOIA [FOIA@state.gov]
Sent: Tuesday, March 09, 2010 3:31 PM
To: Burns, Robert
Subject: FOIA Request Letter C7038

Thank you for filing your FOIA request online on 3/9/2010. The process for completing your request will now begin. Here is a review of your request.

I am willing to pay \$25 for my request.

I am a representative of the news media affiliated with The Associated Press and this request is made as part of a news gathering effort and not for commercial use.

The time period of my request is from 1/20/2009 to the present.

The records I request can be described as follows:

The Associated Press requests, for routine news gathering purposes, a copy of Secretary of State Hillary Rodham Clinton's daily calendar of appointments, phone calls and meetings, from the first day of the Obama administration to the present.

Robert Burns
bburns@ap.org
1100 13th St. N.W.
Washington, D.C.
USa
20005
202-641-9489

Reference Number: C7038

From: Dossantos, Christopher A [DossantosCA@state.gov]
Sent: Tuesday, March 16, 2010 11:26 AM
To: Burns, Robert
Cc: Brothers, Tyler L
Subject: EFOIA REQUEST C7038

This email is to acknowledge our receipt of your Freedom of Information Act (FOIA) request. The details are provided below.

Case Control Number: 201001376

Requester's Name: ROBERT BURNS

Subject of Request: CLINTONS CALENDAR OF APTS

If you have any further questions, please do not hesitate to contact us at 1-202-261-8484 or FAX us at 1-202-261-8579. **Please do not respond to this email.**

NOTE: Please be advised, if your request is for information concerning yourself or other individual(s) (for example, employment applications, Foreign Service exam results, security investigations, visas, passports, etc.), we cannot accept it via our website. **Such requests cannot be processed without the required original documentation required in our FOIA regulations at 22 CFR 171.32(b)&(c) for "Verification of Personal Identity" and/or 22 CFR 171.12(a) for "Third Party Requests."** Please resubmit your request by mail in accordance with the instructions on our FOIA website at <http://foia.state.gov>. Your request may be mailed to us at the following address:

Information and Privacy Coordinator
Office of Information Programs and Services
U.S. Department of State, SA-2
Washington, DC 20522-8100

Christopher DosSantos

U.S. Department of State

A/GIS/IPS/RL/RC

SA-2, Room 8027

Phone: 202-663-3412

Our mission is to meet the information needs of our customers and the

United States Government

In accordance with E.O. 12958 this e-mail is **UNCLASSIFIED**



United States Department of State

Washington, D.C. 20520

APR 22 2010

Case Number: 201001376

Mr. Robert Burns, Writer
The Associated Press
1100 13th Street, NW
Washington, DC 20005

Dear Mr. Burns:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request, dated March 9, 2010, for a copy of Secretary of State Hillary Rodham Clinton's daily calendar of appointments, phone calls and meetings from the first day of the Obama Administration to the present.

We will begin the processing of your request based upon the information provided in your communication. We will notify you as soon as responsive material has been retrieved and reviewed.

We wish to advise you that the cut-off date for retrieving records is either the date you have given the Department by specifying a particular time frame, or the date the search initiated.

Fees

The Freedom of Information Act (FOIA) requires agencies to assess fees to recover the direct costs of processing requests, unless a fee waiver has been granted.

According to our regulations, by making a FOIA request, you have agreed to pay all applicable fees up to \$25 unless a fee waiver has been granted. You may specify a willingness to pay a greater amount. If the estimated fees exceed this limit, you will be notified.

You have stated your willingness to pay the fees incurred in the

Office of Information Programs and Services
U.S. Department of State, SA-2
Washington, DC 20522-8100
Website: www.foia.state.gov

Inquiries:
Phone: 1-202-261-8484
FAX: 1-202-261-8579
E-mail: FOIAStatus@state.gov

If you need to contact this office please send a letter to the address below:

Office of Information Programs and Services
A/GIS/IPS/EAN, Room 8100
U.S. Department of State, SA-2
Washington, D.C. 20522-8100

You may also contact us by telephone (202) 261-8484 or fax (202) 261-8579. When replying to an e-mail message please include current e-mail, telephone, or address updates that will allow us to reach you.

Please be sure to refer to your request number in all correspondence about this case.

Sincerely,
Lela Ross
Program Analyst
European, Africa, and Near Eastern Affairs Branch

This email is UNCLASSIFIED.

State Office of Information
Programs & Services
F-2010 - 01376
Apr 2010 - acknowledgment letter
Lela Ross, writing it



August 20, 2013

Department of State
Sheryl L. Walter
Director, Office of Information Programs and Services
Department of State
Building SA-2
515 22nd Street, NW
Washington, DC 20522-8100
Ofc: 202-261-8484
Fax: 202-261-8579

Via FAX

Re: Freedom of Information Act request

Dear Ms. Walter,

Please consider this a request under provisions of the Freedom of Information Act and the Electronic Freedom of Information Act, 5 U.S.C § 552.

I am seeking copies of all of former Secretary of State Hillary Rodham Clinton's public and private calendars and schedules from Jan. 21, 2009 through February 1, 2013.

Because I am a member of the news media primarily engaged in disseminating information, I have an "urgency to inform" the public about an activity of the federal government in accordance with § 552 (a)(6)(E)(v). Such a request for expedited processing meets established criteria for demonstrating a "compelling need": the records concern a matter of current exigency to the American public; that their delay would compromise a significant recognized interest; and that they concern federal government activity. See generally *Al-Fayed v. C.I.A.*, 254 F.3d.300, 310 (D.C. Cir. 2001).

These records pertain to the daily official activities of a former secretary of state who has run in the past for the presidency of the United States and is considering another presidential campaign¹. Records involving Secretary Clinton are a matter of extreme public importance such that disclosure of would not apply to any exemption sufficient to warrant withholding or unnecessary delay under the FOIA. Indeed, the only relevant public interest at stake is the extent to which disclosure of the information sought would "let citizens know 'what their government is up to.'" See *U.S. Dep't of Def. v. Fed. Labor Relations Auth.*, 510 U.S. 487, 497 (1994) (quoting *DOJ v. Reporters Comm. for Freedom of the Press*, 489 U.S. 749 (1989)).

Prompt release of these records would contribute significantly to the public understanding of the public's understanding of Secretary Clinton's role as a senior government official, especially as voters examine her record in detail as the 2016 presidential election approaches.

Please release any information pursuant to my requests as it is received and/or reviewed by your office, rather than waiting to send me all the material I have requested. If you have questions or need to contact me, I can be reached at 202-641-9405. My email address is sbraun@ap.org

¹ Steve Peoples, CLINTON GROUP RAISED \$1 MILLION FOR POTENTIAL PRESIDENTIAL BID, The Associated Press, July 30, 2013.

1100 13th St. NW, Suite 700, Washington, DC 20005-4076
T: 202.641.9000 voice; www.ap.org

As I am making this request on behalf of the AP for use in reporting the news, no fees may be assessed for searching or reviewing documents sought by this request, and no duplication fees should be charged to the AP for the first 100 pages of material (see 5 U.S.C. § 552(a)(4)(A)(ii)(II)). AP hereby consents to pay duplication charges up to a total not to exceed \$50. Please notify me in advance before incurring any duplication charges in excess of this amount.

As you know, the Act permits you to reduce or waive the fees when the release of the information is considered as "primarily benefiting the public." I believe that this request fits that category and I therefore ask that you waive any fees.

If all or any part of this request is denied, please cite the specific exemption(s) that you think justifies your refusal to release the information and inform me of your agency's administrative appeal procedures available to me under the law.

To the extent that you affirm, in whole or in part, the denial of disclosure, we ask that you provide us with a list describing with specificity the categories of documents that have been withheld and explaining the grounds for the withholding (see *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973)).

I would appreciate your handling this request as quickly as possible, and I look forward to hearing from you.

Sincerely,

Stephen Braun
Associated Press Washington Bureau
1100 13th Street, NW
Suite 700
Washington DC
20005-4076
Ofc: 202-641-9405
Cell: 202-365-2667
Fax: 202-496-8850
sbraun@ap.org



United States Department of State

Washington, D.C. 20520

AUG 26 2013

Dear Requester:

RE: Hillary Clinton calendars

This is in response to your request dated 8/20/2013. We have assigned Case Control Number F-2013-14315 and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

Our published regulations regarding expedition, 22 C.F.R. 171.12(b), require a specific showing of a compelling need. **Expedited processing is granted only in the following situations: (1) imminent threat to the life or physical safety of an individual; (2) urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity and the information is urgently needed in that a particular value of the information would be lost if not disseminated quickly; (3) substantial humanitarian reasons; and (4) loss of substantial due process rights.** Your request does not meet any of the established criteria. Regrettably, I must advise that you have not provided adequate justification for expedition. However, you may be assured that we will make every effort to process your request in as timely a manner as possible. For your convenience, I have enclosed a copy of the Department's expedited processing criteria.

If you wish to appeal the denial of expedition, you may write to the Chief, Requester Liaison Division, at the address below, within 30 days of receipt of this letter.

We will notify you as soon as responsive material has been retrieved and reviewed.

Should you want to contact us, you may call our FOIA Requester Service Center on (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

Sincerely,

Requester Communications Branch
Office of Information Programs and Services

Office of Information Programs and Services
U.S. Department of State, SA-2
Washington, DC 20522-8100
Website: www.foia.state.gov

Inquiries:
Phone: 1-202-261-8484
FAX: 1-202-261-8579
E-mail: FOIAstatus@state.gov

Fee Waiver

Your request for a fee waiver has been granted; therefore, your request will be processed at no charge to you.

Exhibit B



August 20, 2013

Department of State
Sheryl L. Walter
Director, Office of Information Programs and Services
Building SA-2
515 22nd Street, NW
Washington, DC 20522-8100
Ofc: 202-261-8484
Fax: 202-261-8579

Re: Freedom of Information Act request

Dear Ms. Walter,

Please consider this a request under provisions of the Freedom of Information Act and the Electronic Freedom of Information Act, 5 U.S.C § 552.

I am requesting copies of all emails, in-house memos, correspondence, internal notes and any other pertinent documents and records from the office of Secretary of State Hillary Rodham Clinton between November 1, 2011 and February 1, 2013 relating to the designation of Special Government Employee given to former Deputy Chief of Staff to the Secretary of State Huma Abedin and to her work performed for the State Department as an Special Government Employee.

Additionally, I am also requesting copies of the same materials referenced above between November 1, 2011 and February, 2013 regarding Ms. Abedin's SGE designation and work from the files of the following current and former State Department personnel: Former Chief of Staff and Counselor to the Secretary Cheryl Mills; former Senior Adviser Philippe Reines; Deputy Secretary of State William Burns; Undersecretary of State for Management Patrick Kennedy; former Deputy Chief of Staff Jake Sullivan; and Ambassador-At-Large for Global Women's Issues Melanne S. Vermeer.

Also, I am asking for copies of all emails from Secretary Clinton and the above-named parties during the same period described above in which the following underlined words or phrases are in the subject and/or body of the email message: Huma Abedin, Huma, Anthony Weiner, Teneo, Douglas Band, Doug Band, Declan Kelly, Paul Keary, Clinton Foundation

Because I am a member of the news media who is primarily engaged in disseminating information, I have an "urgency to inform" the public about an activity of the federal government in accordance with § 552 (a)(6)(E)(v). Such a request for expedited processing meets established criteria for demonstrating a "compelling need": the records concern a matter of current exigency to the American public; that their delay would compromise a significant recognized interest; and that they concern federal government activity. See generally *Al-Fayed v. C.I.A.*, 254 F.3d.300, 310 (D.C. Cir. 2001).

These records pertain to a key aide to Secretary Clinton whose SGE role at State has come under question in recent weeks and is the subject of Congressional inquiry. The records pertaining to the hiring of a long-time aide of a former secretary of state who has run in the past for the presidency of the United States and is considering another presidential campaign¹ is a matter of current exigency to the American public and

¹ Steve Peoples, CLINTON GROUP RAISED \$1 MILLION FOR POTENTIAL PRESIDENTIAL BID, The Associated Press, July 30, 2013.

1100 13th St. NW, Suite 700, Washington, DC 20005-4076
T: 202.641.9000 voice; www.ap.org

their delay would compromise a significant recognized interest. The records are a matter of extreme public importance such that disclosure of would not apply to any exemption sufficient to warrant withholding or unnecessary delay under the FOIA. Indeed, the only relevant public interest at stake is the extent to which disclosure of the information sought would "let citizens know 'what their government is up to.'" See *U.S. Dep't of Def. v. Fed. Labor Relations Auth.*, 510 U.S. 487, 497 (1994) (quoting *DOJ v. Reporters Comm. for Freedom of the Press*, 489 U.S. 749 (1989)).

Prompt release of these records would contribute significantly to the public understanding of the public's understanding of Secretary Clinton's role as a senior government official, especially as voters examine her record in detail as the 2016 presidential election approaches.

Please release any information pursuant to my requests as it is received and/or reviewed by your office, rather than waiting to send me all the material I have requested. If you have questions or need to contact me, I can be reached at 202-641-9405. My email address is sbraun@ap.org

As I am making this request on behalf of the AP for use in reporting the news, no fees may be assessed for searching or reviewing documents sought by this request, and no duplication fees should be charged to the AP for the first 100 pages of material (see 5 U.S.C. § 552(a)(4)(A)(ii)(II)). AP hereby consents to pay duplication charges up to a total not to exceed \$50. Please notify me in advance before incurring any duplication charges in excess of this amount.

As you know, the Act permits you to reduce or waive the fees when the release of the information is considered as "primarily benefiting the public." I believe that this request fits that category and I therefore ask that you waive any fees.

If all or any part of this request is denied, please cite the specific exemption(s) that you think justifies your refusal to release the information and inform me of your agency's administrative appeal procedures available to me under the law.

To the extent that you affirm, in whole or in part, the denial of disclosure, we ask that you provide us with a list describing with specificity the categories of documents that have been withheld and explaining the grounds for the withholding (see *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973)).

I would appreciate your handling this request as quickly as possible, and I look forward to hearing from you.

Sincerely,

Stephen Braun
Associated Press Washington Bureau
1100 13th Street, NW
Suite 700
Washington DC
20005-4076
Ofc: 202-641-9405
Cell: 202-365-2667
Fax: 202-496-8850
sbraun@ap.org



United States Department of State

Washington, D.C. 20520

[AUG 23 2013]

Dear Requester:

RE: correspondence between the office of Hillary Clinton between November 1, 2011 and February 1, 2013 regarding the designation of Special Government Employee to Huma Abedin, as well as other e-mails from Secretary Clinton

This is in response to your request dated August 20, 2013. We have assigned Case Control Number **F-2013-14267** and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.


Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

Our published regulations regarding expedition, 22 C.F.R. 171.12(b), require a specific showing of a compelling need. **Expedited processing is granted only in the following situations: (1) imminent threat to the life or physical safety of an individual; (2) urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity and the information is urgently needed in that a particular value of the information would be lost if not disseminated quickly; (3) substantial humanitarian reasons; and (4) loss of substantial due process rights.** Your request does not meet any of the established criteria. Regrettably, I must advise that you have not provided adequate justification for expedition. However, you may be assured that we will make every effort to process your request in as timely a manner as possible. For your convenience, I have enclosed a copy of the Department's expedited processing criteria.

If you wish to appeal the denial of expedition, you may write to the Chief, Requester Liaison Division, at the address below, within 30 days of receipt of this letter.

We will notify you as soon as responsive material has been retrieved and reviewed.

Should you want to contact us, you may call our FOIA Requester Service Center on (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

 Sincerely,

Requester Communications Branch
Office of Information Programs and Services

Office of Information Programs and Services
U.S. Department of State, SA-2
Washington, DC 20522-8100
Website: www.foia.state.gov

Inquiries:
Phone: 1-202-261-8484
FAX: 1-202-261-8579
E-mail: FOIAStatus@state.gov

Exhibit C



ASSOCIATED PRESS

Washington Bureau
1100 13th Street NW, Suite 700
Washington, DC 20005

www.ap.org

Sheryl L. Walter
Director, Office of Info. Programs and Services
U.S. Department of State
Building SA-2
515 22nd Street NW
Washington, DC 20522-8100
FAX: (202) 261-8579

Via FAX

RE: Freedom of Information Act request
Expedited processing requested

Aug. 20, 2013

Dear Ms. Walter:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of former Secretary of State Hillary Clinton's email messages in which the underlined phrases are in the subject and/or body of the message: Bin Laden, Abbottabad, Seal Team. This request covers emails only sent or received from Jan. 20, 2009 through Feb. 1, 2013.

Because I am a member of the news media who is primarily engaged in disseminating information, I have an "urgency to inform" the public about an activity of the federal government in accordance with § 552 (a)(6)(E)(v). Such a request for expedited processing meets established criteria for demonstrating a "compelling need": the records concern a matter of current exigency to the American public; that their delay would compromise a significant recognized interest; and that they concern federal government activity. See generally *Al-Fayed v. C.I.A.*, 254 F.3d.300, 310 (D.C. Cir. 2001).

These records pertain to correspondence among a former secretary of state who will likely run for the presidency of the United States¹. Records involving Secretary Clinton are a matter of extreme public importance such that disclosure of would not apply to any exemption sufficient to warrant withholding or unnecessary delay under the FOIA. Indeed, the only relevant public interest at stake is the extent to which disclosure of the information sought would "let citizens know 'what their government is up to.'" See *U.S. Dep't of Def. v. Fed. Labor Relations Auth.*, 510 U.S. 487, 497 (1994) (quoting *DOJ v. Reporters Comm. for Freedom of the Press*, 489 U.S. 749 (1989)).

Public interest in the prompt disclosure of the records is high, as it would shed light on the operations of government, particularly whether or not Secretary Clinton engaged in misconduct or unethical behavior during her tenure as the nation's top diplomat. Prompt release of these records would also contribute significantly to the public's understanding of her role as a senior government official, especially as voters

¹ Steve Peoples, CLINTON GROUP RAISED \$1 MILLION FOR POTENTIAL PRESIDENTIAL BID, The Associated Press, July 30, 2013.

examine her record in detail as she prepares to become the next U.S. President — a significant, recognized interest.

Because this is a request by the news media for records in the public interest, I ask that you waive any search fees in accordance with § 552(a)(4)(A)(ii)(II). If the fee for retrieving or reproducing these records will exceed \$50, please notify me before filling this request. I can be reached at (202) 641-9448 or by electronic mail at jgillum@ap.org.

As you know, agencies must redact only what is necessary to protect exempt information and must explain the basis for any redactions. See *Georgacarakos v. F.B.I.*, No. 11-1655 (JDB), 2012 WL 6210119 (D. D.C. Dec. 12, 2012). As well, please provide documents to me on a rolling basis, rather than waiting for my entire request to be processed before releasing documents.

As a reminder, the President has directed that the FOIA “be administered with a clear presumption: In the face of doubt, openness prevails.” Memorandum for the Heads of Executive Dep’ts and Agencies, 74 Fed. Reg. 15, 4683 (Jan. 26, 2009), emphasis added. This instruction is unambiguous: “All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in the FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving the FOIA.” *Id.*

The Act, in § 552(a)(6), grants your office no more than twenty working days in which to respond to this request. See also *Oglesby v. U.S. Dep’t of Army*, 920 F.2d 57, 65 (D.C. Cir. 1990) (“Congress adopted the time limit provision in the FOIA in order to ‘contribute to the fuller and faster release of information, which is the basic objective of the Act.’” (quoting H.R. Rep. No. 93-876, March 5, 1974, reprinted (1974) U.S. Code Cong. & Ad. News 6267 at 6271)). Agencies therefore “should make it a priority to respond in a timely manner. Timely disclosure of information is an essential component of transparency.” Attorney General’s Memorandum for Heads of Executive Dep’ts and Agencies Concerning the Freedom of Info. Act, at 3 (Mar. 19, 2009), available from <http://www.justice.gov/ag/foia-memo-march2009.pdf>.

I affirm the information provided above, including information applicable to my request for expedited processing, is true and correct to the best of my knowledge and belief.

Thank you for your assistance. I look forward to your prompt reply.

With regards,



Jack Gillum
The Associated Press



United States Department of State

Washington, D.C. 20520

'AUG 26 2013

Dear Requester,

RE: Email with key words – Bin Laden, Abbottabad and Seal Team

This is in response to your request dated August 20, 2013. We have assigned Case Control Number F-2013-14260 and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

We have considered your request for a fee waiver. Based upon the information provided in your letter, your request for a fee waiver has been granted; therefore, your request will be processed at no charge to you.

Our published regulations regarding expedition, 22 C.F.R. § 171.12(b), require a specific showing of a compelling need. **Expedited processing is granted only in the following situations: (1) imminent threat to the life or physical safety of an individual; (2) urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity and the information is urgently needed in that a particular value of the information would be lost if not disseminated quickly; (3) substantial humanitarian reasons; and (4) loss of substantial due process rights.** Your request does not meet any of the established criteria. Regrettably, I must advise that you have not provided adequate justification for expedition. However, you may be assured that we will make every effort to process your request in as timely a manner as possible. For your convenience, I have enclosed a copy of the Department's expeditious processing criteria.

If you wish to appeal the denial of expedition, you may write to the Requester Liaison Division, at the address below, within 30 days of receipt of this letter.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

We will notify you as soon as responsive material has been retrieved and reviewed. Should you want to contact us, you may call our FOIA Requester Service Center at (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

Sincerely,

Requester Communications Branch
Office of Information Programs & Services

Office of Information Programs and Services
U.S. Department of State, SA-2
Washington, DC 20522-8100
Website: www.foia.state.gov

Inquiries:
Phone: 1-202-261-8484
FAX: 1-202-261-8579
E-mail: FOIAstatus@state.gov

Exhibit D



ASSOCIATED PRESS

Washington Bureau
1100 13th Street NW, Suite 700
Washington, DC 20005

www.ap.org

Sheryl L. Walter
Director, Office of Info. Programs and Services
U.S. Department of State
Building SA-2
515 22nd Street NW
Washington, DC 20522-8100
FAX: (202) 261-8579

Via FAX

RE: Freedom of Information Act request
Expedited processing requested

Aug. 20, 2013

Dear Ms. Walter:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of: all emails to or from former Secretary of State Hillary Clinton and the following current or former State Department employees: Huma Abedin, Cheryl D. Mills, Philippe Reines, Melanne S. Verveer and Harold Hongju Koh. This request only covers emails in which the following underlined words or phrases are in the subject and/or body of the email message: drone, metadata, prism, pinwheel, stellarwind, blarney, FISA. As well, this request only covers emails sent or received from Jan. 20, 2009, through Feb. 2, 2013.

Because I am a member of the news media who is primarily engaged in disseminating information, I have an “urgency to inform” the public about an activity of the federal government in accordance with § 552 (a)(6)(E)(v). Such a request for expedited processing meets established criteria for demonstrating a “compelling need”: the records concern a matter of current exigency to the American public; that their delay would compromise a significant recognized interest; and that they concern federal government activity. See generally *Al-Fayed v. C.I.A.*, 254 F.3d.300, 310 (D.C. Cir. 2001).

These records pertain to correspondence among a former secretary of state who will likely run for the presidency of the United States¹. Records involving Secretary Clinton are a matter of extreme public importance such that disclosure of would not apply to any exemption sufficient to warrant withholding or unnecessary delay under the FOIA. Indeed, the only relevant public interest at stake is the extent to which disclosure of the information sought would “let citizens know ‘what their government is up to.’” See *U.S. Dep’t of Def. v. Fed. Labor Relations Auth.*, 510 U.S. 487, 497 (1994) (quoting *DOJ v. Reporters Comm. for Freedom of the Press*, 489 U.S. 749 (1989)).

Public interest in the prompt disclosure of the records is high, as it would shed light on the operations of government, particularly whether or not Secretary Clinton engaged in misconduct or unethical behavior

¹ Steve Peoples, CLINTON GROUP RAISED \$1 MILLION FOR POTENTIAL PRESIDENTIAL BID, The Associated Press, July 30, 2013.

during her tenure as the nation's top diplomat. Prompt release of these records would also contribute significantly to the public's understanding of her role as a senior government official, especially as voters examine her record in detail as she prepares to become the next U.S. President — a significant, recognized interest.

Because this is a request by the news media for records in the public interest, I ask that you waive any search fees in accordance with § 552(a)(4)(A)(ii)(II). If the fee for retrieving or reproducing these records will exceed \$50, please notify me before filling this request. I can be reached at (202) 641-9448 or by electronic mail at jgillum@ap.org.

As you know, agencies must redact only what is necessary to protect exempt information and must explain the basis for any redactions. See *Georgacarakos v. F.B.I.*, No. 11-1655 (JDB), 2012 WL 6210119 (D. D.C. Dec. 12, 2012). As well, please provide documents to me on a rolling basis, rather than waiting for my entire request to be processed before releasing documents.

As a reminder, the President has directed that the FOIA “be administered with a clear presumption: In the face of doubt, openness prevails.” Memorandum for the Heads of Executive Dep'ts and Agencies, 74 Fed. Reg. 15, 4683 (Jan. 26, 2009), emphasis added. This instruction is unambiguous: “All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in the FOIA, and to usher in a new era of open Government. The presumption of disclosure should be applied to all decisions involving the FOIA.” *Id.*

The Act, in § 552(a)(6), grants your office no more than twenty working days in which to respond to this request. See also *Oglesby v. U.S. Dep't of Army*, 920 F.2d 57, 65 (D.C. Cir. 1990) (“Congress adopted the time limit provision in the FOIA in order to ‘contribute to the fuller and faster release of information, which is the basic objective of the Act.’” (quoting H.R. Rep. No. 93-876, March 5, 1974, reprinted (1974) U.S. Code Cong. & Ad. News 6267 at 6271)). Agencies therefore “should make it a priority to respond in a timely manner. Timely disclosure of information is an essential component of transparency.” Attorney General's Memorandum for Heads of Executive Dep'ts and Agencies Concerning the Freedom of Info. Act, at 3 (Mar. 19, 2009), available from <http://www.justice.gov/ag/foia-memo-march2009.pdf>.

I affirm the information provided above, including information applicable to my request for expedited processing, is true and correct to the best of my knowledge and belief.

Thank you for your assistance. I look forward to your prompt reply.

With regards,



Jack Gillum
The Associated Press



United States Department of State

Washington, D.C. 20520

AUG 26 2013

Dear Requester,

RE: State Department emails - "drone, metadata, prism, pinwheel stellarwind, blarney & FISA.

This is in response to your request dated August 20, 2013. We have assigned Case Control Number F-2013-14257 and will begin the processing of your request based upon the information provided in your communication.

The cut-off date is the date the search is initiated unless you have provided a specific timeframe.

We have considered your request for a fee waiver. Based upon the information provided in your letter, your request for a fee waiver has been granted; therefore, your request will be processed at no charge to you.

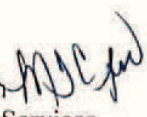
Our published regulations regarding expedition, 22 C.F.R. § 171.12(b), require a specific showing of a compelling need. **Expedited processing is granted only in the following situations: (1) imminent threat to the life or physical safety of an individual; (2) urgently needed by an individual primarily engaged in disseminating information in order to inform the public concerning actual or alleged Federal Government activity and the information is urgently needed in that a particular value of the information would be lost if not disseminated quickly; (3) substantial humanitarian reasons; and (4) loss of substantial due process rights.** Your request does not meet any of the established criteria. Regrettably, I must advise that you have not provided adequate justification for expedition. However, you may be assured that we will make every effort to process your request in as timely a manner as possible. For your convenience, I have enclosed a copy of the Department's expeditious processing criteria.

If you wish to appeal the denial of expedition, you may write to the Requester Liaison Division, at the address below, within 30 days of receipt of this letter.

Unusual circumstances (including the number and location of Department components involved in responding to your request, the volume of requested records, etc.) may arise that would require additional time to process your request.

We will notify you as soon as responsive material has been retrieved and reviewed. Should you want to contact us, you may call our FOIA Requester Service Center at (202) 261-8484 or send an email to FOIAstatus@state.gov. Please refer to the Case Control Number in any communication.

Sincerely,

Requester Communications Branch 
Office of Information Programs & Services

Office of Information Programs and Services
U.S. Department of State, SA-2
Washington, DC 20522-8100
Website: www.foia.state.gov

Inquiries:
Phone: 1-202-261-8484
FAX: 1-202-261-8579
E-mail: FOIAstatus@state.gov

Exhibit E



August 8, 2013

Department of State
Sheryl L. Walter
Director, Office of Information Programs and Services
Building SA-2
515 22nd Street, NW
Washington, DC 20522-8100
Ofc: 202-261-8484
Fax: 202-261-8579

Dear Ms. Walter,

Please consider this a request under provisions of the Freedom of Information Act and the Electronic Freedom of Information Act, 5 U.S.C 552. This is a superseding FOI request which replaces my FOI request of July 29, 2013. Please respond to this FOI request.

I am seeking copies of all emails, diplomatic cables, written correspondence, internal reports, legal documents, inter-office memos, meeting notes, analyses and all other documents and records from the office of Secretary of State Hillary Rodham Clinton pertaining to UK-based BAE Systems plc. and/or the company's U.S.-based subsidiary, BAE Systems Inc. between Jan. 21, 2009 and Dec. 31, 2011.

I am also seeking all copies of the same materials referenced above from the Department of State's Office of Political-Military Affairs, the Office of Legal Adviser, the Bureau of Legislative Affairs and the Directorate of Defense Trade Controls between Jan. 21, 2009 and Dec. 31, 2011.

I am additionally seeking all copies of the same material referenced above from the following current or former Department of State Officials between Jan. 21, 2009 and Dec. 31, 2011: Deputy Secretary of State and former Under Secretary for Political Affairs William J. Burns; former Deputy Secretary of State James B. Steinberg; former Asst. Secretary of State for Political-Military Affairs Andrew J. Shapiro; Undersecretary for Arms Control and International Security Ellen Tauscher; former Director of Policy Planning and Deputy Chief of Staff Jake Sullivan; former Legal Adviser Harold H. Koh; Assistant Secretary for the Bureau of Legislative Affairs Richard Verma; and Robert S. Kovac, Lisa Studtmann and Jay Shinn of the Directorate of Defense Trade Controls.

Please consider this an expedited request under the FOIA, as this information is urgently required to inform the public about an actual or alleged federal government activity, namely the State Department's decision-making that led to a civil settlement and consent decree with BAE Systems -- an agreement that allowed BAE to avoid a debarment proceeding that would have prohibited the company from doing business with State and other U.S. government agencies. Learning the State Department's internal thinking and actions are critical both to understanding why BAE continues to contract with the U.S. and to understanding the role that former Secretary of State Clinton and her top officials played in the process -- which could be important to Mrs. Clinton's possible

1100 13th St., N.W., Suite 700, Washington, DC 20005-4076
(202) 641-9462 voice; (202) 263-8842 fax

presidential aspirations. I certify that I am a full-time employee for The Associated Press, the world's largest news-gathering organization with more than 1 billion readers, listeners and viewers.

Whether an "urgency to inform" exists depends on several factors: (1) whether the information relates to a currently unfolding story; (2) whether delaying release of the information harms the public interest; and (3) whether the request concerns federal governmental activity (see *Al-Fayed v. CIA*, 245 F.3d 300 (D.C. Cir. 2001)). In addition, "the credibility of a requester" is also a relevant consideration.

Please release any information pursuant to my requests as it is received and/or reviewed by your office, rather than waiting to send me all the material I have requested. If you have questions or need to contact me, I can be reached at 202-641-9405 and my email address is sbraun@ap.org

As I am making this request on behalf of the AP for use in reporting the news, no fees may be assessed for searching or reviewing documents sought by this request, and no duplication fees should be charged to the AP for the first 100 pages of material (see 5 U.S.C. 552(a)(4)(A)(ii)(II)). AP hereby consents to pay duplication charges up to a total not to exceed \$50.00. Please notify me in advance before incurring any duplication charges in excess of this amount.

As you know, the Act permits you to reduce or waive the fees when the release of the information is considered as "primarily benefiting the public." I believe that this request fits that category and I therefore ask that you waive any fees.

If all or any part of this request is denied, please cite the specific exemption(s) that you think justifies your refusal to release the information and inform me of your agency's administrative appeal procedures available to me under the law.

To the extent that you affirm, in whole or in part, the denial of disclosure, we ask that you provide us with a list describing with specificity the categories of documents that have been withheld and explaining the grounds for the withholding (see *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973)).

I would appreciate your handling this request as quickly as possible, and I look forward to hearing from you.

Stephen Braun
Associated Press, Washington Bureau
1100 13th St. NW Suite 700
Washington, DC 20005-4076
(O): 202-641-9405
(C): 202-365-2667
sbraun@ap.org



United States Department of State

Washington, D.C. 20520

OCT 31 2013

Case No. F-2013-12881

Segment: EAN0001&H0001

Stephen Braun
1100 13th Street NW, Suite 700
Washington, DC 20005

Dear Mr. Braun:

In response to your request dated August 8, 2013 under the Freedom of Information Act (Title 5 USC Section 552), we have initiated searches of the following Department of State record systems: the Central Foreign Policy Records (the principal record system of the Department of State), the Office of the Executive Secretariat, the Bureau of Political-Military Affairs, the Bureau of Legislative Affairs and the Office of Legal Adviser.

The searches of the Central Foreign Policy Records and the records of the Bureau of Legislative Affairs have been completed and have resulted in the retrieval of three documents responsive to your request. After reviewing these documents, we have determined that they may be released in full. The released material is enclosed.

We will keep you inform as your case progresses. If you have any questions, you may write to the Office of Information Programs and Services, SA-2, Department of State, Washington, DC 20522-8100, or telephone us at (202) 261-848. Please be sure to refer to the case number shown above in all correspondence about this case.

Sincerely,


Sheryl E. Walter, Director
Office of Information Programs and Services

Enclosures:
As stated.