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May 10, 2016

VIA ELECTRONIC TRANSMISSION

The Honorable John Kerry
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Secretary Kerry:

A June 17, 2011 email publicly released by the State Department in the course of Freedom of Information Act (FOIA) litigation appears to show Secretary Clinton instructing Mr. Jacob Sullivan to remove “identifying headings” from purported classified talking points and to send “nonsecure.” The State Department has informed my staff that the talking points related to a principals meeting of the National Security Council. I have previously requested that the Department produce the talking points referenced in the June 17, 2011 email. The Department has informed the Committee that it cannot locate them. In addition, the Department has provided a secure transmission log that shows a secure fax was transmitted at 9am the morning of June 17, 2011. However, the Department has informed the Committee that the document transmitted via secure fax also cannot be located.

Such a position is contrary to your testimony before the Senate Foreign Relations Committee on February 23, 2016. Senator Ron Johnson asked, “For every classified piece of information that is transmitted there is a log kept at the State Department, correct?” Secretary Kerry: “Yes, there’s a log kept on everything, everything’s kept, period. Not just the log but the substance of the message is kept in file.”

In light of State’s failure to provide the talking points and the secure fax transmission, please detail the steps the Department took to locate the material and why the Department is unable to locate it. In addition, please confirm whether or not the Department actually maintains the substance of a secure message on file. And finally, please confirm that the talking points related to a principals meeting of the National Security Council.

Thank you in advance for your cooperation with this request. Please respond no later than May 24, 2016. If you have questions, please contact Josh Flynn-Brown of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary