



December 12, 2017

Eric F. Stein
Director, Office of Information Programs and Services
Building SA-2
515 22nd Street, NW
Washington, DC 20522-8100
(202) 261-8484
FOIArequest@state.gov

Re: Failure to Respond to Freedom of Information Act Records Request No. 2017-15913

Dear Mr. Stein:

I write regarding the above-referenced Freedom of Information Act (“FOIA”) request. This request, which was submitted on October 4, 2017, seeks (among other things) communications concerning whether Secretary of State Rex Tillerson and other senior Trump Administration officials believe that President Trump is unfit to carry out his Constitutional duties as Commander in Chief. Specifically, the FOIA requested unclassified records, including those pertaining to a national security meeting in which President Trump reportedly requested a nearly a tenfold increase in the U.S. nuclear arsenal, a statement that along with the President’s lack of fluency in other national security issues, was reported to concern military and diplomatic officials in attendance.

The Department has failed to provide any responsive documents and/or provide a substantive response to the request. This is a clear violation of the FOIA.

By way of background, Democracy Forward Foundation submitted a request for documents on October 4, 2017, amid reports that Secretary Tillerson questioned the ability of the President to competently conduct foreign policy. These reports related, in part, to a July 20, 2017 meeting at the Pentagon attended by Secretary Tillerson and military leaders wherein the President's lack of knowledge and appreciation of basic foreign policy issues, including issues concerning the United State’s military power, its nuclear arsenal, and its strategy with respect to North Korea, Iraq, and Afghanistan reportedly concerned multiple officials who attended the meeting.

On October 4, 2017, in an attempt to address press reports detailing the July meeting, Secretary Tillerson took the extraordinary step of holding an unscheduled press conference,

notwithstanding that a regularly scheduled press department briefing was to occur later that day. Secretary Tillerson declined to directly refute his reported comments about the President's fitness.

Concerns regarding the fitness of President Trump to carry out his duties as Commander in Chief have been compounded by an unprecedented number of resignations by members of the American diplomatic corps from career positions, which poses a threat to national and international security. These worrisome reports, including those that have surfaced in the time since our submission of the FOIA request, make the documents that our request seeks all the more important and necessary for the public.

Accordingly, we ask that the Department comply with its obligations under the FOIA to provide responsive documents immediately and, in any event, no later than Friday, December 15, 2017.

Respectfully,

/s/ Skye Perryman

Skye L. Perryman
Senior Counsel
Democracy Forward Foundation