



June 29, 2026

Edward Forst
Acting Archivist
U.S. National Archives and Records Administration
700 Pennsylvania Avenue, N.W.
Washington, D.C. 20408
Via email: archivistoftheunitedstates@nara.gov

RE: New Evidence of Potential Unlawful Destruction and Removal of Important Federal Records in Signal Threads

To the Archivist of the United States,

Democracy Forward Foundation (DFF) writes to alert you regarding an important matter of records preservation and likely serious violations of the Federal Records Act (FRA). On March 26, 2025, DFF sent a letter¹ to the National Archives and Records Administration (NARA) and several agencies regarding national security officials violating the FRA through the use of Signal threads to coordinate classified operations, as reported by *The Atlantic* on March 24, 2025.² The letter urged your agency to take immediate remedial action to recover federal records and refer the matter to the Attorney General to ensure the preservation of records created within Signal by the nation's highest ranking officials. This failure to preserve records was subsequently the subject of FRA litigation in *American Oversight v. Hegseth*, 25-cv-883 (D.D.C.). DFF has received new evidence indicating that the use of Signal with "Disappearing Messages" features enabled extends beyond the instance mentioned in *The Atlantic* article, and DFF requests you to take mandatory nondiscretionary action to preserve records and remediate these violations in accordance with the FRA immediately but, in any event, by no later than July 10, 2026.³

Records Released Under FOIA Show Additional Signal Use with Auto-Deletion

Based on records obtained pursuant to the Freedom of Information Act (FOIA) as enforced through litigation (*Democracy Forward Foundation v. U.S. Department of Justice et al.*, 25-cv-1535 (D.D.C.)), we now know that the likely failure to preserve the communications of senior government officials likely exists beyond the "Houthi PC small group" Signal chat

¹ See Exhibit A.

² Jeffrey Goldberg, *The Trump Administration Accidentally Texted Me Its War Plans*, *The Atlantic* (Mar. 24, 2025), https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/?gift=kPTlqn0J1iP9IBZcsdl5IVJpB2t9BYyxpzU4sooa69M&utm_source=copy-link&utm_medium=social&utm_campaign=share.

³ 44 U.S.C. § 2905.

originally reported on by *The Atlantic* last year.⁴ One of DFF’s FOIA requests sought records of group names, deletion timelines, and channel participants for all Signal groups on devices that Secretary of State Marco Rubio and former Chief of Staff Michael Needham use for official business.⁵ **Records produced in response to that request last week consist of undated screenshots of Secretary Rubio’s and Mr. Needham’s Signal mobile application which display group chats named “SS/APNSA,SD,CJCS,” “Iran/Ukraine Planning,” “MMM,” “State USAID,” and others with their group chat names redacted under the deliberative process privilege.** The screenshots also reveal Signal use by *other agency officials* previously unreported by news outlets—Secretary of Commerce Howard Lutnick, Chairman of the Joint Chiefs of Staff Dan Caine, Department of State officials Michael Anton, Dan Holler, and Tammy Bruce—as well as more unidentified figures—MBA, AP, TB, and JK. The wide range of agencies represented by the officials using Signal—Department of the Treasury, Office of the Director of National Intelligence, Department of State, Department of Defense, Central Intelligence Agency, and Department of Commerce—suggests that Signal use by politically appointed leadership is pervasive throughout the executive branch.

Notably, the documents show that Secretary Rubio was a member of multiple Signal group chats with the “Disappearing Messages” setting turned on, including “SS/APNSA,SD,CJCS”⁶ and a group chat with a redacted name.⁷ In “SS/APNSA,SD,CJCS,” where Secretary Rubio, Caine, and Hegseth were members, the auto-deletion of messages was set to “8 hours.” In the redacted-name group chat, which contains 17 members including “Scott B” (almost certainly Treasury Secretary Scott Bessent), Commerce Secretary Lutnick, Defense Secretary Pete Hegseth, Vice President J.D. Vance, White House Chief of Staff Susie Wiles, and U.N. Ambassador Michael Waltz, auto-deletion was set to “1 week.” In the chat thread with “TB,” which may belong to Secretary Rubio or Chief of Staff Needham based on the parameters of DFF’s FOIA request, the disappearing timeline is set to “1 week.”

Such auto-deletion settings are clear indications of likely violations of the FRA as they result in the destruction of federal records in a time period far shorter than the applicable records preservation schedules. It is unclear why an agency official would employ these settings if not to cause the records’ deletion. It is our understanding, based on declarations and other government representations in litigation, that these screenshots were collected some time between July and August 2025, months after the initial reporting on the concerning usage of disappearing Signal messages for government business. *See* Decl. of Mallory D. Rogoff ¶ 9, *DFF v. U.S. Department of Justice*, 1:25-cv-1535, Dkt. No. 16-1 (D.D.C. July 22, 2025) (State

⁴ *See* Exhibit B.

⁵ *See* Exhibit C. The relevant aspect of the request only sought records of group names, deletion timelines, and channel participants—it did not seek the actual content of the messages.

⁶ *See* Exhibit B, p. 5. This abbreviation presumably refers to the Secretary of State/Assistant to the President for National Security Affairs (Rubio), Secretary of Defense (Hegseth), and Chairman of the Joint Chiefs of Staff (Dan Caine)—the three people listed in the group.

⁷ *See* Exhibit B, pp. 16-17.

aiming to complete search by July 31, 2025); *Decl. of Susan C. Weetman* ¶ 6, *DFF v. DOJ et al.*, 1:25-cv-1535 (D.D.C. Sept. 9, 2025), Dkt. No. 24-1; Hr’g Tr. 3:20–25, *DFF v. DOJ et al.*, 1:25-cv-1535 (D.D.C. Aug. 29, 2025), Dkt. No. 21.

Even for those chats where the disappearing messages function was turned off, it is possible that function was previously enabled before responsive records were collected. The Department of State’s declaration in *DFF v. DOJ* indicates that remedial actions to ensure Signal record preservation on *official* devices were only finally taken on July 21, 2025—that is, four months after *The Atlantic*’s report. Agency officials may have turned off the auto-delete setting well after the reporting or only just before the search was conducted for the FOIA requests we issued. Indeed, only one day before the Department of State’s opposition to DFF’s motion for a preservation order was due on July 22, 2025, did the agency install a third-party record-keeping compliance platform on Secretary Rubio’s government-issued phone.⁸ Doing so may have prompted the late addition of Secretary Rubio’s official device to the chats before the Department of State’s collection of responsive records in late July or August 2025.⁹

Aspects of the produced records also suggest that Secretary Rubio may have been using Signal on a *non-official* device until the Department of State was prompted to take remedial action by litigation scrutinizing his preservation of Signal messages. The documents appear to show that Secretary Rubio had two or more devices in several of the group chats, as there are cases where “S - You” (likely S for Secretary) and “MR” (likely MR for Marco Rubio) are both members in the group chat, as well as the inclusion of a “DC Phone.”¹⁰ That the Secretary appears to have had multiple phones in certain chats is certainly consistent with the potential inclusion of *only* a non-official device until court scrutiny prompted remedial action.

Records Raise Serious Questions About The Candor of Officials’ Statements to Congress and Courts

Apart from the clear risks of FRA violations posed by officials’ use of auto-deletion settings, these details also raise concerning questions of truthfulness and public integrity in light of statements and declarations made by or given on behalf of these officials, including statements made under penalty of perjury. At a U.S. Senate committee confirmation hearing on April 1, 2025, Chairman Caine stated he would “weigh in and stop it if I was a part of it” if he encountered classified information on an unclassified chain of communication, and that “he has

⁸ Decl. of Mallory D. Rogoff ¶ 5, *DFF v. U.S. Department of Justice*, 1:25-cv-1535, Document 16-1, filed 7/22/25, <https://storage.courtlistener.com/recap/gov.uscourts.dcd.280574/gov.uscourts.dcd.280574.16.1.pdf>.

⁹ Decl. of Mallory D. Rogoff ¶ 9, *DFF v. U.S. Department of Justice*, 1:25-cv-1535, Document 16-1, filed 7/22/25, <https://storage.courtlistener.com/recap/gov.uscourts.dcd.280574/gov.uscourts.dcd.280574.16.1.pdf>.

¹⁰ Because the records produced here are those Signal chats of Marco Rubio or Mike Needham, one fair inference of “DC Phone” is that it may indicate the referenced phone was the DC area code phone of Secretary Rubio. This matter requires further investigation.

always communicated proper information in the proper channels.”¹¹ Chairman Caine’s membership in a Signal group chat—which he is also the administrator of—with a “Disappearing Messages” setting enabled for “8 hours” raises significant concerns about the veracity of his statements to the US Senate during the confirmation process.

In a July 22, 2025, declaration filed in federal court opposing DFF’s motion for a preservation order in *Democracy Forward Foundation v. U.S. Department of Justice et al.*, 1:25-cv-1535 (D.D.C.), the Agency Records Officer of the Department of State declared under penalty of perjury that, “[T]he Office of the Secretary has confirmed that Secretary Rubio does not use the auto-delete functions in third party messaging applications when sending communications that may include federal records.”¹² The enabling of the auto-deletion setting in at least two of Secretary Rubio’s Signal group chats raises serious concerns about the candor of the July 22, 2025 declaration.

In light of this new evidence of the pervasive usage of Signal among agency leaders and the enabling of disappearing messages in likely violation of record preservation laws and policies, we ask you to pursue all enforcement actions necessary. We urge you to assist the appropriate agency heads in the recovery of records and regulation of non-official platform usage to prevent further destruction of records, and refer matters to the Attorney General to initiate actions to ensure recovery of records,¹³ in accordance with the FRA and other applicable records laws. Given that numerous agency heads are personally implicated in these likely FRA violations, your action to initiate an enforcement action is critical. Specifically, we request that you undertake these actions immediately and initiate an enforcement action no later than July 10, 2026.

With regards, I am

Sincerely yours,

/s/ Skye Perryman

President and CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043

CC:

¹¹ Ellen Mitchell, *Trump’s joint chiefs nominee says he would have stopped Signal chat*, The Hill (Apr. 1, 2025), <https://thehill.com/policy/defense/5226680-trump-nominee-stop-signal-chat/>.

¹² Decl. of Mallory D. Rogoff ¶ 8, *DFF v. U.S. Department of Justice*, 1:25-cv-1535, Document 16-1, filed 7/22/25, <https://storage.courtlistener.com/recap/gov.uscourts.dcd.280574/gov.uscourts.dcd.280574.16.1.pdf>.

¹³ 44 U.S.C. §§ 2905; 3106.

David Warrington
Counsel to the President
The White House
1600 Pennsylvania Ave, N.W.
Washington, D.C. 20500

Susie Wiles
Chief of Staff to the President
The White House
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Chairman Rand Paul
U.S. Senate Committee on Homeland Security & Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC, 20510

Chair Mitch McConnell
U.S. Senate Committee on Rules and Administration
399 Russell Senate Office
Washington, D.C., 20510

Chairman James Comer
U.S. House of Representatives
Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, DC 20515

Exhibit A. Letter submitted to NARA and agencies by DFF on March 26, 2025.

Exhibit B. Documents obtained via FOIA litigation 1:25-cv-1535, (D.D.C.)

Exhibit C. FOIA Request

Exhibit A

**Letter submitted to NARA and agencies by DFF
on March 26, 2025.**

March 26, 2025

Marco Rubio
Acting Archivist of the U.S. National Archives and
Records Administration (NARA)
700 Pennsylvania Avenue, N.W.
Washington, D.C. 20408

RE: Urgent Need to Prevent Unlawful Destruction and Removal of Important Federal Records

To the Archivist of the United States and Senior NARA Officials:

Democracy Forward writes regarding an urgent matter of records preservation, as well as other serious violations of the Federal Records Act (FRA). As you are aware, on Monday *The Atlantic* published a report indicating that the nation’s highest-ranking national security officials are communicating on Signal threads to coordinate classified operations. Demonstrating the lack of care with which these officials are handling sensitive and classified information, they inadvertently included a journalist on these messages.¹ Given standard security safeguards integrated into classified communications systems, the inadvertent inclusion of an individual outside government strongly suggests that these communications took place through unclassified—and possibly personal—devices.

We ask that NARA take immediate remedial action to recover any federal records that have been unlawfully removed or taken from agency custody, and to preserve any record at risk of deletion without preservation in violation of the Federal Records Act. In addition, given that you personally are a participant in the aforementioned Signal thread, we ask that you appoint a senior career official to consider this matter and take appropriate action to avoid a conflict of interest.

Signal is regularly used to communicate with a function that automatically deletes messages within short time periods ranging from minutes to weeks—far shorter than the applicable records preservation schedules for most federal communications records.² *The Atlantic* reported that for the matter at hand, senior officials set the auto deletion for some messages to “1 week” and for others to “4 weeks”.³ Further, federal employees and officials are legally prohibited from creating records concerning government business using non-official electronic messaging accounts unless they contemporaneously copy their official account or forward the records promptly to their official account.⁴ It is not plausible that all eighteen senior officials on this Signal thread are also copying or forwarding all those messages to a separate official messaging account where they will be preserved.

The preservation of federal records related to historic national security matters are of critical importance. This administration is advancing a broad range of unprecedented national security positions that will long remain

¹ Jeffrey Goldberg, *The Trump Administration Accidentally Texted Me Its War Plans*, *The Atlantic* (Mar. 24, 2025), https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/?gift=kPTlqn0J1iP9IBZcsdl5IVJpB2t9BYyxpzU4sooa69M&utm_source=copy-link&utm_medium=social&utm_campaign=share.

² Signal Support, *Set and Manage Disappearing Messages*, <https://support.signal.org/hc/en-us/articles/360007320771-Set-and-manage-disappearing-messages>.

³ See Goldberg.

⁴ 44 U.S.C. § 2911.

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matters of great public interest, including but not limited to: the goal of acquiring the territory of a NATO ally; discussions of annexing a longstanding ally as a 51st state; deporting individuals with no due process and in some cases no criminal histories; and much more.⁵ Indeed, Democracy Forward has sent Freedom of Information Act requests for communications of officials included in this thread on matters of intense public interest, and those records are at risk of permanent deletion.

Further, the fact that you and other Administration officials of the highest possible seniority—including multiple agency heads and senior White House officials—used Signal to communicate in this reported instance strongly indicates that unlawful use of Signal is widespread among appointees. Recovery and preservation efforts should thus be comprehensive and not limited to the inadvertently disclosed instance that is the subject of recent reports.

Consequently, you and your agency are obligated to take all immediate steps necessary—up to and including referral to the Attorney General—to ensure that all agency records created to date within Signal are preserved in accordance with the Federal Records Act and other applicable records laws.

Sincerely,

/s/ Skye Perryman

President and CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043

CC:

David Warrington

Counsel to the President

The White House

1600 Pennsylvania Ave, N.W.

Washington, D.C. 20500

Susie Wiles

Chief of Staff to the President

The White House

1600 Pennsylvania Ave.

Washington, D.C. 20500

⁵ Andrea Shalal, *et al.*, *Trump pushes US claims to Greenland as territory's leaders lambast US delegation trip*, Reuters (Mar. 24, 2025); Matina Stevis-Gridneff, *How Trump's '51st State' Canada Talk Came to Be Seen as Deadly Serious*, N.Y. Times (Updated Mar. 24, 2025), <https://www.reuters.com/world/wife-us-vice-president-vance-make-high-profile-visit-greenland-2025-03-23/>; <https://www.nytimes.com/2025/03/07/world/canada/trump-trudeau-canada-51st-state.html>; Armando Garcia, *'Many' alleged gang members deported by Trump didn't have criminal records in the US: ICE*, ABC News (Mar. 18, 2025), <https://abcnews.go.com/US/noncitizens-deported-alien-enemies-act-criminal-records-ice/story?id=119912375>.

March 26, 2025

Marco Rubio
Secretary of State
The Secretary's Open Forum
S/OF, Rm. 5312A
2201 C St NW.
Washington, DC 20520

Tulsi Gabbard
Director of National Intelligence
Office of the Director of National Intelligence
Washington, D.C. 20511

Scott Bessent
Secretary of the Treasury
Department of the Treasury
Washington, DC 20220

Pete Hegseth
Secretary of Defense
OSD/JS FOIA Requester Service Center
Freedom of Information Division
1155 Defense Pentagon
Washington, DC 20301-1155

John Ratcliffe
Director of Central Intelligence
Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505

RE: Urgent Need to Prevent Unlawful Destruction and Removal of Important Federal Records

To Agency Directors:

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We ask that your agencies take immediate remedial action to recover any federal records that have been unlawfully removed or taken from agency custody, and to preserve any record at risk of deletion without preservation in violation of the Federal Records Act. In addition, given that you personally are a participant in the aforementioned Signal thread, we ask that you appoint a senior career official to consider this matter and take appropriate action to avoid a conflict of interest.

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Further, the fact that you and other Administration officials of the highest possible seniority—including multiple agency heads and senior White House officials—used Signal to communicate in this reported instance strongly indicates that unlawful use of Signal is widespread among appointees. Recovery and preservation efforts should thus be comprehensive and not limited to the inadvertently disclosed instance that is the subject of recent reports.

The Federal Records Act requires you to notify the Archivist of “any actual, impending, or threatened” unlawful removal, alteration, or destruction of federal records, and to initiate action to recover those records you have reason to believe were unlawfully removed. Consequently, you and your agency are obligated to take all immediate steps necessary to ensure that all agency records created to date within Signal are preserved in accordance with the Federal Records Act and other applicable records laws.

Sincerely,

/s/ Skye Perryman

President and CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043

CC:

David Warrington

Counsel to the President

The White House

1600 Pennsylvania Ave, N.W.

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⁴ 44 U.S.C. § 2911.

⁵ Andrea Shalal, *et al.*, *Trump pushes US claims to Greenland as territory's leaders lambast US delegation trip*, Reuters (Mar. 24, 2025); Matina Stevis-Gridneff, *How Trump's '51st State' Canada Talk Came to Be Seen as Deadly Serious*, N.Y. Times (Updated Mar. 24, 2025), <https://www.reuters.com/world/wife-us-vice-president-vance-make-high-profile-visit-greenland-2025-03-23/>; <https://www.nytimes.com/2025/03/07/world/canada/trump-trudeau-canada-51st-state.html>; Armando Garcia, *'Many' alleged gang members deported by Trump didn't have criminal records in the US: ICE*, ABC News (Mar. 18, 2025), <https://abcnews.go.com/US/noncitizens-deported-alien-enemies-act-criminal-records-ice/story?id=119912375>.

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Susie Wiles
Chief of Staff to the President
The White House
1600 Pennsylvania Ave.
Washington, D.C. 20500

Exhibit B

**Documents obtained via FOIA litigation
1:25-cv-1535, (D.D.C.)**



United States Department of State

Washington, DC 20520

June 22, 2026

Case No. FL-2025-00088

Skye Perryman
Democracy Forward Foundation
P.O. Box 34553
Washington, DC 20043

Dear Mr. Perryman:

As we noted in our letter dated May 21, 2026, we are processing your request for material under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department of State (“Department”) has identified an additional 16 responsive records subject to the FOIA. We have determined that nine records may be released in full and seven records may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made redactions, the applicable FOIA exemptions are marked on each record. Where applicable, the Department has considered the foreseeable harm standard when reviewing these records and applying FOIA exemptions. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

We will keep you informed as your case progresses. If you have any questions, your attorney may contact Trial Attorney Amber Richer at (202) 514-3489 or amber.richer@usdoj.gov. Please refer to the case number, FL-2025-00088, and the civil action number, 25-cv-1535, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink, appearing to read 'Diamonece Hickson', written in a cursive style.

Diamonece Hickson
Supervisory Government Information Specialist
Litigation and Appeals Office

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
 - 1.4(b) Foreign government information
 - 1.4(c) Intelligence activities, sources or methods, or cryptology
 - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
 - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
 - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
 - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
 - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- | | |
|----------------|---|
| ARMSEXP | Arms Export Control Act, 50a USC 2411(c) |
| CIA PERS/ORG | Central Intelligence Agency Act of 1949, 50 USC 403(g) |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT | Foreign Service Act of 1980, 22 USC 4004 |
| INA | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN | Iran Claims Settlement Act, Public Law 99-99, Sec. 505 |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
 - (B) deprive a person of a fair trial
 - (C) constitute an unwarranted invasion of personal privacy
 - (D) disclose confidential sources
 - (E) disclose investigation techniques
 - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

NR Material not responsive to a FOIA request excised with the agreement of the requester

6:59

92



Edit

Houthi PC small group

Add group description...



Video



Mute



Search

Disappearing Messages Off >

Chat Color & Wallpaper >

Sounds & Notifications >

18 Members

Add Members

You

Michael Waltz Admin

Scott B

Brian

Tulsi Gabbard @



580-1864



Brian

FL-2025-00088

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"UNCLASSIFIED"

6.22.2026 Page

Edit

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Tulsi Gabbard @



Pete Hegseth



Dan Katz

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Joe Kent

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Stephen Miller @

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Mike Needham @

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Edit

Iran/Ukraine Planning

Add group description...



Video



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Add Members



You

—SENSITIVE BUT UNCLASSIFIED—



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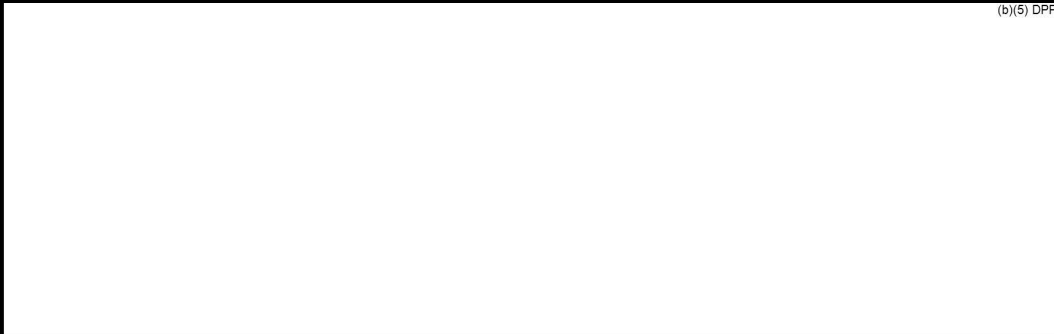


Chat Color & Wallpaper >



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3 Members



Add Members



You



Michael Anton

Admin



Steve Witkoff @



Add group description...



Video



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Add Members



You



Michael Anton

Admin

7 Members



Add Members

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(b)(5) DPP

No Groups in Common

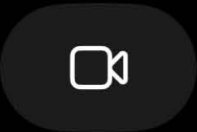


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[Redacted text]

(b)(5) DPP

Add group description...



Video



Mute



Search

- Disappearing Messages 1w >
- Chat Color & Wallpaper >
- Sounds & Notifications >

17 Members

- Add Members
- You
- Michael Waltz Admin
- Scott B
- Brian
- Pete Hegseth



Brian



Pete Hegseth



J K



Dan Katz



Secy Howard Lutnick



MR



Mike Needham @



A P



John R



Jacob Reses @



Vpotus @



Susie Wiles @



Steve Witkoff @



Alex Wong



Edit



State USAID

Add group description...



Video



Mute



Search



Disappearing Messages

Off >



Chat Color & Wallpaper



Sounds & Notifications



4 Members



Add Members

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Mike Needham @

SENSITIVE BUT UNCLASSIFIED

3 2 U N 3
MMM

Add group description...



Video



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Search



Disappearing Messages

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Chat Color & Wallpaper



Sounds & Notifications



All Media



(b)(5) DPP

See All

4 Members



Add Members



You



Mauricio @

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Chat Color & Wallpaper >



Sounds & Notifications >

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Mike Needham @

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Video



Voice



Mute



Search



Disappearing Messages

1w >



Nickname >



Chat Color & Wallpaper >



Sounds & Notifications >



View Safety Number >

No Groups in Common



Add to a Group



Block User



Report Spam

SECRET BUT UNCLASSIFIED



Tammy Bruce @ >



Video



Voice



Mute



Search



Disappearing Messages

Off >



Nickname >



Chat Color & Wallpaper >



Sounds & Notifications >



View Safety Number >



Contact Details >

All Media



-SENSITIVE BUT UNCLASSIFIED-



Pete Hegseth >



Video



Voice



Mute



Search



Disappearing Messages

Off >



Nickname



Chat Color & Wallpaper



Sounds & Notifications



View Safety Number





MBA >



Video



Voice



Mute



Search



Disappearing Messages

Off >



Nickname



Chat Color & Wallpaper



Sounds & Notifications



View Safety Number



-SENSITIVE BUT UNCLASSIFIED-

Exhibit C

FOIA Request



March 26, 2025

VIA Electronic Delivery

Department of State
The Secretary's Open Forum
S/OF, Rm. 5312A
2201 C St NW.
Washington, DC 20520
Via online portal

Re: Expedited Freedom of Information Act Request

Dear FOIA Officer:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. §§ 552, Democracy Forward Foundation submits this request for records.

Records Requested

Democracy Forward Foundation ("DF") requests that the your agency produce the following within twenty (20) business days:

1. All text messages or messages on messaging platforms (such as Signal messages, X Direct messages, Slack, WhatsApp, Teams, GChat or Google Hangouts, etc.) sent and received by the DOS officials listed below that include any of the following terms:

Officials:

- i. Secretary Marco Rubio
- ii. Counselor and Chief of Staff Mike Needham

Terms:

- I. "Alien Enemies Act"
- II. AEA
- III. "Tren de Aragua"
- IV. TdA
- V. "Terrorism Confinement Center"
- VI. CECOT
- VII. Thugs
- VIII. Boasberg
- IX. "Court Order"

DF-STATE-25-0530

2. Records sufficient to identify the (1) group names (2) deletion timelines (3) channel participants for all Signal groups on any devices DOS officials listed in Item 1 use for official business.

A search for responsive records should include both government-issued and personal devices on both classified and unclassified systems.

This request seeks records from January 20, 2025, until the date of the search.

Request for Expedited Processing

I certify to the best of my knowledge and belief that expedited processing of this request is required because there is a “compelling need” for the disclosure of the requested information.¹ DFF is an organization primarily engaged in “disseminating information to the public,”² as evidenced by the previous use of public records obtained by DFF in numerous news reports.³

¹ 5 U.S.C. § 552 (6)(E).

² 5 U.S.C. § 552 (6)(E)(v)(II) (“Compelling need” for the purpose of expedited processing mean “with respect to a request made by a person primarily engaged in disseminating information, urgency to inform the public concerning actual or alleged Federal Government activity.”).

³ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019),

<https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, “Happy to Do It”: Emails Show Current FAA Chief

Coordinated With Ex-Lobbyist Colleagues on Policy, ProPublica (Mar. 27, 2019),

<https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>;

Hamid Aleaziz, *Emails Show US Border Officials Didn’t Receive “Zero Tolerance” Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019),

<https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>;

Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, HuffPost (Dec. 17, 2018),

https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba;

Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018),

<https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman,

‘Just answer the question and kill this story’: In internal emails, Heather Nauert criticized Rex Tillerson’s refusal to deny reports that he called Trump a ‘moron,’ Business Insider (Nov. 2, 2018),

<https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit*

Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism, HuffPost (Oct. 31, 2018),

https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting,*

ATF emails reveal blame, alarm over bump stocks, USA Today (Oct. 1, 2018),

<https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback-she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018),

<https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails*

Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump, BuzzFeed News (July 25, 2018),

<https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017),

<https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees’ war to end HHS teen pregnancy program*, NBC News

Further there is a clear “urgency to inform the public” of the Administration usage of Signal for detailed and confidential discussions as seen recently regarding pending military action, and the usage of auto-deletion for such discussions that may violate federal records laws.⁴ In addition, there is clearly an “urgency to inform the public” regarding the Administration’s usage of the “alien enemies” wartime law to deport individuals over alleged gang ties without the ability to challenge their removal.⁵

Scope of Search

FOIA requires agencies to disclose information, with only limited exceptions for information that would harm an interest protected by a specific exemption or where disclosure is prohibited by law. 5 U.S.C. § 552(a)(8)(A). In the event that any of the requested documents cannot be disclosed in their entirety, we request that you release any material that can be reasonably segregated. *See* 5 U.S.C. § 552(b). Should any documents or portions of documents be withheld, we further request that you state with specificity the description of the document to be withheld and the legal and factual grounds for withholding any documents or portions thereof in an index, as required by *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). Should any document include both disclosable and non-disclosable material that cannot reasonably be segregated, we request that you describe what proportion of the information in a document is non-disclosable and how that information is dispersed throughout the document. *Mead Data Cent., Inc. v. U.S. Dep’t of Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

If requested records are located in, or originated in, another agency, department, office, installation or bureau, please refer this request or any relevant portion of this request to the appropriate entity.

To the extent that the records are readily reproducible in an electronic format, we would prefer to receive the records in that format. However, if certain records are not available in that format, we

(Mar. 20, 2018),

<https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, Buzzfeed News (Mar. 22, 2018),

<https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at

<https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*,

Newsweek (Dec. 29, 2017),

<https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

⁴ Jeffrey Goldberg, “*The Trump Administration Accidentally Texted Me Its War Plans*,” *The Atlantic* (Mar. 24, 2025),

https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/?gift=kPTlqn0J1iP9IBZcsdl5IVJpB2t9BYyxpzU4sooa69M&utm_source=copy-link&utm_medium=social&utm_campaign=share.

⁵ Madeline Halpert, *Judge: US treated Nazis better than Venezuelan migrants who were deported*,” *BBC* (Mar. 24, 2025), <https://www.bbc.com/news/articles/cp3y0311gvko>.

are willing to accept the best available copy of each such record.

Please respond to this request in writing within 20 working days as required under 5 U.S.C. § 552(a)(6)(A)(i). If all of the requested documents are not available within that time period, we request that you provide us with all requested documents or portions of documents that are available within that time period. If all relevant records are not produced within that time period, we are entitled to a waiver of fees for searching and duplicating records under 5 U.S.C. § 552(a)(4)(A)(viii)(I).

Request for Fee Waiver

Pursuant to 5 U.S.C. § 552(a)(4)(A)(iii) and 39 C.F.R. § 265.9, DFF requests a waiver of all fees associated with processing records for this request. FOIA requires documents to be furnished to requesters at no fee or reduced fees “if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A).

In determining whether a fee waiver is appropriate, courts consider whether a requester has a “demonstrated . . . ability to disseminate the requested information,” *Cause of Action v. F.T.C.*, 799 F.3d 1108, 1116-17 (D.C. Cir. 2015), and whether the requester regularly disseminates records obtained through FOIA to “a reasonably broad audience of persons interested in the subject” of its work. *Carney v. U.S. Dep’t of Justice*, 19 F.3d 807, 814-15 (2d Cir. 1994). FOIA does not require a requester to describe exactly how it intends to disseminate the information requested, as that would require “pointless specificity”; all that is necessary is for a requester to adequately demonstrate its “ability to publicize disclosed information.” *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1314 (D.C. Cir. 2003). In evaluating a fee waiver request, courts consider how a requester actually communicates information collected through FOIA to the public, including press releases or a website where documents received are made available, *see id.*, or whether the requester has a history of “contacts with any major news[] companies” that suggest an ability to disseminate materials of interest through the press. *Larson v. C.I.A.*, 843 F.2d 1481, 1483 (D.C. Cir. 1988) (upholding a denial of a fee waiver to a requester who had failed to identify his relationships with newspaper companies that could disseminate documents).

The requested waiver is in the public interest because providing the copy of the information sought primarily benefits the general public. Democracy Forward has a demonstrated ability to disseminate information of public interest requested through freedom of information statutes, and based upon responses to this request may assist in publicizing records received to contribute to the public’s understanding of Trump administration usage of Signal for detailed and confidential

discussions as seen recently regarding pending military action,⁶ as well as the Administration's usage of the "alien enemies" wartime law to deport individuals over alleged gang ties without the ability to challenge their removal. Indeed, records received by Democracy Forward have previously formed the basis of news reports.⁷

Democracy Forward is not filing this request to further any commercial interest, and any information obtained by Democracy Forward as a result of this request and disclosed will be disclosed at no cost.

⁶ Goldberg, *Id.*

⁷ See, e.g., Alexander Nazaryan, *Why did right-wing troll Charles C. Johnson meet with Commerce Secretary Wilbur Ross?*, Yahoo News (May 14, 2019),

<https://news.yahoo.com/why-did-rightwing-troll-charles-c-johnson-want-to-meet-with-commerce-secretary-wilbur-ross-090000636.html>; Derek Kravitz and Jack Gillum, "Happy to Do It": Emails Show Current FAA Chief Coordinated With Ex-Lobbyist Colleagues on Policy, ProPublica (Mar. 27, 2019),

<https://www.propublica.org/article/dan-elwell-current-faa-chief-coordinated-with-ex-lobbyist-colleagues-on-policy>; Hamid Aleaziz, *Emails Show US Border Officials Didn't Receive "Zero Tolerance" Guidance Until After the Policy Was Enacted*, BuzzFeed News (Feb. 28, 2019),

<https://www.buzzfeednews.com/article/hamedaleaziz/zero-tolerance-policy-guidance-dhs-family-separation>;

Jonathan Cohn and Jeffrey Young, *Emails Show Trump Administration Was Told Obamacare Ad Cuts Could Hurt Enrollment*, HuffPost (Dec. 17, 2018),

https://www.huffingtonpost.com/entry/trump-verma-obamacare-advertising-cut_us_5c115061e4b084b082ff8dba;

Madison Pauly, *When the Biggest Prison Company Complained About a California Sanctuary Law, ICE Listened*, Mother Jones (Dec. 7, 2018),

<https://www.motherjones.com/politics/2018/12/geo-memo-private-prison-california-immigration/>; Eliza Rellman,

'Just answer the question and kill this story': In internal emails, Heather Nauert criticized Rex Tillerson's refusal to deny reports that he called Trump a 'moron,' Business Insider (Nov. 2, 2018),

<https://www.businessinsider.com/heather-nauert-rex-tillerson-trump-moron-2018-11>; Rebecca Klein, *Lawsuit Accuses Betsy DeVos And Her Deputies Of Being Motivated By Sexism*, HuffPost (Oct. 31, 2018),

https://m.huffpost.com/us/entry/us_5bd9ff6ee4b01abe6a1ad4a9; Nick Penzenstadler, *A year after Vegas shooting,*

ATF emails reveal blame, alarm over bump stocks, USA Today (Oct. 1, 2018),

<https://www.usatoday.com/story/news/2018/10/01/year-after-vegas-shooting-atf-emails-reveal-blame-alarm-over-bump-stocks/1432137002/>; Jessica Kwong, *Ivanka Trump was more than complicit in Obama equal pay rollback-she had a hand in it, watchdog alleges*, Newsweek (Aug. 29, 2018),

<https://www.newsweek.com/ivanka-trump-equal-pay-complicit-obama-1093833>; Vera Bergengruen, *New Emails Show What Happens When The Pentagon Has To Scramble To Catch Up To Trump*, BuzzFeed News (July 25, 2018),

<https://www.buzzfeednews.com/article/verabergengruen/these-emails-show-what-happens-when-the-white-house-keeps>; Erin Dooley, *Exclusive: Former for-profit college executive shaped Education Department policy that could benefit former employers: Documents*, ABC News (May 15, 2017),

<https://abcnews.go.com/US/exclusive-profit-college-executive-shaped-education-department-policy/story?id=55108981>; Heidi Przybyla, *Notes, emails reveal Trump appointees' war to end HHS teen pregnancy program*, NBC News (Mar. 20, 2018),

<https://www.nbcnews.com/politics/politics-news/notes-emails-reveal-trump-appointees-war-end-hhs-teen-pregnancy-n857686>; Dominic Holden, *Documents Show The Trump Administration Approved Bump Stocks Before It Opposed Them*, BuzzFeed News (Mar. 22, 2018),

<https://www.buzzfeednews.com/article/dominicholden/trump-administration-bump-stocks>; Bernard Condon, *Trump Advisor Denies He Cheered End of Tunnel Funding Deal*, Associated Press (Feb. 13, 2018), available at

<https://www.usnews.com/news/business/articles/2018-02-13/trump-adviser-denies-he-cheered-end-of-tunnel-funding-deal>; Celeste Katz, *Interior Department tapped wildfire preparedness funds for Ryan Zinke helicopter tour*,

Newsweek (Dec. 29, 2017),

<https://www.newsweek.com/ryan-zinke-interior-department-helicopters-wildfires-757857>.

If the request for a waiver is denied, we are willing to pay all reasonable fees incurred for searching and duplicating records in responding to this request, up to \$50. If the costs of responding to this request should exceed that amount, please contact us before incurring costs exceeding that amount.

Conclusion

If you need clarification as to the scope of the request, have any questions, or foresee any obstacles to releasing fully the requested records within 20 business days, please contact me as soon as possible at foia@democracyforward.org.

We appreciate your assistance and look forward to your prompt response.

Sincerely,

/s/ Skye Perryman

Skye Perryman

President & CEO

Democracy Forward Foundation

P.O. Box 34553

Washington, D.C. 20043