



U.S. Department of Homeland Security  
UNITED STATES SECRET SERVICE

Washington, D.C. 20223

August 6, 2015

Charles H. Kable IV  
Section Chief  
Counterintelligence Division  
Federal Bureau of Investigation  
Washington, DC 20535-0001

Re: Request for Preservation of Records dated July 31, 2015

Dear Mr. Kable:

Reference is made to your formal request for the preservation of all records and other evidence in the possession of the United States Secret Service ("Secret Service"), or in the possession of Hillary Clinton, former Secretary of State, regarding the domain account @clintonemail.com.

Your record preservation request seeks items from an individual referred to as "your client." To the extent the word "client" refers to the Secret Service's protectee, Hillary Clinton, the Secret Service could not lawfully take any item in the possession of a protectee absent a warrant for that item. Additionally, we are not aware that we are otherwise in possession of any such items.

With respect to items or records in the possession of the Secret Service, we have previously searched and are in the process of conducting an additional search for Agency records responsive to a Freedom of Information Act (FOIA) request that is similar in nature to your request for records preservation. That FOIA request is now the subject of litigation in the United States District Court for the District of Columbia, Judicial Watch v. United States Secret Service, Civil Action No. 1:15-cv-00673-JDB. In that case, Plaintiff Judicial Watch filed a FOIA request for "[a]ny and all records of communication between the United States Secret Service and Hillary Rodham Clinton concerning, regarding, or relating to creation, setup, security, and maintenance of the clintonemail.com email server."

The Secret Service performed the following search for responsive documents in the relevant directorates. The Office of Technical Development and Mission Support, Information Resources Management Division (IRMD) responded as follows: "IRMD does not create, setup, monitor, or maintain non-government email servers." Accordingly, there was no search that would be reasonably calculated to locate responsive records.


The Office of Protective Operations conducted a search where the Assistant Director, the Deputy Assistant Director, and the Supervisory Staff Specialist searched desktop files and the office shared drive for any responsive documents. This search included official e-mail as well as their individual e-mail. Further, the Deputy Special Agent in Charge (DSAIC) of the Clinton Division searched his desktop and the office shared drive with the search terms "email server" and "Clinton server." This search included official e-mail as well as his individual e-mail using

the search terms "email server" and "Clinton server." The DSAIC also searched the file cabinets and drawers of the Clinton Division (the paper files) for any responsive documents.

These searches did not reveal any responsive documents. The Department of Justice attorney handling the litigation, Andrew Carmichael, then spoke to Plaintiff's representative regarding what other searches Plaintiff would like the Secret Service to perform in an effort to resolve the litigation. After discussion, it was agreed that the Secret Service would perform an additional search. This search is for e-mails from anyone assigned to the Clinton detail from January 1, 2009, through and including January 31, 2009 that contain any of the following terms: email server, clinton server, and/or clintonemail.com. This search is being conducted and is expected to be completed in approximately two weeks.

The Secret Service is not authorized, nor does it receive appropriations, to establish personal e-mail servers for anyone, including protectees. Notwithstanding, the Secret Service will send out a preservation request for the Agency records listed in your correspondence of July 31, 2015 which are in the possession of the Secret Service. As your request does not include a time frame, we have adopted a January 1, 2009 timeframe to the present as the relevant timeframe for preservation.

Sincerely,

  
Donna L. Cahill  
Chief Counsel