

Inside on the Outside
FreedomNewsDigest.com
Publisher and Author Thomas Caggiano
OPINION
Published on
<http://thomascaggiano.com/NATIONALSECURITY.pdf>
7086 Arcadia Glen Court
North Las Vegas, NV 89084
thomascaggiano@gmail.com
<http://thomascaggiano.com/background.pdf>
Telephone: 702-586-6768
Cell : 973-945-0480
Apr 6, 2016

U.S. Department of State
Executive Office of of the Office Legal Advisor (L/EX) Brian J. Egan, Esq.
Suite 5.600
600 19th Street NW
Washington D.C. 20522

CF:
Corrupt FBI Director Comey, Esq
Ref: <http://thomascaggiano.com/CORRUPTFBI.pdf>,
<http://thomascaggiano.com/LYNCHUSPS.pdf>, <http://thomascaggiano.com/AAG.pdf>
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

United States Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C. 20510-6050
Phone: 202-224-5225

U.S. Senate Committee on Homeland Security & Governmental Affairs
Ref: <http://thomascaggiano.com/WETTRE.pdf>, <http://thomascaggiano.com/USA.pdf>,
<http://thomascaggiano.com/LYNCH.pdf>, <http://thomascaggiano.com/FBI.pdf>
340 Dirksen Senate Office Building
Washington, DC, 20510
Phone: 202-224-4751

Hon. Dean Heller (NV)
Bradley Sensibaugh, Staff
8930 West Sunset Road
Suite 230
Las Vegas, NV 89148
Phone: 702-388-6605

Subject: Information Request per Press-Enterprise II **Press-Enterprise v. Superior Court of California (II) 478 U.S. 1. (1986)** civil rights regarding information required to file a U.S. District Court District of Nevada motion to obtain a U.S. District Court to **ORDER** the Secretary of State Kerry, the Under Secretary of Management Patrick Kennedy, **Bureau of Diplomatic Security** and the Office of Personnel Security and Suitability to conduct a review to determine if non-U.S. Government officials Hillary Clinton, Huma Abedin and Cheryl Mills should immediately have their Top Security clearances revoked for violation National Security laws, President Obama's Executive Order 13526 and President Clinton's Executive Order and to have the Under Secretary of Management Patrick Kennedy placed on administrative leave for his apparent failure to monitor and evaluate the protection of classified information on IT devices :

1. References:

a. 22 CFR Part 172 - SERVICE OF PROCESS; PRODUCTION OR DISCLOSURE OF OFFICIAL INFORMATION IN RESPONSE TO COURT ORDERS, SUBPOENAS, NOTICES OF DEPOSITIONS,...OR DEMANDS IN CONNECTION WITH FEDERAL OR STATE LITIGATION; EXPERT TESTIMONY

b. 22 CFR § 172.8 Considerations in determining whether the Department will comply with a demand or request.

(a) In deciding whether to comply with a demand or request, Department officials and attorneys shall consider, among others:

(1) Whether such compliance would be unduly burdensome or otherwise inappropriate under the applicable rules of discovery or the rules of procedure governing the case or matter in which the demand arose;

(2) Whether compliance is appropriate under the relevant substantive law concerning privilege or disclosure of information;

(3) The public interest;

(4) The need to conserve the time of Department employees for the conduct of official business;

(5) The need to avoid spending the time and money of the United States for private purposes

c. <https://www.whitehouse.gov/the-press-office/executive-order-classified-national-security-information> President Obama's December 29, 2009 Executive Order 13526. As we've previously noted, in section 1.1(d) The unauthorized disclosure of foreign government information **is presumed to cause damage to the national security** and as noted in section 1.4 to describe other categories of information that officials should deem classified based on the **national-security damage** disclosure could cause. **Included among these categories: foreign relations, foreign activities of the United States.. and intelligence activities.**

Furthermore per Sec. 1.3. Classification Authority (d) All original classification authorities must receive training in proper classification and declassification as provided in this order and its implementing directives **at least once a calendar year. Such training must include instruction on the proper safeguarding of classified information and on the sanctions in section 5.5 of this order** that may be brought against an individual who fails to classify information properly or protect classified information from unauthorized disclosure.

Furthermore per Sec. 1.6. Identification and Markings. (f) Information assigned a level of classification under this or predecessor orders shall be considered as classified at that level of classification despite the omission of other required markings. Whenever such information is used in the derivative classification process or is reviewed for possible declassification, holders of such information shall coordinate with an appropriate classification authority for the application of omitted markings.

Furthermore per Sec. 1.8. Classification Challenges. (b) In accordance with implementing directives issued pursuant to this order, an agency head or senior agency official shall establish procedures under which authorized holders of information, including authorized holders outside the classifying agency, are encouraged and expected to challenge the classification of information that they believe is improperly classified or unclassified.

Furthermore per Sec. 2.1. Use of Derivative Classification. (3) carry forward to any newly created documents the pertinent classification markings. For information derivatively classified based on multiple sources, the derivative classifier shall carry forward

d. President Clinton's Executive Order No. 12,958--Classified National Security Information. This executive order was issued by President Clinton on April 17, 1995, and will take effect on October 14, 1995.

Sec. 1.5. Classification Categories.

Information may not be considered for classification unless it concerns:

- (a) military plans, weapons systems, or operations;
- (b) foreign government information;
- (c) intelligence activities (including special activities), intelligence sources or methods, or cryptology;
- (d) foreign relations or foreign activities of the United States, including confidential sources ...

Sec. 1.8. Classification Prohibitions and Limitations

(e) Compilations of items of information which are individually unclassified may be classified if the compiled information reveals an additional association or relationship that:

- (1) meets the standards for classification under this order; and
- (2) is not otherwise revealed in the individual items of information.

As used in this order, "compilation" means an aggregation of pre-existing unclassified items of information.

e. Adjudicative Guidelines for Determining Eligibility for Access to Classified Information

- (1) The nature, extent, and seriousness of the conduct;
- (2) the circumstances surrounding the conduct, to include knowledgeable participation;
- (3) the frequency and recency of the conduct;
- (7) the motivation for the conduct;

**Guideline K:
Handling Protected Information**

33. The Concern. Deliberate or negligent failure to comply with rules and regulations for protecting classified or other sensitive information raises doubt about an individual's trustworthiness, judgment, reliability, or willingness and ability to safeguard such information, and is a serious security concern.

34. Conditions that could raise a security concern and may be disqualifying include:

(a) **deliberate or negligent disclosure of classified or other protected information** to unauthorized persons, including but not limited to personal or business contacts ..

(b) collecting or storing classified or other protected information in any unauthorized location;

(c) loading, drafting, editing, modifying, storing, transmitting, or otherwise handling classified reports, data, or other information on any unapproved equipment including but not limited to any typewriter, word processor, or computer hardware, software, drive, system, .. **handheld, "palm" or pocket device or other adjunct equipment;**

(d) inappropriate efforts to obtain or view classified or other protected information outside one's need to know;

(e) **copying classified or other protected information in a manner designed to conceal or remove classification or other document control markings;**

f. Newspaper report published on Washington Post web domain:

https://www.washingtonpost.com/world/national-security/in-clinton-email-investigation-justice-department-grants-immunity-to-former-state-department-staffer/2016/03/02/e421e39e-e0a0-11e5-9c36-e1902f6b6571_story.html

The Justice Department has granted immunity to a former State Department staffer,

who worked on Hillary Clinton's private email server, as part of a criminal investigation into the possible mishandling of classified information, according to a senior law enforcement official. The official said the FBI had secured the cooperation of Bryan Pagliano, who worked on Clinton's 2008 presidential campaign before setting up the server in her New York home in 2009.

2. It appears to me that the ONLY reason that the above persons who have in my opinion violated the above laws and executive orders and in fact Secretary of State Hillary Clinton is the ONLY Secretary NOT to even have a secured .gov email account and whereas her official duty required her to interact with foreign nations which include major issues related to our national defense and fight terrorism could NOT have even performed her job's official duties as known by the NSA which informed Ms. Mills of the great vulnerability of Blackberry personal devices which was ignored as State by Hillary Clinton for her personal convenience. it is also NOTED by compilation even unclassified materials can become classified and one even having a classification MUST ALSO HAVE a NEED TO KNOW.

3. To have tax payers funds as I believe the result is obvious, Mrs. Clinton, and her senior staff violated those above. The need to determine if such actions were criminal as being evaluated by the FBI is totally meaningless to the task given the Secretary of State Kerry, his Under Secretary for Management Patrick Kennedy and his staff TO PROTECT THE NATIONAL DEFENSE being should these people retain TOP Secret Clearance as THEY HAVE NO NEED TO KNOW and are NO longer Government employee have their Security clearances revoked or at least suspended revoked immediately and any access to such records MUST be clearly monitored. I believe the answer is obvious. YES.

4. The story given by the State Department Spokesperson for as noted earlier Judge Rudolph Contreras said at a hearing Tuesday, noting his displeasure over the State Department's explanations about the delays.

5. The State Department announced Friday that it will not release 22 emails from former Secretary of State Hillary Clinton because they contain "**top secret**" information, the highest level of government classification. In fact the classification begin confidential, secret or top secret is irrelevant distinction over 1,000 emails reviewed by the State Department are classified at some level and for purely personal convenience complaints to safe guard national materials as directed by both Obama and President Clinton were willfully in=ignored as training is given annually.

6. I suggest Secretary Kerry and President Obama who stated there is nothing there read his own Executive Order and that to save em the cost and time of going to a U.S. District Court to ORDER the Department to conduct a suitability review that can be done instantly:

7. These non-government officials and employees have NO NEED to have TOP SECRET clearances especially the great public interest to protect our borders and the terrorism that now exists though out the world. Ms Clinton stated she is fully responsible

for the deaths in Bengazi, that she used a RED Button reset the dialogue with the Russians would change, supported trade areas when she left the White House which she no longer does, said she was broke but her and her husband then accumulated over \$100 Million dollars in speaking fees and her Clinton foundation has received billions from foreign counties and allowed her senior Huma Abedin aide to have three conflict of interest jobs at once as the investigation for over billing by her aide's investigation was stopped.

8. I therefore desire that the Secretary Kerry would comply with is official duties regardless of the corrupt U.S. Attorney Lynch and her accomplice the FBI Director Comey on other matters which have life or death sentences as the corrupt FBI now admits it has 11 CDS of evidence on issues noted on FreedomNewsDisgest.com or thomascaggiano.com ONLY after OGIS telephoned the FBI.. My background is published on <http://thomascaggiano.com/background.pdf> as I directed and controlled weapon system designs and manufacturing facilities as a U.S. Army member of the Acquisition Corps, level III, Program Management and a Division Chief that coordinated actions across many mission areas having meetings in the Pentagon and meetings in the Special Operations Forces Headquarters. The saga of allowing these non-government persons to retain TOP SECRET Clearances and to say there will be further delays is a TORT ACT VIOLATION of Breech of duty and OUTRAGE for purely for political purposes ignoring our National Security needs and laws by the Democratic ESTABLISHMENT for POLITICAL PURPOSES.

9. I request the number of copies and distribution of my **Notice of Motion**, and other Court papers I will file Pro Se with the U.S. District Court to assure out National Security laws and clearly written executive orders and memorandum have the same legal effect as laws and SUGGEST AN immediate review be done by the Diplomatic Security Service and suggest that Patrick Kennedy be placed on administrative leave pending the FBI on-going investigation which the pubic is now told will, for political purposes in my opinion, extend beyond the nomination for the Presidential candidates selection process.

10. For the State Department spokesperson or its accomplice the FBI to infer that this is a normal event rather than a special extra ordinary circumstance is outrageous.

11. In summary, the special treatment of these non-government persons to retain TOP SECRET clearances is solely for political reasons by the Democratic Establishment.

Sincerely,

Thomas Caggiano