



December 22, 2025

VIA EMAIL

Ohio Secretary of State
180 Civic Center Dr.
Columbus, Ohio 43215f
publications@ohiosos.gov

RE: Open Records Law Request

Dear Sir/Madam:

Citizens for Responsibility and Ethics in Washington (“CREW”) makes this request pursuant to Ohio’s Open Records Law, Ohio Rev. Code § 149.43 *et seq.*, for records relating to the Ohio Secretary of State’s analysis, communications, and guidance concerning presidential eligibility requirements.

Requested Records

- 1) From January 1, 2008 to the date this request is processed, any guidance documents, memoranda, or correspondence created and/or received by your agency referencing the Twenty-second (22nd) Amendment to the Constitution of the United States, or the constitutional prohibition on any person being elected to the office of the President more than twice.
- 2) From January 1, 2008 to the date this request is processed, any guidance documents, memoranda, or correspondence created and/or received by your agency that describes how the office:
 - a. Reviews or verifies presidential candidates’ constitutional eligibility (including, but not limited to, age, natural-born citizenship, or residency);
 - b. Responds to challenges concerning presidential candidate eligibility; or
 - c. Coordinates with the Attorney General’s Office, Governor’s Office, or General Assembly on candidate eligibility matters in presidential elections.

This request includes any records (e.g. memoranda, emails, press statements, internal guidance) that documents how the Secretary of State’s office handled instances where presidential candidates were identified as clearly or potentially ineligible due to failure to meet the Constitution’s eligibility requirements (e.g. natural-born citizenship, age,

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or residency requirements).

Your search should include non-exempt records related to David M. Neal's 2008 challenge and Susan Daniels' 2012 challenge to Barack Obama's constitutional qualification to hold the office of the presidency. *See Neal v. Brunner* (Ohio Ct. Com. Pl. Warren Cnty. 2008); *Daniels v. Husted* (Ohio Ct. Com. Pl. Geauga Cnty. 2012).

- 3) From November 1, 2024 to the date this request is processed, all communications concerning the 2028 presidential election cycle sent or received by your agency to or from any of the following:
 - a. Individuals or organizations associated with Steve Bannon, including "War Room," "Bannon's War Room LLC," or other related entities;
 - b. U.S. Representative Andy Ogles, his congressional office, affiliated campaign and political committees, or other related entities;
 - c. The U.S. House Committee on the Judiciary staff (including email addresses associated with the @mail.house.gov domain);
 - d. Individuals associated with the organization "Third Term Project" (including email addresses associated with the @thirdtermproject.com domain);
 - e. Individuals associated with the organization "Republicans for National Renewal" (including email addresses associated with the @rnrenewal.org domain); and
 - f. Individuals associated with the "Cornerstone Law Firm" (including email addresses associated with the @cornerstonelaw.us domain).

This request excludes news articles and other publicly available materials without any accompanying discussion by government officials.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as those who were cc'ed or bcc'ed on any emails.

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If it is your position that any portion of the requested records is exempt from disclosure, please cite each specific exemption you feel justifies the refusal to release the information and notify CREW of the appeal procedures available under the law. CREW requests that you state in writing and with particularity the reasons for any conclusion that a record is exempt or confidential.

If some portions of the requested records are properly exempt from disclosure, please redact those portions and produce the remainder of the requested records.

This request is made for noncommercial purposes. CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and reducing the influence of money on politics. The release of information obtained through this request is not in CREW's financial interest.

CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations and communications of a state government office, and the disclosures will likely contribute to a better understanding of relevant Secretary of State procedures by the general public in a significant way.

Given numerous public statements by elected officials and political figures on the topic, there is increased public interest in how states are prepared to address the possibility that a presidential candidate may seek election for a third term in office in 2028,¹ despite the 22nd Amendment's prohibition on a president being elected to more than two terms. The public is increasingly concerned about the enforcement of presidential eligibility requirements, how a candidate would seek a third term given the 22nd Amendment restriction, and the nature of communications about ballot eligibility between those seeking to circumvent this prohibition and secretary of state offices. CREW intends to analyze the information responsive to this request and to share its analysis with the public.

¹ See Bernd Debusmann Jr., *Trump Does Not Rule Out Seeking Third Term - But Says He Will Not Use VP Loophole*, BBC (Oct. 27, 2025) (when asked about a third term, Trump said he would "love to do it"), <https://www.bbc.com/news/articles/c797q57ple9o>; Zachary Schermele, *'There is a Plan' for Trump to Seek Third Term in 2028, Steve Bannon says*, USA Today (Oct. 25, 2025), <https://www.usatoday.com/story/news/politics/2025/10/25/trump-2028-steve-bannon-comments/86897789007/>; *About, Third Term Project* ("The Founding Fathers never put term limits into the Constitution for a reason. . . . President Trump is the leader that the Founding Fathers knew would arise and whose ability to restore liberty should not be restricted. This is why it is imperative that the Third-Term Project is successful."), <https://www.thirdtermproject.com/third-term>.

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If costs or fees for copying and postage charges in connection with processing this request are expected to exceed \$100, please contact me at (202) 408-5565 or

[REDACTED]

Where possible, please produce records in electronic format. Please send the requested records to me in electronic form to [REDACTED] and foiareturns@citizensforethics.org. If it's not possible to produce them electronically, please contact me at that email, and I will provide a mailing address. Thank you for your assistance.

Sincerely,

/s/ Kayvan Farchadi
Senior Counsel