

Paul Wester <paul.wester@nara.gov>**Fwd: Re: Fwd: nyt (very close hold)**

1 message

Paul Wester <paul.wester@nara.gov>

Sun, Mar 1, 2015 at 4:38 PM

To: lisa.clavelli@nara.gov, Laurence Brewer <laurence.brewer@nara.gov>, Margaret Hawkins <margaret.hawkins@nara.gov>, Donald Rosen <donald.rosen@nara.gov>, Gary Rauchfuss <gary.rauchfuss@nara.gov>, Lisa Haralampus <lisa.haralampus@nara.gov>, Julie Reaves <julie.reaves@nara.gov>

FYI - Something we will need to look out for tomorrow.

Paul

fyi, I just spoke to the reporter. As Paul surmised, he is covering the Benghazi issue, and has learned that when Hillary Clinton was Secretary of State, she apparently used a personal email account to conduct government business, and that the State Department has recovered 50,000 pages of emails relating to government business, 900 pages of which relate to Benghazi, which State has turned over to the House Select Committee investigating Benghazi. He wanted to know if this violated NARA's laws or regulations. I told him that I could not speak to the specifics of this matter, but could explain the general rules and policies in place at the time, as well as the new legal requirement, which I did. I referred him to the various public hearings on other officials using personal email accounts to conduct government business -- e.g., OSTP, EPA, CFTC -- and noted that NARA does look into allegations of this type, with our interest being to ensure that the agency recovers any alienated records and has policies in place to ensure prevent such events from occurring again. This case, if true, would present a concern, although it may be the case that the State Department has already taken appropriate action to recover the records. He said his story is likely to be posted online tomorrow, and asked that we not share this information outside of NARA until it runs. We can discuss further tomorrow, unless you'd like to discuss today.

Thanks,
Gary

Gary M. Stern
General Counsel
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740
[301-837-3026](tel:301-837-3026) (office)
[301-837-0293](tel:301-837-0293) (fax)
garym.stern@nara.gov

On Sat, Feb 28, 2015 at 3:19 PM, David Ferriero <david.ferriero@nara.gov> wrote:

Thanks, Paul.

David

David S. Ferriero
Archivist of the United States
National Archives and Records Administration
700 Pennsylvania Avenue
Washington, DC 20408
[\(202-357-5900\)](tel:202-357-5900)
www.archives.gov

On Feb 28, 2015 6:35 AM, "Paul Wester" <paul.wester@nara.gov> wrote:

[REDACTED]
[REDACTED] since about mid-day Thursday a staff member from the Special Committee on Benghazi has asked a series of increasingly specific questions related to the records management practices at the Department of State.

Two of the specific questions was how did the State Department capture personal emails by senior officials between 2011 and 2012 that did not go through State Department systems, and is there a records schedule that covers this material?

Michael Schmidt appears to be a Washington-based political reporter for the NYT, but he has done work on cyber-security and national security issues.

In doing some research, I found a September 12, 2012, NYT article where Schmidt was a contributing reporter on a [background story about the deteriorating Libyan situation and Ambassador J. Christopher Stevens](#) who had died the previous day in the Benghazi attack.

A personal email from Ambassador Stevens to his family and friends in July 2012 figures prominently in the NYT story.

Paul M. Wester, Jr.
Chief Records Officer for the U.S. Government
National Archives and Records Administration
[301-837-3120](tel:301-837-3120)

On Fri, Feb 27, 2015 at 10:44 PM, David Ferriero <david.ferriero@nara.gov> wrote:

Fine with me. [REDACTED]

David

David S. Ferriero
Archivist of the United States
National Archives and Records Administration
700 Pennsylvania Avenue
Washington, DC 20408
[\(202-357-5900\)](tel:202-357-5900)
www.archives.gov

On Feb 27, 2015 9:42 PM, "William Bosanko" <william.bosanko@nara.gov> wrote:

No objections from me. [REDACTED]

Jay

On Feb 27, 2015 9:32 PM, "GaryM Stern" <garym.stern@nara.gov> wrote:

See query below from NY TIMES reporter for off the record chat re the new law on personal emails. I am happy to talk to him about what the law is (there are no regulations at this time). Let me know if that makes sense for me to do that?
Thanks.

Gary M. Stern
General Counsel
National Archives and Records Administration
[301-837-3026](tel:301-837-3026)

----- Forwarded message -----
From: "Schmidt, Michael" <schmidtm@nytimes.com>
Date: Feb 27, 2015 7:45 PM
Subject: nyt
To: <garym.stern@nara.gov>
Cc:

Gary: I'm Mike Schmidt, a reporter with The New York Times. I'm working on a story about government employees who use their personal email addresses to conduct government business. I'm sorry to bother you on a weekend but do you have a second to chat? I'm not looking to talk on the record -- I just need some clarification on the regulations. I can be reached anytime at [804.363.6794](tel:804.363.6794) or can call you whenever. Thnx, Mike