



United States Department of State

Washington, D.C. 20520

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APR 2 2015

Dear Mr. Wester, *Paul*

This letter constitutes our response regarding your March 3 letter in which you note a recent NY Times article regarding the Federal email records of former Secretary of State Hillary Rodham Clinton, as well as of former Secretaries Rice, Powell, and Albright. As you and I have discussed, we look forward to continuing the Department's longstanding demonstrated commitment to managing our records and to leveraging our ongoing partnership with the National Archives and Records Administration (NARA) to address the evolving complexities of email vis-a-vis government records life cycle management.

As you are aware through our reporting over the years, the Department and its leadership have in the past and continue to take very seriously our records management responsibilities particularly as embodied in the President's Managing Government Records Directive and recent amendments to the Federal Records Act. We understand the relationship between a sound records management program, the preservation and life cycle management of the full documentation of the essential evidence of our mission and operations, transparency, and Open Government. Consistent with this commitment, in 2013, the Under Secretary for Management and our Senior Agency Official for Records, Patrick F. Kennedy, asked senior officials ("Senior Sponsors") to review the Department's record email system. Subsequently, an Electronic Records Working Group with Senior Sponsors was formed to examine and make recommendations to address electronic records life cycle management, including Department-wide compliance with the aforementioned new mandates. One of the first actions was the promulgation by the Senior Agency Official for Records of an updated policy message in an August 28, 2014, memorandum to the Department's leadership, which stressed proper records management and advised senior officials that they should not use their private email accounts for official business (see attachment 1). In October 2014, the Department issued a Department Notice and cable to the field for all employees reminding them of their responsibilities vis-à-vis records, emails, and personal accounts (see attachments 2-3). This is an ongoing effort designed to address complex issues surrounding electronic records management issues with which you are deeply familiar as the Chief Records Officer for the Federal Government.

As you know, NARA has been updating its guidance on the management of emails. In furtherance of that guidance and to ensure that our records are as complete as possible, on October 28, 2014, Under Secretary Kennedy sent a letter to the representatives of former Secretaries Clinton, Powell, Rice, and Albright to request that copies of federal records be made available to the Department (see attachments 4-7).¹ Specifically, the Department requested the secretaries provide any federal records in

¹ Due to an error, the letters to the representatives for Secretaries Clinton, Powell and Albright had to be re-sent in November since the original letters to those representatives referenced Secretary Rice instead of their corresponding former Secretary (see attachments 4-7).

their possession, such as emails sent or received on a personal email account, if there was reason to believe the records may not otherwise be captured in the Department's recordkeeping system. (The Department fully recognizes the uniqueness and value of the Secretary of State's records collection, as well as the importance of maintaining it as block files "all together in one group" as provided in our authorized disposition schedules.) At the time the Department sent the letters, it was aware that Secretaries Clinton and Powell had used non-government accounts during their tenures, but the degree to which records were captured in the Department's systems was unknown.

In December 2014, former Secretary Clinton's representatives provided approximately 55,000 pages of emails that they determined to be potentially responsive to the Department's request (see attachment 8). These emails are being reviewed under the Freedom of Information Act and the releasable documents will be made publicly available online by the Department.

Also, last December, former Secretary Rice's representative advised that Secretary Rice did not use a personal email account for official business. In March 2015, former Secretary Powell's representative advised that while former Secretary Powell used a personal email account during his tenure as Secretary of State, he did not retain those emails or make printed copies. In March 2015, former Secretary Albright advised the Department of State that she never used a U.S. Government email or personal email account during her tenure as Secretary of State, and did not have a personal email account until after she left government service.

Finally, recognizing the importance of, as well as the resource challenges involved in, putting the principles of records' preservation, management, and transparency into practice, Secretary Kerry has asked the Department's Inspector General to review and make recommendations for improving the Department's recordkeeping and FOIA practices (see attachment 9). Informed by this review and in consultation and coordination with your leadership, we will continue to work through the complicated electronic records issues consistent with the President's initiative and statutory mandates. These efforts will be addressed in future reporting consistent with our mutual cooperation and resolution.

With continued best regards,



Margaret P. Grafeld
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