



Laurence Brewer <laurence.brewer@nara.gov>

Fwd: Personal Email Review - HRC Collection

4 messages

Paul Wester <paul.wester@nara.gov>

Mon, Apr 20, 2015 at 8:03 PM

To: "Stern, GaryM" <garym.stern@nara.gov>, "Brewer, Laurence" <laurence.brewer@nara.gov>

Gary and Laurence,
Below and attached is the methodology that State used to review the 55K pages from Secretary Clinton. I propose we have a similar approach for our review of the personal emails later this week.

I am working on a letter to send to State regarding our review. I will send it to you for review tomorrow, hopefully in the morning.

Peggy is working on confirming a meeting for 3:00pm on Friday with her, her senior staff, and Rich Visek, the State legal counselor who has been in contact with you, Gary.

She had some other questions for me, but they can wait until tomorrow.

Thanks, Paul

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

----- Forwarded message -----

From: **Grafeld, Margaret P** <GrafeldMP@state.gov>

Date: Mon, Apr 20, 2015 at 3:37 PM

Subject: Personal Email Review - HRC Collection

To: Paul Wester <paul.wester@nara.gov>Cc: "Stein, Eric F" <SteinEF@state.gov>, "Hackett, John" <HackettJ2@state.gov>, "Fischer, William P" <FischerWP@state.gov>

Paul,

Attached is the methodology paper for our review of the approximately 55K pages in the email collection provided to us by Williams and Connelly on behalf of former SecState Clinton. I appreciate your efforts to work with us in validating the review and identification of personal emails.

Looking forward to meeting with you and your team later this week.

Regards,

Peggy

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Margaret P. Grafeld

Deputy Assistant Secretary

Global Information Services, A/GIS

GrafeldMP@state.gov

Phone: 202-261-8300

Fax: 202-663-2228

SBU

This email is UNCLASSIFIED.



PersonalCorrespondenceInstructions_HRCEmail_2015_03_02.pdf
748K

Laurence Brewer <laurence.brewer@nara.gov>

Tue, Apr 21, 2015 at 2:55 PM

To: Paul Wester <paul.wester@nara.gov>

Cc: "Stern, GaryM" <garym.stern@nara.gov>

Paul, you may recall what this looks like, but in para. D that refers to the inventory, couple of questions:

1 - does "Sent" include date and time of transmission? I'm assuming so, just want to be sure.

2 - since these are all printouts, do we want to capture number of pages and verify that the email is complete?

In general, as to what we are doing this week, will we be validating what State has set aside as personal by reviewing the metadata in their inventory with the emails? Or, do we need to develop our tool/inventory to capture this metadata as part of our separate review?

[Quoted text hidden]

Paul Wester <paul.wester@nara.gov>

Tue, Apr 21, 2015 at 3:21 PM

To: Laurence Brewer <laurence.brewer@nara.gov>

Cc: "Stern, GaryM" <garym.stern@nara.gov>

Laurence,

On one, yes, there is day of the week, date, and time.

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On two, their database printout, I think, indicates number of pages, as well as where it comes from in the larger collection of 55,000 pages. There are charge out cards in the bigger collection for each of these printed emails that are removed.

On the review this week, we are going to look at each email that State has deemed personal against our own standard for a personal email (from our guidance, regs, and law -- essentially everything in Bill's document, except the FAM) and either agree or disagree with the State determination. If we disagree (and think something is Federal or potentially Federal), State has said it would re-file/re-integrate the email into the 55,000 page collection.

On how to track this, I think we need use their database excerpt for the personal emails and indicate that we looked at each one of the emails, made an independent review of the email, and document our review decisions.

Does that make sense?

Thanks, Paul

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

[Quoted text hidden]

Laurence Brewer <laurence.brewer@nara.gov>
To: Paul Wester <paul.wester@nara.gov>
Cc: "Stern, GaryM" <garym.stern@nara.gov>

Tue, Apr 21, 2015 at 3:28 PM

Yes, it does. Thanks.

[Quoted text hidden]



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MEMORANDUM

March 2, 2015

TO: A/GIS/IPS/RA – Clinton Email Project Team

FROM: A/GIS/IPS/RA – William P. Fischer ^{WPF}

SUBJECT: Identification of Personal Correspondence in the Email
Correspondence of Secretary of State Hillary Clinton

I. PURPOSE

This memorandum contains guidance for records managers to identify, designate, mark, and inventory personal correspondence filed with the Email Correspondence of Secretary of State Hillary Clinton. This guidance must be applied to the working copy of the Email Correspondence of Secretary Clinton maintained by the Office of Information Programs and Services (A/GIS/IPS).

II. IMPLEMENTATION

Records managers will implement these instructions during a page-by-page review of the Email Correspondence of Secretary of State Hillary Clinton. Records managers will apply the definitions below to the email correspondence and designate any communication that does not meet the definition of a Federal record as personal. Records managers will stamp personal communications upon discovery, remove the document, and maintain an inventory of documents designated as personal.

III. PERSONAL CORRESPONDENCE

A. Definitions

Personal files (also called *personal papers*) are documentary materials belonging to an individual that are not used to conduct agency business. Personal files are excluded from the definition of Federal records and are not owned by the Government. (SOURCE: 36 CFR 1220.18)

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Personal papers are documentary materials of a private nature that have not been used in the transaction of Department business. This may include papers created or received before or after an individual entered into U.S. Government service so long as they are not related to or used in transacting Department business. Personal papers may also include the individual's copies of employment-related records, such as leave and travel authorizations or time and attendance records. Diaries, journals, notes, personal calendars and appointment schedules may be regarded as personal papers only if they are solely for personal use and have not been used to prepare for, transact, or communicate Department business. This is a complex category and may require consultation with the Department's Records Officer and the Office of the Legal Adviser. Correspondence or email sent or received as a Department official is not personal. (SOURCE: 5 FAM 415)

Nonrecord materials are those Federally owned informational materials that do not meet the statutory definition of records (44 U.S.C. 3301) or that have been excluded from coverage by the definition. Excluded materials are extra copies of documents kept only for reference, stocks of publications and processed documents, and library or museum materials intended solely for reference or exhibit. (SOURCE: 36 CFR 1220.18)

Records include all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them. (SOURCE: Public Law 113-187, Section 3301, Federal Records Act Amendments of 2014)

Recorded information includes all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form. (SOURCE: Public Law 113-187, Section 3301, Federal Records Act Amendments of 2014)

B. Designation

Personal files must be clearly designated as such and must be maintained separately from the office's official records.

(1) Information about private (non-agency) matters and agency business must not be mixed in outgoing agency documents, such as correspondence and messages.

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(2) If information about private matters and agency business appears in a received document, the document is a Federal record. Agencies may make a copy of the document with the personal information deleted or redacted, and treat the copy as the Federal record.

(3) Materials labeled "personal," "confidential," or "private," or similarly designated, and used in the transaction of public business, are Federal records. The use of a label such as "personal" does not affect the status of documentary materials in a Federal agency. (SOURCE: 36 CFR 1222.20)

C. Marking

Records managers will stamp any document designated as personal correspondence as "non-record material" on the top center of each page of the document.

D. Inventory

Records managers will record the following information for each email message designated as personal correspondence: "From," "Sent," "To," "cc," "Subject," and source folder and box number. This information will facilitate tracking and control.

E. Maintenance

Records managers will maintain personal correspondence in a separate folder in each box pending NARA review and approval.

INFORMATION:

A/GIS/IPS/PP – Karen Finnegan
A/GIS/IPS/RL – Rosemary Reid
A/GIS/IPS/CR – Patrick Scholl
A/GIS/IPS/SRP/PR – Jeff Charlston

Drafter: A/GIS/IPS/RA:WPFischer:Rev.2/27/15

Clearance: A/GIS/IPS:JHackett:2/27/15 (in substance)

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