



Re_WSJ blog_ The Unique Challenges of Vetting Hillary Clinton's Email.pdf

Laurence Brewer <laurence.brewer@nara.gov>

Re: WSJ blog: The Unique Challenges of Vetting Hillary Clinton's Email

5 messages

Paul Wester <paul.wester@nara.gov>

Wed, Jul 29, 2015 at 8:35 AM

To: Laura Diachenko <laura.diachenko@nara.gov>

Cc: Miriam Kleiman <miriam.kleiman@nara.gov>, "Stern, GaryM" <garym.stern@nara.gov>, "Bosanko, William" <william.bosanko@nara.gov>, "Garland, Donna" <donna.garland@nara.gov>, John Hamilton <john.hamilton@nara.gov>, David Ferriero <david.ferriero@nara.gov>, Debra Wall <debra.wall@nara.gov>, "Ravanbakhsh, Arian" <Arian.Ravanbakhsh@nara.gov>, Lisa Haralampus <lisa.haralampus@nara.gov>, "Glasser, Sandra" <sandra.glasser@nara.gov>, "Trainer, Jay" <jay.trainer@nara.gov>, "Brewer, Laurence" <laurence.brewer@nara.gov>

This WSJ blog post is inaccurate.

NARA did not conduct a page-by-page review of the approximately 55,000 pages of emails. NARA reviewed a subset of emails deemed by State to be personal email records.

Paul M. Wester, Jr.
Chief Records Officer for the U.S. Government
National Archives and Records Administration
301-837-3120

On Wed, Jul 29, 2015 at 7:36 AM, Laura Diachenko <laura.diachenko@nara.gov> wrote:

6:52 am ET

Jul 29, 2015 2016

The Unique Challenges of Vetting Hillary Clinton's Email

<http://blogs.wsj.com/washwire/2015/07/29/the-unique-challenges-of-vetting-hillary-clintons-email/>

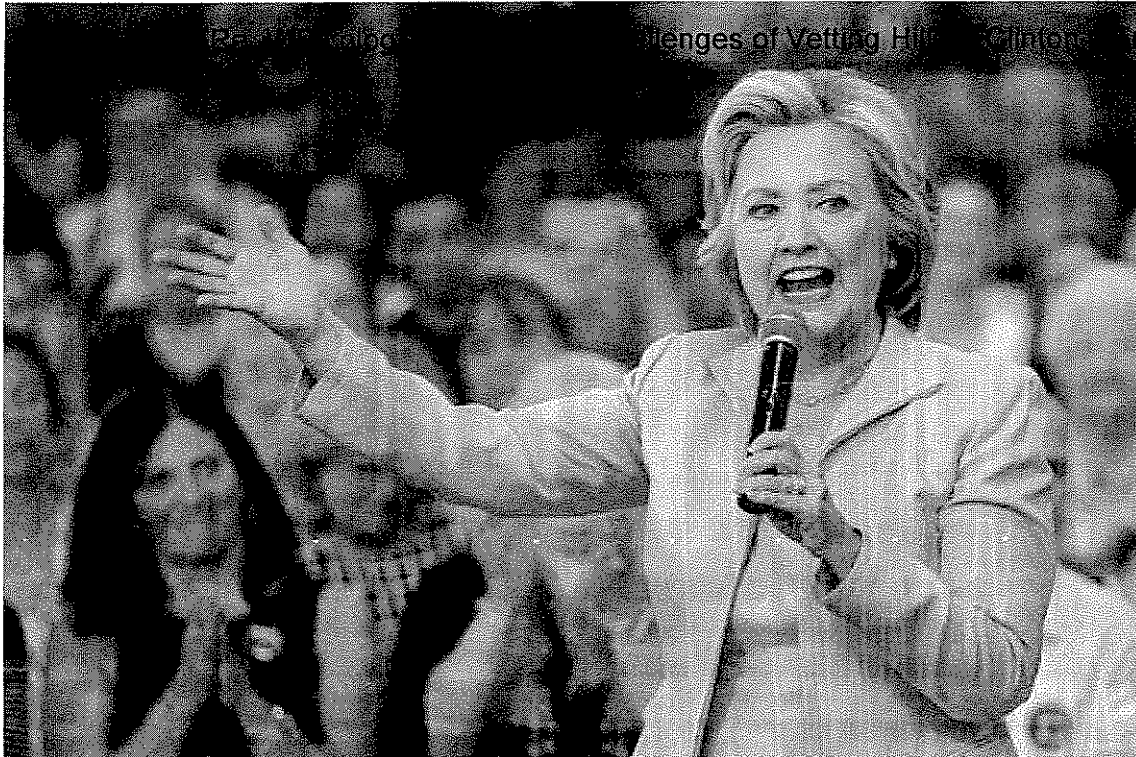
ARTICLE

COMMENTS

2016 HILLARY CLINTON HILLARY CLINTON EMAILS



By BYRON TAU CONNECT



Democratic presidential candidate Hillary Clinton speaks during a campaign stop on July 28 in Nashua, N.H. Associated Press

Former Secretary of State **Hillary Clinton** told reporters earlier this year that she **chose to use a personal email server for "convenience,"** opting to carry just one device while she served at the State Department. But her use of a personal email server for official purposes has been anything but convenient for the agencies charged with reviewing her emails for public release.

The choice has created major headaches for the agencies as they grapple with the issues raised by the situation: a cabinet-level official with access to wide sources of potentially classified information using her own email server to send and receive messages that by law are eligible for public release under the Freedom of Information Act.

While the agencies would have needed to do some of the work of vetting and reviewing her emails even if Mrs. Clinton had used a government account, Mrs. Clinton's use of a single personal account for work and personal business has posed some unique logistical challenges.

More In Hillary Clinton

Capital Journal Daybreak: Jeb Bush Draws Big Bucks From GOP Establishment, More

Hillary Clinton Defends Selfie Culture

Hillary Clinton Wants Islamic State Off Twitter

Democratic Candidate Chafee: Rival Clinton Has 'Self-Inflicted Wounds'

Hillary Clinton: Be Prepared to Wait for My Keystone Stance

Those challenges include getting her emails processed into the correct format for release and, for the State Department, finding documents relevant to Mrs. Clinton's time in office in order to respond to Freedom of Information Act requests.

"The use of a private email account is unorthodox at best and seems to be an attempt to evade statutory records management and disclosure requirements at worst," said Steven Aftergood, who directs the Project on Government Secrecy at the Federation of American Scientists.

Mrs. Clinton's email arrangement was legal but

discouraged by both Obama administration and State Department guidance for sending unclassified information. — Re: WSJ blog_ The Unique Challenges of Vetting Hillary Clinton's Email.pdf

The arrangement has resulted in at least **two inspector general probes**, a counterintelligence referral to the Federal Bureau of Investigation, more than a half-dozen lawsuits, an investigation by a congressional committee and an intragovernmental dispute about whether information that was classified at the time was transmitted on her server.

A spokesman for Mrs. Clinton didn't respond to a request for comment, but Mrs. Clinton has repeatedly said she complied with all relevant laws and didn't email any classified material.

"I am confident that I never sent or received any information that was classified at the time it was sent and received," **Mrs. Clinton said during a campaign swing this weekend.** "What I think you're seeing here is a very typical kind of discussion, to some extent disagreement among various parts of the government, over what should or should not be publicly released."

The State Department's Freedom of Information Act process around material from Mrs. Clinton's time in office has come under fire from news organizations, a federal judge and the two independent government watchdogs.

In addition, vetting her private emails for public release has become a major logistical undertaking for the State Department. A sworn declaration as part of ongoing litigation by a State Department official described a project manager, two case analysts and nine Freedom of Information Act experts working full-time on the project as of May, with other employees assisting as needed.

More staff resources may have been added since May. A State Department spokesman said that the department had more than 60 employees working on FOIA issues, with another 40 part-time retired Foreign Service Officers who help vet material by serving as subject-matter experts. Mrs. Clinton's release "is the largest project encompassing portions of those resources at this time, and the Department expects it will continue to be throughout the course of completing this release," the spokesman said, but couldn't give an exact figure.

Though Mrs. Clinton's emails existed in digital form on her server and were reportedly copied to a thumb drive belonging to her attorney, she gave them to the State Department printed on paper—requiring five weeks of work to digitize the records, according to the department. A State Department official said that the department didn't request the emails from Mrs. Clinton in any particular format, and that its internal guidelines may have necessitated printing them even if they were turned over digitally.

Also, because Mrs. Clinton used just one account for personal business and work, the State Department and the National Archives conducted a page-by-page review of all 55,000 pages of her emails to ensure that none of her personal correspondence were inadvertently mixed in with federal records.

Other agencies and departments like the Central Intelligence Agency, Department of Defense, Department of Justice, Office of the Director of National Intelligence, National Security Council and the White House are involved in the review process to make sure that documents are properly redacted.

Two inspectors general warned the State Department this month that the process it was using to release Mrs. Clinton's emails had already resulted in classified information being released on the department's website and urged the State Department to adopt a handful of recommendations.

A House committee investigating a 2012 terrorist attack has been investigating Mrs. Clinton's email arrangement as well, focusing on the question of whether all records have been turned over.

Separately, the State Department is facing a number of lawsuits over records related to Mrs. Clinton's time in office. In a lawsuit brought by the Associated Press, a federal judge described the State Department's position on why some of Mrs. Clinton's records have not yet been released as "convoluted gobbledygook."

"I want to find out what's been going on over there. I should say, what's not been going on over there," District Court Judge Richard Leon said in a hearing, according to a transcript obtained by Politico. "The State Department, for reasons known only to itself ... has been, to say the least, recalcitrant in responding" to FOIAs, he said.

An attorney representing the State Department said that other requests for Mrs. Clinton's emails were affecting the department's ability to respond. The State Department "has limited resources, an amazingly limited number of people," attorney Lisa Ann Olson said.

Other news outlets including Gawker and Vice News are suing the department over failure to respond to records requests. A State Department official described the burden of litigation over its current FOIA backlog as "crushing" earlier this year.

Laura Diachenko

National Archives Public Affairs

direct: 202-357-5032

email: laura.diachenko@nara.gov



On Tue, Jul 28, 2015 at 4:04 PM, Miriam Kleiman <miriam.kleiman@nara.gov> wrote:

FYI - "New York Times tries to set record straight on botched Clinton email

story" <http://money.cnn.com/2015/07/27/media/new-york-times-clinton-email/index.html>

See also:

Editors' Note: Clinton Email Coverage: [http://www.nytimes.com/2015/](http://www.nytimes.com/2015/07/28/us/editors-note-clinton-email-coverage.html?smid=tw-nytmmedia&seid=auto&_r=0)

[07/28/us/editors-note-clinton-email-coverage.html?smid=tw-nytmmedia&seid=auto&_r=0](http://www.nytimes.com/2015/07/28/us/editors-note-clinton-email-coverage.html?smid=tw-nytmmedia&seid=auto&_r=0)

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Miriam Kleiman Re_WSJ blog_ The Unique Challenges of Vetting Hillary Clinton's Email.pdf
Program Director for Public Affairs
National Archives
Phone: 202 357-5300
Email: miriam.kleiman@nara.gov



Laura Diachenko <laura.diachenko@nara.gov>

Wed, Jul 29, 2015 at 9:11 AM

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

Cc: Miriam Kleiman <miriam.kleiman@nara.gov>, "Stern, GaryM" <garym.stern@nara.gov>, "Bosanko, William" <william.bosanko@nara.gov>, "Garland, Donna" <donna.garland@nara.gov>, John Hamilton <john.hamilton@nara.gov>, David Ferriero <david.ferriero@nara.gov>, Debra Wall <debra.wall@nara.gov>, "Ravanbakhsh, Arian" <Arian.Ravanbakhsh@nara.gov>, Lisa Haralampus <lisa.haralampus@nara.gov>, "Glasser, Sandra" <sandra.glasser@nara.gov>, "Trainer, Jay" <jay.trainer@nara.gov>, "Brewer, Laurence" <laurence.brewer@nara.gov>

Paul,

I'd be happy to request a correction. Would it be overkill to provide the reporter with the same letters that were sent to Josh Gerstein about NARA's review? I've attached them to this message.

Please let me know what changes you would like made to this proposed language:

1. Remove the phrase in **bold** "Also, because Mrs. Clinton used just one account for personal business and work, the State Department and the National Archives conducted a page-by-page review of all 55,000 pages of her emails to ensure that none of her personal correspondence were inadvertently mixed in with federal records."
2. Information on NARA review: Two senior National Archives and Records Administration (NARA) staff members conducted a review of 1,246 hard copy emails that the Department of State identified as personal records of Secretary Clinton. The NARA review took place on April 24 and 28, 2015. The review was undertaken at the request of the Department of State, consistent with NARA's authorities in the Federal Records Act at 44 U.S.C. 3301(b).

Laura Diachenko

National Archives Public Affairs
direct: 202-357-5032
email: laura.diachenko@nara.gov



Re_WSJ blog_ The Unique Challenges of Vetting Hillary Clinton's Email.pdf

[Quoted text hidden]

2 attachments

 **NARA Clinton Personal Email Review Process_04222015.pdf**
1140K

 **Clinton Review Letter_State_05062015.pdf**
488K

Paul Wester <paul.wester@nara.gov>

Wed, Jul 29, 2015 at 12:15 PM

To: Laura Diachenko <laura.diachenko@nara.gov>

Cc: Arian Ravanbakhsh <Arian.Ravanbakhsh@nara.gov>, "Brewer, Laurence" <laurence.brewer@nara.gov>, "Kleiman, Miriam" <miriam.kleiman@nara.gov>

Hi Laura,

I cut-and-pasted your message and edited it below:

1. Remove the phrase in **bold** "Also, because Mrs. Clinton used just one account for personal business and work, the State Department **and the National Archives** conducted a page-by-page review of all 55,000 pages of her emails to ensure that none of her personal correspondence were inadvertently mixed in with federal records."
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Does that work?

I would prefer to not get into an exact discussion of the number of emails, consistent with the rest of the blog detail that focuses on 55,000 pages ... which is an approximation.

Thanks, Paul

Paul M. Wester, Jr.
Chief Records Officer for the U.S. Government
National Archives and Records Administration
301-837-3120

[Quoted text hidden]

Laura Diachenko <laura.diachenko@nara.gov>

Wed, Jul 29, 2015 at 12:25 PM

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

Cc: Arian Ravanbakhsh <Arian.Ravanbakhsh@nara.gov>, "Brewer, Laurence" <laurence.brewer@nara.gov>, "Kleiman, Miriam" <miriam.kleiman@nara.gov>

OK, so you don't want me to send the letters then, since they list the numbers?

Laura Diachenko

11/2/2015

National Archives & Records Administration Mail - Re: WSJ blog: The Unique Challenges of Vetting Hillary Clinton's Email

National Archives Public Affairs

direct: 202-357-5032

email: laura.diachenko@nara.gov

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[Quoted text hidden]

Paul Wester <paul.wester@nara.gov>

Wed, Jul 29, 2015 at 12:28 PM

To: Laura Diachenko <laura.diachenko@nara.gov>

Cc: Arian Ravanbakhsh <Arian.Ravanbakhsh@nara.gov>, "Brewer, Laurence" <laurence.brewer@nara.gov>, "Kleiman, Miriam" <miriam.kleiman@nara.gov>

Yes, that is correct.

Thanks, Paul

Paul M. Wester, Jr.
Chief Records Officer for the U.S. Government
National Archives and Records Administration
301-837-3120

[Quoted text hidden]