



OIG Office of Inspector General

U.S. Department of State • Broadcasting Board of Governors

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March 2, 2016

MEMORANDUM FOR UNDER SECRETARY KENNEDY

FROM: OIG - Steve A. Linick

SUBJECT: FINAL: CLASSIFIED MATERIAL DISCOVERED IN UNCLASSIFIED ARCHIVAL MATERIAL (ESP-16-02)

The Office of Inspector General's (OIG) Office of Evaluation and Special Projects is currently examining issues associated with records preservation and the use of personal hardware and software by five Secretaries of State (Albright, Powell, Rice, Clinton, and Kerry) and their immediate staff. This memorandum updates the memorandum OIG sent on February 3, 2016, to include the Department's response to OIG's recommendations and our reply. Attachment A contains the Department's official response, dated February 18, 2016.

During the course of this evaluation, OIG searched unclassified archives and discovered records suggesting instances in which potentially sensitive material may have been transmitted via personal email accounts or other unclassified means to Secretary Powell or to Secretary Rice's immediate staff. None of the material was marked as classified, but the substance of the material and "NODIS" (No Distribution) references in the body or subject lines of some of the documents suggested that the documents could be potentially sensitive. On October 19, 2015, OIG transmitted to the Department and separately to the Inspector General for the Intelligence Community (ICIG) for classification review 19 separate Office of the Secretary archival documents. The date range of the documents is from February 2003 through June 2008.

On December 15, 2015, the ICIG advised OIG that, according to information management officials in the Intelligence Community (IC), none of the documents contain or contained IC information.

On December 29, 2015, the Department advised OIG that 12 of the 19 documents contain national security information classified at the Secret or Confidential levels based on a review by 9 Department bureaus and offices. Two of these documents were emails sent to Secretary Powell's personal email account; the remaining were documents transmitted to personal or unclassified accounts belonging to a member of Secretary Rice's immediate staff and another senior Department official.

On January 15, 2016, the Department provided a second response that discusses OIG's query whether the material contained in each classified document was or should have been regarded as classified at the time of transmission or receipt.

Based on the Department's responses and findings to date, additional potential classified material and/or highly sensitive information not intended for distribution may reside in the Department's unclassified paper and electronic archives associated with Secretaries Powell and Rice and their respective staff.

Recommendation

OIG recommends that the Department remove classified material from all unclassified paper and electronic archives associated with Secretaries Powell and Rice and their staff.

Management Response

Office of the Executive Secretariat (S/ES) staff have removed from the Department's unclassified network all of the email material identified as classified and placed it in secure storage. Additionally, retired electronic records provided to the Bureau of Administration that were initially stored in an unclassified system have been moved to the appropriate classified system. With regard to paper records relating to former Secretaries Powell and Rice, the Department does not believe any action is warranted because these materials are currently stored in a facility certified to house classified Department records up to the SECRET level. According to OIG's follow-up conversations with S/ES staff, additional electronic archival material associated with Secretaries Powell and Rice is being stored in a secure manner.

OIG Reply

OIG considers this recommendation to be resolved. This recommendation will be closed when OIG receives and accepts documentation detailing the secure methods that S/ES is using to store the additional electronic archival material associated with Secretaries Powell and Rice. In addition, OIG strongly encourages the Department to consider conducting a review of all paper and electronic archives for the Office of the Secretary to determine (1) the extent to which classified material may have been inappropriately transmitted through unclassified email accounts and (2) whether additional action is needed to safeguard this material.

cc: D(MR) – Heather A. Higginbottom
DS – Gregory B. Starr
A – Joyce A. Barr
I. Charles McCullough, III, Inspector General, Intelligence Community

ATTACHMENT A



United States Department of State


*Under Secretary of State
for Management*

Washington, D.C. 20520

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February 18, 2016

TO: Steve Linick, Inspector General

FROM: M – Patrick F. Kennedy 

SUBJECT: Response to OIG Memorandum dated 2-3-2016, *Classified Material
Discovered in Unclassified Archival Material* (ESP-16-02)

We thank the OIG for the opportunity to respond to its recent memorandum and value the OIG's careful review of the records preservation issues. The Department has the following response to the recommendation contained in the memorandum.

Recommendation: OIG recommends that the Department remove classified material from all unclassified paper and electronic archives associated with Secretaries Powell and Rice and their staff.

Response: The Department accepts the principle that all classified material must be safeguarded pursuant to national security standards.

The Department follows current security guidelines relating to the storage of classified national security information, and we believe that those guidelines protect the information that you reviewed. Regarding electronic records of former Secretaries, it is the current practice of the Executive Secretariat staff (S/ES-IRM) to store unclassified e-mail files (pst files) on the unclassified version of POEMS. Since the receipt of your memorandum, the S/ES staff has moved quickly to remove all e-mail material you identified as classified from the unclassified network and place them in secure storage. Additionally, retired electronic records provided to the Bureau of Administration that were stored in an unclassified system have been moved to the appropriate classified system.

For the paper records relating to former Secretaries Powell and Rice, we do not believe any removal of classified materials is warranted. Retired papers records from former Secretaries Powell and Rice are currently stored in the Department's

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Records Center (SA-13). This facility has been certified to house Department records up to the SECRET level.

If you have any further questions about this response, feel free to reach out to John Hackett, Director, A/GIS/IPS.

Attachment:

**Classified Material Discovered in Unclassified Archival Material
(ESP-16-02) Memorandum**

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