



United States Department of State

Washington, D.C. 20520

The Honorable  
Charles Grassley, Chairman  
Committee on Finance  
Washington, DC 20510

JUN 05 2019

Dear Mr. Chairman:

Thank you for your letter of January 30, relating to the Department of State's review of the handling of classified information pertaining to former Secretary of State Hillary Clinton's emails.

The Department agrees that this review process has been lengthy and is making every effort to complete its review and adjudication not later than September 1, 2019. As the Department outlined in its May 23, 2017 letter to you, the Department has a well-established process for conducting security incident reviews. However, given the volume of emails provided to the Department from former Secretary Clinton's private email server, the Department's process has been necessarily more complicated and complex requiring a significant dedication of time and resources. As the Department noted in its May 2017 letter, the Department's review was also impacted by its decision to begin its security review after the FBI concluded its investigation in order to avoid prejudicing the FBI investigation.

The Bureau of Administration completed its final FOIA review of the additional emails recovered by the FBI in September 2018 and sent the documents classified pursuant to Section 1.7(d) of E.O. 13526 to Diplomatic Security for its review. DS has underway the investigative process to determine if they were valid security incidents. This is a two-step process. The first step – the contemporaneous classification review – began upon receipt of the last set of emails. The second step – DS's review and adjudication process under 12 FAM 550 – begins once the contemporaneous classification review is completed.

Given that this review is in process, disclosure of detailed information from the ongoing review could impair the investigation. The emails sent through the server are interlinked and frequently overlapping. Although a significant portion of the emails and security incidents associated with those emails have already been assessed and adjudicated, emails from the documents received by the Department more recently may change previous findings of either validity or culpability. For example, if in the course of the review, the panel discovers that a particular "classified" fact had been published in a foreign newspaper on the day of an email and that the emails about that fact had been sourced from that information, it may change the prior adjudication.

Consistent with longstanding policy, the Department does not release the names of current or former employees participating in the security incident program. However, in the spirit of cooperation, the Department can share with you certain information about the status of the ongoing review. To this point, the Department has assessed culpability to 15 individuals, some of whom were culpable in multiple security incidents. DS has issued 23 violations and 7

infractions incidents under 12 FAM 550. This number will likely change as the review progresses.

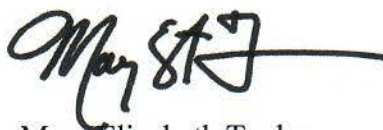
In every instance in which the Department found an individual to be culpable of a valid security violation or three or more infractions, the Department forwarded the outcome to the Bureau of Diplomatic Security's Office of Personnel Security and Suitability (DS/PSS), to be placed in the individuals' official security file. All valid security incidents are reviewed by DS and taken into account every time an individual's eligibility for access to classified information is considered. This referral occurred whether or not the individual was currently employed with the Department of State and such security files are kept indefinitely.

Consistent with the referral policy, for individuals who were still employed with the Department at the time of adjudication, the Department referred all valid security violations or multiple infractions to the Bureau of Human Resources. In reviewing any violation of agency policy including policies regarding the appropriate handling of classified or sensitive information, the Department may consider a broad range of disciplinary or other administrative actions. These may include, depending upon the circumstances, counseling, reprimand, suspension, and/or separation. For example, the Department's discipline policies for employees are laid out in the Foreign Affairs Manual, 3 FAM 4100, 4300 and 4500, and apply to violations of statutes, regulations, or Department policy as stated in the Foreign Affairs Manual or Handbook, Department Notices or ALDACs, or bureau or post policy documents. The Department considers any violation of security policies to be a serious matter.

Upon completion of the investigation and adjudication, the Department will provide an updated response with additional details consistent with its longstanding policies and procedures.

We hope this information is helpful to you. Please let us know if we may be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Elizabeth Taylor". The signature is stylized and includes a long horizontal flourish extending to the right.

Mary Elizabeth Taylor  
Assistant Secretary  
Bureau of Legislative Affairs