



United States Department of State

Washington, D.C. 20520

February 13, 2017

Case No. F-2016-11026  
Segment: PA/EX-0002, PA/EX-0002C1,  
L-0001

Mr. William F. Marshall  
425 Third Street SW, Suite 800  
Washington, DC 20024

Dear Mr. Marshall:

I refer to our letter dated January 13, 2017, regarding the release of certain Department of State ("the Department") records under of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552. The Department has retrieved an additional 34 documents responsive to your request. After reviewing these documents, we have determined that 10 may be released in full and 24 may be released in part.

Where we have made excisions, the applicable exemptions are marked on the document. An enclosure explains the FOIA exemptions and other grounds for withholding material. In some cases, two or more exemptions may apply to the same document. All non-exempt material that is reasonably segregable from exempt material has been released. All released material is enclosed.

We will keep you informed as your case progresses. If you have any questions, your attorney may contact Trial Attorney Deepthy Kishore at (202)616-8470 or [deepthy.c.kishore@usdoj.gov](mailto:deepthy.c.kishore@usdoj.gov). Please refer to the case number, F-2016-11026, and the civil action number, 16-cv-02027, in all correspondence regarding this case.

Sincerely,

Eric F. Stein, Director  
Office of Information Programs and Services

Enclosures: As stated

The Freedom of Information Act (5 USC 552)

FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US; including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- |                |   |
|----------------|---|
| ARMSEXP        | Arms Export Control Act, 50a USC 2411(c)                    |
| CIA PERS/ORG   | Central Intelligence Agency Act of 1949, 50 USC 403(g)      |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS.ACT         | Foreign Service Act of 1980, 22 USC 4004                    |
| INA            | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN           | Iran Claims Settlement Act, Public Law 99-99, Sec. 505      |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

NR Material not responsive to a FOIA request excised with the agreement of the requester

**Toufanian, Melissa Turley**

**From:** Harf, Marie E  
**Sent:** Thursday, June 09, 2016 12:02 PM  
**To:** Rhodes, Benjamin J. EOP/WHO; Kirby, John; Toner, Mark C  
**Subject:** Re: deyoung/washpost

RELEASE IN PART  
B5, B6

[Redacted]

B5

Original Message

**From:** Rhodes, Benjamin J. EOP/WHO  
**Sent:** Thursday, June 9, 2016 11:59 AM  
**To:** Harf, Marie E; Kirby, John; Toner, Mark C  
**Subject:** Fw: deyoung/washpost

[Redacted]

B5

Original Message

**From:** DeYoung, Karen [Redacted]  
**Sent:** Thursday, June 9, 2016 11:55 AM  
**To:** Rhodes, Benjamin J. EOP/WHO  
**Subject:** RE: deyoung/washpost

B6

Got it. Thanks.

-----Original Message-----

**From:** Rhodes, Benjamin J. EOP/WHO [[http://redirect.state.sbu/?url=mailto:\[Redacted\]](http://redirect.state.sbu/?url=mailto:[Redacted])]  
**Sent:** Thursday, June 09, 2016 11:51 AM  
**To:** DeYoung, Karen  
**Cc:** Price, Ned C. EOP/NSC  
**Subject:** RE: deyoung/washpost

Karen - absolutely not. I had nothing to do with this, and frankly have no idea how it happened.

Off the record - I cannot stress to you enough how utterly unfair it would be to suggest that I am sitting over here editing the footage of State department briefings. I've taken my lumps. But any conversation with anyone who has ever worked with me would know that not only do I not engage in this type of thing, the notion that I am somehow monitoring the video records of State briefings is nonsensical

-----Original Message-----

**From:** DeYoung, Karen [[http://redirect.state.sbu/?url=mailto:\[Redacted\]](http://redirect.state.sbu/?url=mailto:[Redacted])]  
**Sent:** Thursday, June 9, 2016 11:24 AM  
**To:** Rhodes, Benjamin J. EOP/WHO [Redacted]  
**Cc:** Price, Ned C. EOP/NSC [Redacted]  
**Subject:** deyoung/washpost

Ben-Have been told by informed sources that the order to excise a portion of a 2013 State Department briefing dealing with Iran originated with you, via Marie Harf. Could you respond?

Thanks,

Karen

Karen DeYoung

Senior National Security Correspondent

Associate Editor

The Washington Post

Office:

Cell:

B6

B6

**Toufanian, Melissa Turley**

**From:** Toner, Mark C  
**Sent:** Thursday, June 09, 2016 1:01 PM  
**To:** 'Rhodes, Benjamin J. EOP/WHO'; Kirby, John  
**Cc:** Harf, Marie E  
**Subject:** RE: deyoung/washpost

RELEASE IN PART  
B5, B6

Sorry - just seeing this now. [redacted]

B5

-----Original Message-----

**From:** Rhodes, Benjamin J. EOP/WHO [mailto:[redacted]]  
**Sent:** Thursday, June 09, 2016 12:32 PM  
**To:** Kirby, John  
**Cc:** Harf, Marie E; Toner, Mark C  
**Subject:** RE: deyoung/washpost

B6

Thanks. [redacted]

B5

-----Original Message-----

**From:** Kirby, John [http://redirect.state.sbu/?url=mailto:KirbyJ@state.gov]  
**Sent:** Thursday, June 9, 2016 12:31 PM  
**To:** Rhodes, Benjamin J. EOP/WHO [redacted]  
**Cc:** Harf, Marie E <HarfME@state.gov>; Toner, Mark C <tonermc@state.gov>  
**Subject:** Re: deyoung/washpost

B6

Hey Ben -- sorry about this. [redacted] I'm happy to speak to Karen as well to ensure she knows where things stand.

B5

John

Sent from my iPad

> On Jun 9, 2016, at 11:59 AM, Rhodes, Benjamin J. EOP/WHO <[redacted]> wrote:

B6

[redacted]

B5

> Original Message

> **From:** DeYoung, Karen [redacted]  
> **Sent:** Thursday, June 9, 2016 11:55 AM  
> **To:** Rhodes, Benjamin J. EOP/WHO  
> **Subject:** RE: deyoung/washpost

B6

> Got it. Thanks.

>

> -----Original Message-----

> From: Rhodes, Benjamin J. EOP/WHO

> [mailto:[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:\[redacted\]](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:[redacted])] B6

> Sent: Thursday, June 09, 2016 11:51 AM

> To: DeYoung, Karen

> Cc: Price, Ned C. EOP/NSC

> Subject: RE: deyoung/washpost

>

> Karen - absolutely not. I had nothing to do with this, and frankly have no idea how it happened.

>

> Off the record - I cannot stress to you enough how utterly unfair it would be to suggest that I am sitting over here editing the footage of State department briefings. I've taken my lumps. But any conversation with anyone who has ever worked with me would know that not only do I not engage in this type of thing, the notion that I am somehow monitoring the video records of State briefings is nonsensical

>

> -----Original Message-----

> From: DeYoung, Karen

> [mailto:[http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:\[redacted\]](http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:[redacted])]

> Sent: Thursday, June 9, 2016 11:24 AM

> To: Rhodes, Benjamin J. EOP/WHO [redacted]

> Cc: Price, Ned C. EOP/NSC [redacted]

> Subject: deyoung/washpost

>

> Ben-Have been told by informed sources that the order to excise a portion of a 2013 State Department briefing dealing with Iran originated with you, via Marie Harf. Could you respond?

>

>

>

> Thanks,

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> Karen

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>

> Karen DeYoung

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> Senior National Security Correspondent

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> Associate Editor

>

> The Washington Post

>

> Office [redacted]

>

> Cell: [redacted]

>

B6

[Redacted]

B6

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**Toufanian, Melissa Turley**

**From:** Katsoulos, Athena  
**Sent:** Tuesday, June 07, 2016 5:46 PM  
**To:** Kirby, John; Toner, Mark C; Trudeau, Elizabeth K  
**Cc:** EUR-Press; PA Press Duty  
**Subject:** Toria ambushed by Fox on the way to her Russia Senate hearing

RELEASE IN PART B5, B6

Spox colleagues,

[Redacted]

B5

I didn't recognize the young journalist or camera person and they left right afterward so not sure when/how they will use the footage.

[Redacted]

B5

Best,

ak

-----Original Message-----

**From:** Nuland, Victoria J  
**Sent:** Friday, June 03, 2016 5:36 PM  
**To:** Psaki, Jennifer R. EOP/WHO; Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H  
**Subject:** RE: me re: iran talks

Tx Jen. Pls feel free to use my on record.

-----Original Message-----

**From:** Psaki, Jennifer R. EOP/WHO [mailto:[Redacted]]  
**Sent:** Friday, June 03, 2016 5:34 PM  
**To:** Nuland, Victoria J; Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H  
**Subject:** RE: me re: iran talks

B6

Thanks Toria

[Redacted]

B5

Thank you everyone for what you have communicated to date on this. And sorry we are all dealing with this given none of us were clearly involved.

Jen



-----Original Message-----

From: Nuland, Victoria J [<http://redirect.state.sbu/?url=mailto:nulandvj@state.gov>]

Sent: Friday, June 3, 2016 5:00 PM

To: Psaki, Jennifer R. EOP/WHO [REDACTED]; Kirby, John <[KirbyJ@state.gov](mailto:KirbyJ@state.gov)>; Toner, Mark C <[tonermc@state.gov](mailto:tonermc@state.gov)>; Finer, Jonathan J <[FinerJJ@state.gov](mailto:FinerJJ@state.gov)>; Sullivan, Thomas D <[SullivanTD@state.gov](mailto:SullivanTD@state.gov)>

Cc: Kuo, Judy H <[KuoJH@state.gov](mailto:KuoJH@state.gov)>

Subject: me re: iran talks

B6

Team,

In response to a query from Blitzer, I went on the record today with the following regarding my 2/13 denial as Spox that we were holding bilateral talks with Iran. Pls feel free to use it.

[REDACTED]

B5

"When I responded to that question, at the podium in February 2013, I had no knowledge of any bilateral talks between the US and Iran. As Spokesperson, I was kept completely in the dark."

We also cleared the following for PA to use: [REDACTED]

This email is UNCLASSIFIED.

RELEASE IN PART B5, B6

**Toufanian, Melissa Turley**

**From:** Psaki, Jennifer R. EOP/WHO [redacted]  
**Sent:** Friday, June 03, 2016 5:40 PM  
**To:** Nuland, Victoria J; Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H  
**Subject:** RE: me re: iran talks

B6

Will do

B5

[redacted]

-----Original Message-----

**From:** Nuland, Victoria J [<http://redirect.state.sbu/?url=mailto:nulandvj@state.gov>]  
**Sent:** Friday, June 3, 2016 5:36 PM  
**To:** Psaki, Jennifer R. EOP/WHO [redacted]; Kirby, John <[KirbyJ@state.gov](mailto:KirbyJ@state.gov)>; Toner, Mark C <[tonermc@state.gov](mailto:tonermc@state.gov)>; Finer, Jonathan J <[FinerJJ@state.gov](mailto:FinerJJ@state.gov)>; Sullivan, Thomas D <[SullivanTD@state.gov](mailto:SullivanTD@state.gov)>  
**Cc:** Kuo, Judy H <[KuoJH@state.gov](mailto:KuoJH@state.gov)>  
**Subject:** RE: me re: iran talks

B6

Tx Jen. Pls feel free to use my on record.

-----Original Message-----

**From:** Psaki, Jennifer R. EOP/WHO [[http://redirect.state.sbu/?url=mailto:\[redacted\]](http://redirect.state.sbu/?url=mailto:[redacted])]  
**Sent:** Friday, June 03, 2016 5:34 PM  
**To:** Nuland, Victoria J; Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H  
**Subject:** RE: me re: iran talks

B6

Thanks Toria

[redacted]

B5

Thank you everyone for what you have communicated to date on this. And sorry we are all dealing with this given none of us were clearly involved.

Jen

-----Original Message-----

**From:** Nuland, Victoria J  
[><http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=http://redirect.state.sbu/?url=mailto:nulandvj@state.gov>]  
<  
**Sent:** Friday, June 3, 2016 5:00 PM  
**To:** Psaki, Jennifer R. EOP/WHO [redacted]; Kirby, John <[KirbyJ@state.gov](mailto:KirbyJ@state.gov)>; Toner, Mark C <[tonermc@state.gov](mailto:tonermc@state.gov)>; Finer, Jonathan J <[FinerJJ@state.gov](mailto:FinerJJ@state.gov)>; Sullivan, Thomas D <[SullivanTD@state.gov](mailto:SullivanTD@state.gov)>  
**Cc:** Kuo, Judy H <[KuoJH@state.gov](mailto:KuoJH@state.gov)>

B6

Subject: me re: iran talks

Team,

In response to a query from Blitzer, I went on the record today with the following regarding my 2/13 denial as Spox that we were holding bilateral talks with Iran. Pls feel free to use it.

[Redacted]

"When I responded to that question at the podium in February 2013, I had no knowledge of any bilateral talks between the US and Iran. As Spokesperson, I was kept completely in the dark."

85

We also cleared the following for PA to use:

[Redacted]

[Redacted]

RELEASE IN PART B6

**Toufanian, Melissa Turley**

**From:** Psaki, Jennifer R. EOP/WHO <[redacted]>  
**Sent:** Friday, June 03, 2016 11:27 AM  
**To:** Kirby, John  
**Subject:** RE: Additional comment on background re edit of State Department video of February 6, 2013 Daily Press Briefing

B6

Thank you

Appreciate it and you

-----Original Message-----

**From:** Kirby, John [<http://redirect.state.sbu/?url=mailto:KirbyJ@state.gov>]  
**Sent:** Friday, June 3, 2016 11:26 AM  
**To:** Psaki, Jennifer R. EOP/WHO <[redacted]>  
**Subject:** Fwd: Additional comment on background re edit of State Department video of February 6, 2013 Daily Press Briefing

B6

This is what we sent around to a few folks. I heard Fox reported to it.

Sent from my iPhone

Begin forwarded message:

**From:** "Toner, Mark C" <[tonermc@state.gov](mailto:tonermc@state.gov)<<http://redirect.state.sbu/?url=mailto:tonermc@state.gov>>>  
**Date:** June 3, 2016 at 15:23:10 GMT+2  
**Subject:** Additional comment on background re edit of State Department video of February 6, 2013 Daily Press Briefing

On background, attributed to a Senior State Department official:

"Though the technician responsible for making the edit couldn't remember who spoke to her or who requested the edit, she did indicate that Jen Psaki was not the caller. We've also seen no indication whatsoever that leads us to think Ms. Psaki was the requestor, either."

Thanks, Mark

Deputy Spokesperson

(o) 202-647-7192  
(c) [redacted]

B6

**Toufanian, Melissa Turley**

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**From:** Beechem, Stephanie RELEASE IN FULL  
**Sent:** Wednesday, June 08, 2016 3:57 PM  
**To:** Kirby, John; Toner, Mark C; Trudeau, Elizabeth K; Stevenson, Susan N  
**Subject:** Daily Caller: State Dept. Is Searching Emails Of '4 Or 5' Officials As Part Of Video Edit Investigation

<http://dailycaller.com/2016/06/08/state-dept-is-searching-emails-of-4-or-5-officials-as-part-of-video-edit-investigation/>

**State Dept. Is Searching Emails Of '4 Or 5' Officials As Part Of Video Edit Investigation**  
CHUCK ROSS  
3:32 PM 06/08/2016

The State Department is searching the emails of "four or five" current and former press office officials as part of its investigation into who ordered the deletion of eight minutes of video from a Dec. 2, 2013 press briefing, a spokesman said Wednesday.

Mark Toner told reporters that emails and phone records of officials who "might have been aware of what was happening or of what happened" are at the center of the State Department office of the legal adviser's probe into the excised video.

The video scrub was brought to light last month by Fox News reporter James Rosen. He noted that eight minutes of video from an exchange he had with State's spokeswoman at the time, Jen Psaki, about nuclear negotiations between the U.S. and Iran had been replaced with a white flash.

In that exchange, Psaki suggested that the State Department is not above making false statements in order to protect sensitive operations. Rosen was following up on a question he had asked Psaki's predecessor, Victoria Nuland, about whether U.S.-Iran negotiations were being held at the time. She said they were not, but a recent profile of White House adviser Ben Rhodes established that they were.

The State Department initially said that the video was missing due to a "glitch." But John Kirby, who leads State's press operations, acknowledged last week that an official within the press bureau ordered the video deletion.

That unidentified person reportedly gave orders to another individual who called a video technician to excise the footage. That technician, who is a woman, claimed that she could not remember who she talked to on the phone.

The State Department said last week that the investigation had reached a "dead end" and would likely not go forward. Kirby said that no rules or regulations had been violated. But reporters and members of Congress protested, pointing out that someone at the State Department had purposely distorted the public record.

Utah Rep. Jason Chaffetz requested records relevant to the investigation. Toner said that the State Department was planning to send a "preliminary" response to the Republican later Wednesday. The Daily Caller filed a Freedom of Information Act request for emails sent to and from the video technician as well as records from the office of the legal adviser.

Toner on Wednesday provided some additional insight into which officials are at the center of the probe.

"We're looking at all of the relative people who were occupying leadership positions. Spokesperson, deputy spokesperson, assistant secretaries, deputy assistant secretaries at the time who would have had purview over the video," Toner said.

That group includes former State Department spokeswoman Psaki and her deputy, Marie Harf.

But as Toner noted Wednesday, both have strongly denied any involvement in ordering the video deleted.

"The spokesperson at the time and the deputy spokesperson at the time came out with statements publicly that they had nothing to do with it and no knowledge of it. And we've found nothing thus far that indicates otherwise," he said.

That would leave two or three other officials as the likely culprits, according to Toner's math.

Toner said that the agency has not yet gone through all of the emails and has yet to find any evidence showing the video deletion being ordered.

This email is UNCLASSIFIED.



RELEASE IN FULL

Advocates for Government Accountability

A 501(c)(3) Nonprofit Corporation

1875 Eye Street, NW, Suite 800, Washington, DC 20006

June 6, 2016

**VIA CERTIFIED MAIL & EMAIL**

The Honorable John F. Kerry  
Secretary of State  
Office of the Secretary  
U.S. Department of State  
Room 7226  
2201 C Street, NW  
Washington, DC-20520  
c/o: schramzi@state.gov; stvensonsn@state.gov

The Honorable Steve A. Linick  
Inspector General  
Office of Inspector General  
U.S. Department of State  
Room 8100, SA-3  
2201 C Street, NW  
Washington, DC 20520-0308  
oighotline@state.gov; linicksa@state.gov

Re: **Request for Referral to the Attorney General for the Intentional and Unlawful Alteration of a Federal Record by State Department Employees**

Dear Secretary Kerry and Inspector General Linick:

I write on behalf of Cause of Action Institute, a nonprofit strategic oversight group committed to ensuring that government decision-making is open, honest, and fair.<sup>1</sup> In carrying out its mission, Cause of Action Institute uses various investigative and legal tools to educate the public about the importance of government transparency and accountability.

<sup>1</sup> See CAUSE OF ACTION INSTITUTE, *About*, [www.causeofaction.org/about/](http://www.causeofaction.org/about/).

Secretary Kerry and Inspector General Linick

June 6, 2016

Page 2

As you are both aware, the State Department ("Department") has admitted that an individual in the Bureau of Public Affairs ordered an as-of-yet unnamed staffer to delete approximately eight minutes from the video record of the Department's December 2, 2013 press briefing. Although the video has now been restored, this deletion raises numerous questions about the State Department commitment to transparency and honest dealing with the American public.

It also has possible criminal implications. It is a federal crime to unlawfully remove, destroy, or mutilate a federal record.<sup>2</sup> The State Department has also revealed that this unnamed staffer did not act alone but that she received a phone call and was told to alter the record. This raises concerns about aiding and abetting or conspiracy under 18 U.S.C. § 371. As Secretary Kerry has stated, it is imperative that the country find out "exactly what happened and why" as it is inappropriate for individuals who engage in this behavior to be employed by the federal government.<sup>3</sup>

As the head of the State Department and its Office of Inspector General, respectively, you each have an obligation to refer matters to the Attorney General whenever there is a reason to believe that a violation of federal criminal law has occurred. Secretary Kerry has an obligation under 28 U.S.C. § 535(b) to report to the Attorney General "[a]ny information, allegation, matter, or complaint witnessed, discovered, or received in a department or agency of the executive branch of the Government relating to violations of Federal criminal law involving Government officers and employees."<sup>4</sup> This is a mandatory requirement, as the statute requires that the allegation or information relating to such criminal violation "shall be expeditiously reported."<sup>5</sup> Likewise, Inspector General Linick has an obligation under the Inspector General Act of 1978, as amended, to report "to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law."<sup>6</sup> This is a mandatory requirement, as the statute requires that "each Inspector General shall report expeditiously."<sup>7</sup>

To date, there is no evidence that federal authorities have begun any criminal investigation of State Department staff conduct under 18 U.S.C. § 2071 regarding this matter. Moreover, the State Department has stated it would no longer investigate this matter, even with

<sup>2</sup> 18 U.S.C. § 2071.

<sup>3</sup> The Associated Press, *Kerry: Doctoring of State Dept video 'stupid and clumsy,'* POLITICO.COM, June 3, 2016, <http://goo.gl/OiA7P4>.

<sup>4</sup> 28 U.S.C. § 535(b).

<sup>5</sup> *Id.* (emphasis added); see also *In re Lindse*, 158 F.3d 1263, 1274 (D.C. Cir. 1998) (28 U.S.C. § 535(b) "evinces a strong congressional policy that executive branch employees must report information relating to violations of Title 18, the federal criminal code. As the House Committee Report accompanying section 535 explains, the purpose of the provision is to require the reporting by the departments and agencies of the executive branch to the Attorney General of information coming to their attention concerning any alleged irregularities on the part of officers and employees of the Government.") (citations and internal quotation marks removed); *In re Grand Jury Proceedings*, No. 98-148, 1998 WL 272884, at \*2 (D.D.C. May 22, 1998) ("[U]nder section 535(b), Congress imposed a duty on all executive branch personnel to report criminal activity by government officers and employees to the Attorney General"); *Agunbiade v. United States*, 893 F. Supp. 160, 163 (E.D.N.Y. 1995) (28 U.S.C. § 535(b) "contain[s] mandatory language requiring that complaints alleging violations of Title 18 on the part of government officials expeditiously be brought to the attention of the Attorney General").

<sup>6</sup> 5 U.S.C. App. (Inspector General Act) § 4(d).

<sup>7</sup> *Id.* (emphasis added).



Secretary Kerry and Inspector General Linick  
 June 6, 2016  
 Page 3

considerable gaps in the information still outstanding.<sup>8</sup> Accordingly, this letter is written to request that you immediately refer and report the relevant staff to the Attorney General for possible criminal violations of this statute arising from their alteration of the video record of the Department's December 2, 2013 press briefing.

#### Discussion

On December 2, 2013, Fox News reporter James Rosen asked then-State Department spokesperson Jen Psaki whether it was State Department policy to lie in order to achieve its policy goals.<sup>9</sup> Psaki responded "I think there are times where diplomacy needs privacy in order to progress. This is a good example of that."<sup>10</sup> More than three years later, White House Deputy National Security Advisor Ben Rhodes gave an interview to the *New York Times* where he bragged about his ability to mislead reporters who cover foreign policy.<sup>11</sup> Following this story, Rosen recalled his earlier question to Psaki and tried to retrieve the video record of the question.<sup>12</sup> Rosen discovered that his question and Psaki's answer had been excised from the video file and had been replaced with a white flash.<sup>13</sup> When this issue was brought to the State Department's attention, it initially claimed "[t]here was a glitch in the . . . video[.]"<sup>14</sup>

On June 1, 2016, the State Department recanted its claim that a "glitch" was responsible and instead admitted "that a specific request was made to excise that portion of the briefing. [It did] not know who made the request to edit the video or why it was made."<sup>15</sup> State Department spokesman John Kirby expressed surprise that "the Bureau of Public Affairs did not have in place any rules governing this type of action. . . . [so there is] little foundation for pressing forward with a formal investigation. . . . [because] there were no rules, no regulations in place that prohibited this. So I feel like we did due diligence[.]"<sup>16</sup> Instead, Kirby suggested the remedy was for State to "craft[] specific language . . . [to] prevent[] it from happening again."<sup>17</sup>

Contrary to spokesman John Kirby's statement that no rules govern the alteration or destruction of records, several legal authorities apply. First, 18 U.S.C. § 2071 makes it a federal crime to destroy federal records. Second, the Federal Records Act establishes record preservation requirements and prohibits the alteration or destruction of any federal record. Third, National Archives and Records Administration regulations clarify that the "penalties for

<sup>8</sup> Julian Hattem, *State Department refuses to reopen probe into edited video*, THE HILL, June 3, 2016, <http://bit.ly/1U3d5F1>.

<sup>9</sup> State Dep't, Daily Press Briefing Transcript, Dec. 2, 2013, <http://1.usa.gov/1P9NdIV>.

<sup>10</sup> *Id.*

<sup>11</sup> David Samuels, *The Aspiring Novelist Who Became Obama's Foreign-Policy Guru*, N.Y. TIMES, May 5, 2016, <http://nyti.ms/1U2g29E>.

<sup>12</sup> Fox News Insider, *Rosen: State Dept Removed My Iran Questions from Briefing Video*, May 10, 2016, <http://bit.ly/1Wzg5M5>.

<sup>13</sup> *Id.*

<sup>14</sup> Pete Kasperowicz, *State Dept. blames 'glitch' for missing Iran video*, WASH. EXAMINER, May 10, 2016, <http://washex.am/1O7ykpq>.

<sup>15</sup> State Dep't, Daily Press Briefing Transcript, June 1, 2016, <http://1.usa.gov/1TYbbou>.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

Secretary Kerry and Inspector General Linick

June 6, 2016

Page 4

the unlawful or accidental removal, defacing, alteration, or destruction of Federal records or the attempt to do so, include a fine, imprisonment, or both."<sup>18</sup>

The identities of both the individual who requested, and the individual who carried out, the alteration of the video remain publicly unknown. However, the State Department Office of Legal Adviser examined the issue and interviewed the person responsible for editing the video. Former State Department spokespersons Jen Psaki and Marie Harf have publicly claimed they are not responsible for requesting the content be deleted.<sup>19</sup>

It is unlawful for anyone having custody of any record, book, document, paper or other thing to conceal, remove, mutilate, obliterate, or destroy it, or attempt to do any the forgoing.<sup>20</sup> The penalty for this crime includes a fine, imprisonment of not more than three years, forfeiture of public office, and disqualification from holding federal office in the future.<sup>21</sup> For the purpose of this statute, a video recording of a State Department press briefing qualifies as a "record"<sup>22</sup> and the State Department employee who altered the video had "custody" of it.<sup>23</sup> Therefore, there is reason to believe that both the employee who requested the video be altered and the employee who did so may have committed a federal crime.

### Conclusion

Notwithstanding the evidence of criminal culpability on the part of State Department employees, it appears that no criminal investigation involving these staffers has commenced. In fact, Mr. Kirby's statements indicate the State Department has completed its review of this matter. That lack of oversight and enforcement of federal criminal law should and must be addressed. Therefore, pursuant to 28 U.S.C. § 535(b) and section 4(d) of the Inspector General Act, you are each obligated to refer this matter to the Attorney General for a proper investigation.

Please note that Cause of Action Institute is providing notice that within the next sixty days, it will submit a request for access to records under the Freedom of Information Act, 5 U.S.C. § 552, for all records concerning this matter and which reveal your efforts to address the conduct of the subject employees. Therefore, in light of the public interest involved, we request immediate steps to preserve all documents and records, and your prompt attention to this matter.

<sup>18</sup> 36 C.F.R. § 1230.12 (citing 18 U.S.C. § 2071).

<sup>19</sup> Fox News, *Obama adviser lashes out at Fox News amid questions over deleted footage*, June 3, 2016, <http://fxn.ws/1TTJslTw>.

<sup>20</sup> 18 U.S.C. § 2071(b).

<sup>21</sup> *Id.*

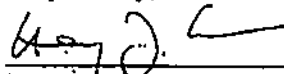
<sup>22</sup> See *United States v. Hitzelberger*, 991 F. Supp. 2d 108, 124 (D.D.C. 2014) (finding statute's purpose is "to preserve . . . files as evidence relating to things which concern the public and the government") (alterations omitted) (citing *McInerney v. United States*, 143 F. 729, 731 (1st Cir.1906)).

<sup>23</sup> See *United States v. Poindexter*, 725 F. Supp. 13, 20 (D.D.C. 1989) ("There is no warrant for supposing, and no legislative history suggesting, that Congress meant to subject to punishment under section 2071 only those who are the custodians of records in the technical sense, such as clerks or librarians, but to permit others working in a government agency who have access to sensitive documents to destroy or alter them with impunity. The obvious purpose of the statute is to prohibit the impairment of sensitive government documents by those officials who have access to and control over them, and no court has ever held to the contrary.").

Secretary Kerry and Inspector General Linick  
June 6, 2016  
Page 5

If you have questions about this letter, you may contact me at (202) 499-4232 or [henry.kerner@causeofaction.org](mailto:henry.kerner@causeofaction.org). Thank you for your attention to this matter.

Respectfully,



---

HENRY J. KERNER  
ASSISTANT VICE PRESIDENT

**Toufanian, Melissa Turley**

---

**From:** Beechem, Stephanie  
**Sent:** Friday, June 03, 2016 1:46 PM  
**To:** Kirby, John; Toner, Mark C; Trudeau, Elizabeth K  
**Subject:** 6/3 CNN Wolf -- Jen Psaki

**RELEASE IN FULL**

<http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=d4f3b8a6-4ddb-4241-a0a2-114745971633>

<http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=67553276-b3b2-4bce-8610-ff9fa9522ee1>

**CNN Wolf**

**06/03/2016 01:21:36 PM**

**WOLF BLITZER:** Joining us now, the White House Communications Director, Jen Psaki, she was the State spokeswoman during some of this controversy. This is her first interview since the State Department admitted it was not a technical glitch, but someone deliberately told that video tape editor to delete seven or eight minutes of the official video. Have you gone back and looked over who was responsible for asking that video tape editor to remove that video, that sensitive video?

**JEN PSAKI:** Wolf, I don't have any more information than you do. This is a stunning case of poor judgment. Whether that was incompetence or lack of experience or both, I don't know the answer to that. The fact is, as was stated in the previous piece, I had no involvement with the editing, I had no knowledge of this, nor would I have ever approved of it. The Republican you referenced before, I agree with the sentiment that the whole purpose of the State Department briefing to provide a forum to have a debate or a discussion with reporters not only from the United States but all over the world about a range of issues. I spent two years doing that and many of my predecessors spent even more time, and this really flies in the face of that effort and something many of us spent time really believing in and hopefully delivering on from that podium.

**BLITZER:** Do you want the Inspector General of the U.S. State Department to launch an official investigation? They asked that the inspector general find out precisely what happened. Who asked that video tape editor to delete that video? Is that a good idea for an IG report to begin right now?

**PSAKI:** Well, Wolf, I'll let the State Department and their lawyers speak to that. I will say, you know, I think I understand why people at home who are watching this inside the Beltway debate in many ways can't understand why nobody would be held accountable and why they haven't been able to get to the bottom of it. So I'll let the State Department speak to the process.

**BLITZER:** There are demands from the Hill from members of Congress and House committees that have their own investigations. Will you fully cooperate?

**PSAKI:** Of course. I have absolutely nothing to hide here, Wolf, but I will say, again, I had no involvement and no knowledge here. And I think this has raised an interesting debate you probably had on your show before, and we've all discussed many times over the years, which is whether diplomacy should be given the room to develop and to grow with the secrecy that's sometimes needed. Many could argue, I would certainly argue we would not be the place we are with Cuba, we certainly would not be at the place where we have a deal with Iran or they've agreed to not move forward on creating a nuclear weapon, had we briefed out these discussions publicly. And that's something that going back to Schultz and Kissinger and Madeline Albright used to talk about how mushrooms grow better in the dark. It's something many, many people have spoken about over time.

BLITZER: As you know, it's one thing to be discreet and not release all the information to the public for sensitive reasons, whether it's classified or diplomacy or whatever, but another thing to flat out lie to the news media and the American public which is what your predecessor Victoria Nuland did when she was asked back in 2013 whether or not there were secret bilateral government to government negotiations going on with Iran and she said no. That was a lie, right?

PSAKI: Well, Wolf, I think you'd have to speak to my predecessor about that. What I can tell you is that what I was doing, not just that day when this question was asked, but the fact is, a week before this, I proactively talked through every aspect of the back channel at the State Department briefing. I was also supportive of briefing press in the stories that came out before that. My role was providing information. I was an advocate of that about the back channel. It was at the time where we could do that because of where the diplomatic negotiations were. There's a long history for decades, again, of not being able to provide information when it's at a sensitive time that could have an impact, and that certainly was the case earlier that year.

BLITZER: But then there was this, when you were the State Department spokeswoman, subsequent exchange with James Rosen with why Victoria Nuland had lied about those direct bilateral negotiations..I'll play the clip again.

CLIP – ROSEN: Is it a policy of the State where secret negotiations are concerned to lie in order to achieve that goal?

CLIP – PSAKI: James, I think there are times where diplomacy needs privacy in order to progress.

BLITZER: So the accusation against you Jen, and I want to give you a chance to respond, is that you were defending that earlier lie from Victoria Nuland.

PSAKI: Well again, I think you could speak to Toria or anyone else what she knew or didn't know about the negotiations. I don't have that information. But what I was doing that day and the weeks prior was providing information about the back channel, about the negotiations from the years past. I do believe, as I said during that exchange, there are certainly times where negotiations and important diplomatic discussions require not briefing the public on what's happening. Not because we don't want to have that conversation with you, Wolf, but because that means all parties are weighing in and it becomes a public debate instead of a private negotiation that, as you know from covering these type of negotiations for years, is often needed in order to make progress.

BLITZER: The point being though that it's one thing not to release all of the information you need for national security reasons or diplomacy or whatever. It's another thing to actually lie to the media and the American public as a result of that. Is it ever justified? This is my final question because I know you gotta run. is it ever justified for a U.S. government spokesperson to lie to the American people?

PSAKI: I think that's a fundamental value that I have always followed is not to, and providing as much information as you possibly can including being an advocate for when you can provide more and that's what I did in the case of briefing on the Iran back channel.

BLITZER: Jen Psaki, the White House Communications Director. Jen, thank you very much for joining us.

PSAKI: Thank you, Wolf. Great to be here.

This email is UNCLASSIFIED.

EDWARD R. ROYCE, CALIFORNIA  
CHAIRMAN

AMY PORTER  
CHIEF OF STAFF

THOMAS SHEEHY  
STAFF DIRECTOR

RELEASE IN FULL

ELIOT L. ENGEL, NEW YORK  
RANKING DEMOCRATIC MEMBER

JASON STEINBAUM  
DEMOCRATIC STAFF DIRECTOR



One Hundred Fourteenth Congress  
U.S. House of Representatives  
Committee on Foreign Affairs  
2170 Rayburn House Office Building  
Washington, DC 20515  
[www.foreignaffairs.house.gov](http://www.foreignaffairs.house.gov)

June 3, 2016

The Honorable Steve A. Linick  
Inspector General  
U.S. Department of State

Dear Inspector General Linick:

Given your office's mission to investigate mismanagement in the programs and operations of the State Department, I write to request that you conduct an investigation into the deliberate omission of portions of the Department's "Daily Press Briefing" on December 2, 2013 from the publicly available video record.

As you know, the Department's spokesperson has determined that this omission was made in a "deliberate step" ordered by an official in the Bureau of Public Affairs. The missing excerpt – which has since resurfaced – contained a tacit admission by then-spokesperson Jennifer Psaki that the Department concealed information from the public about the commencement of negotiations with Iran over its nuclear program.

While the Department has clarified that what was initially described as a technical "glitch" was no such thing, the explanation provided by the spokesperson at a press briefing this week raises disturbing questions. For instance, it remains unclear why the exchange between Ms. Psaki and reporters was stricken from the video recording. How is it not possible to determine who in the Administration ordered that the video be altered, as the current spokesman has asserted? Will there be no accountability? Have there been other instances where the State Department has altered the public record?

In tampering with this video, the Bureau of Public Affairs has undermined its mission to "communicate timely and accurate information with the goal of furthering U.S. foreign policy." This is all the more troubling given that the video in question dealt with hugely consequential nuclear negotiations with the Islamic Republic of Iran.

Thank you for your prompt attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Royce".

EDWARD R. ROYCE  
Chairman

cc: The Honorable John F. Kerry, the Secretary of State

**Toufanian, Melissa Turley**

---

**From:** Trudeau, Elizabeth K  
**Sent:** Friday, June 03, 2016 12:56 PM  
**To:** Kirby, John  
**Subject:** Follow-up telephone records

**RELEASE IN FULL**

internal telephone records (any of the five digital call extensions) are retained only for 24 hours. We've given to Arshad.

JASON CHAFFETZ, UTAH  
CHAIRMAN

ONE HUNDRED FOURTEENTH CONGRESS

ELIJAH E. CUMMINGS, MARYLAND  
RANKING MEMBER

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

RELEASE IN FULL

MAJORITY (205) 278-6074  
MINORITY (205) 725-5031  
<http://oversight.house.gov>

June 2, 2016

The Honorable John F. Kerry  
Secretary  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

Dear Mr. Secretary:

On May 17, 2016, the Committee held a hearing regarding the White House's Narratives on the Joint Comprehensive Plan of Action (JCPOA), also known as the "Iran nuclear deal."<sup>1</sup> During the hearing, Members of the Committee expressed concerns about the lack of transparency in the Obama Administration's forging of the Iran nuclear deal.

Video footage was played during the hearing that showed James Rosen, a Fox News correspondent, questioning Victoria Nuland, then-State Department spokesperson, at the February 6, 2013 State Department daily press briefing. Mr. Rosen asked whether the Administration conducted "direct, secret, bilateral talks with Iran."<sup>2</sup> Ms. Nuland denied such bilateral talks took place "on a government-to-government level."<sup>3</sup> At a subsequent daily press briefing on December 2, 2013, Mr. Rosen asked Jen Psaki, then-State Department spokesperson, whether it is "the policy of the State Department where the preservation of the secrecy of secret negotiations is concerned to lie in order to achieve that goal."<sup>4</sup> Ms. Psaki responded, "I think there are times where diplomacy needs privacy in order to progress. This is a good example of that."<sup>5</sup>

Recent media reports indicated that the exchange between Mr. Rosen and Ms. Psaki, along with eight minutes of footage from the December 2, 2013 daily press briefing, were deleted from videos made available by the State Department on its website and official YouTube

<sup>1</sup> *White House Narratives on the Iran Nuclear Deal: Hearing Before the H. Comm. on Oversight and Gov't Reform*, 114th Cong. (2016).

<sup>2</sup> U.S. Dep't of State, Daily Press Briefing (Feb. 6, 2013), available at <http://www.state.gov/r/pa/prs/dpb/2013/02/203838.htm>.

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Dep't of State, Daily Press Briefing (Dec. 2, 2013), available at <http://www.state.gov/r/pa/prs/dpb/2013/12/218178.htm>.

<sup>5</sup> *Id.*



The Honorable John F. Kerry  
June 2, 2016  
Page 2

channel.<sup>6</sup> At the May 10, 2016 daily press briefing, when asked why the deletion occurred, Elizabeth Trudeau, Director of the State Department Press Office, stated: "We're looking into it. Genuinely we think it was a glitch."<sup>7</sup>

On June 1, 2016, however, State Department spokesperson and Assistant Secretary for Public Affairs, John Kirby, stated that the deletion of the December 2, 2013 Rosen-Psaki exchange resulted from "a deliberate request."<sup>8</sup> He also added that the deletion "wasn't a technical glitch."<sup>9</sup>

To better understand the facts and circumstances surrounding the deletion of video that depicted the exchange between Mr. Rosen and Ms. Psaki at the December 2, 2013 daily press briefing, please provide the following documents and information to the Committee as soon as possible, but not later than 5:00 p.m. on June 8, 2016:

1. Documents sufficient to identify, by name and job title, the individual or individuals who made and received the request to deliberately delete the video footage of the exchange between Mr. Rosen and Ms. Psaki at the December 2, 2013 daily press briefing.
2. Documents sufficient to show the dates of the deletion and restoration of the video footage of the exchange between Mr. Rosen and Ms. Psaki at the December 2, 2013 daily press briefing.
3. All documents and communications referring or relating to the deletion of video footage of the exchange between Mr. Rosen and Ms. Psaki at the December 2, 2013 daily press briefing.
4. All documents and communications, including, but not limited to, memoranda and investigatory reports by the Office of the Legal Adviser (L) referring or relating to the deletion of video footage of the exchange between Mr. Rosen and Ms. Psaki at the December 2, 2013 daily press briefing.
5. All documents and communications referring or relating to any other requests to delete portions of daily press briefings from publicly-accessible portals since January 1, 2012.

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<sup>6</sup> *Rosen: It's Stunning that State Dep't Tried to Censor my Questioning on Iran Deal*, FOX NEWS INSIDER, May 11, 2016; *State Dept: There Was 'Deliberate Request' to Delete Video of Rosen's Iran Questions*, FOX NEWS INSIDER, June 1, 2016.

<sup>7</sup> U.S. Dep't of State, Daily Press Briefing (May 10, 2016), available at <http://www.state.gov/r/pa/prs/dpb/2016/05/257074.htm>.

<sup>8</sup> U.S. Dep't of State, Daily Press Briefing (June 1, 2016), available at <http://www.state.gov/r/pa/prs/dpb/2016/06/257880.htm>.

<sup>9</sup> *Id.*

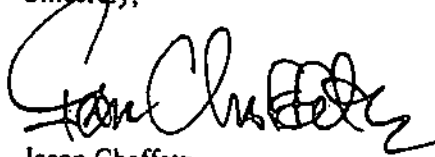
The Honorable John F. Kerry  
June 2, 2016  
Page 3

Please deliver your responses to the Committee on Oversight and Government Reform Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. An attachment to this letter contains additional instructions for responding to the Committee's request.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X.

Please contact Sang Yi of the Majority staff at (202) 225-5074 with any questions regarding this request. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Chaffetz", written over a horizontal line.

Jason Chaffetz  
Chairman

RELEASE IN FULL

Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
  - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
  - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document:  
  
BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,  
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,  
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,  
CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE,  
DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,  
INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,  
BEGATTACH.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server; hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

#### Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.
3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

5. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.
7. The term "employee" means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.

**Toufanian, Melissa Turley**

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**From:** Beechem, Stephanie **RELEASE IN FULL**  
**Sent:** Thursday, June 02, 2016 11:57 AM  
**To:** Kirby, John; Toner, Mark C; Trudeau, Elizabeth K  
**Subject:** The Hill: Second State Dept. aide denies pushing for editing of Iran video

Just fyi

<http://thehill.com/policy/national-security/281996-second-state-dept-aide-denies-pushing-for-editing-of-iran-video>

**Second State Dept. aide denies pushing for editing of Iran video**

By Jesse Byrnes - 06/02/16 11:43 AM EDT

A second State Department employee has denied pushing for the intentional edit of video from a 2013 department briefing dealing with the Iran nuclear agreement.

Marie Harf, a top aide to Secretary of State John Kerry who was the department's deputy spokeswoman at the time, joined former State Department spokeswoman Jen Psaki in denying involvement.

"As Jen tweeted yesterday, I also had no knowledge of nor would I have approved of this editing," Harf told the Washington Examiner for a report published Thursday. "I have no idea who asked for the editing of the tape."

The remarks from Harf, who now serves as Secretary of State John Kerry's senior advisor for strategist communications, echo those tweeted by Psaki, who is now the White House communications director:

Harf served as Psaki's deputy when both were at the State Department.

The State Department's current spokesman, John Kirby, admitted Wednesday that several minutes of the 2013 press briefing had been intentionally removed from a department video posted to YouTube. State previously attributed the missing video to a "glitch."

Kirby, who joined the department from the Pentagon in 2015, said the request to edit the tape came from in the department's Public Affairs Bureau, but the person who fielded the request couldn't remember who asked for the edit.

"The call that came into her was actually a call from someone else passing on a request from another official, so it was two removed," Kirby said Thursday morning on "Fox and Friends."

The deleted segment included a suggestion from Psaki, then the State Department spokeswoman, that the negotiations for the Iran nuclear deal began earlier than previously disclosed.

This email is UNCLASSIFIED.

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Toufanian, Melissa Turley

From: Trudeau, Elizabeth K  
Sent: Thursday, June 02, 2016 4:59 PM  
To: Kirby, John; Toner, Mark C  
Subject: Tweet - Psaki

RELEASE IN FULL



Jen Psaki @Psaki44 · 1m

Transcript of 11/26/13 @StateDept briefing on Iran back channel, over a week before @JamesRosenFNC asked about it.

U.S. DEPARTMENT OF STATE DAILY PRESS BRIEFING BY SPOKESPERSON JEN PSAKI  
NOVEMBER 20, 2013

QUESTION: The Clinton Double was made in October that then-burke-Kerry was a part of the talks in Oman, so I wanted to know if you do have any general comment on that. And also, given the time in advance of the PS-1 talks that occurred, does that give any indication of how complicated and challenging was that round of talks going to be given that there was so much of a head start before the PS-1 talks started?

MS. PSAKI: Sure. Well, let me just give you - I know there have been a number of reports over the last couple of days, so let me just give you a quick overview for those who are interested. So Secretary Kerry, when he was Senator and Chairman of the Foreign Relations Committee, did travel to Oman in coordination with the White House and with the Arab League to meet with the Sultan and also one whether Oman could be a channel for negotiating with the Iranians.

There - we have long had many channels to communicate bilaterally with the Iranians, including exchanges of high-level letters, bilateral discussions on the margins of the PS-1, sending messages through the Swiss, ordering cover in Cyprus, passing messages through the UN missions in New York, and the Omanis. As many of you may remember, helped facilitate the release of hijackers of the hijacks, as well several years ago. So that was a trip he took when he was Chairman of the Foreign Relations Committee.

There also have been, though that same day of communication, meetings in Oman - I know they've been reported - that - with the Iranians to discuss whether there was a channel for moving forward. These have been closely coordinated or we've briefed our PS-1 partners on those. We've consistently told PS-1 partners and our Israeli friends that if things developed substantively and - of course, it would be tied into the overall process which is the Iran nuclear negotiations. So that's

QUESTION: What was the timeline for this when you said that the Secretary was in the Senate?

MS. PSAKI: He went to Oman in December of 2011.

QUESTION: Thank you.  
QUESTION: Just to clarify something.

MS. PSAKI: Mm-hmm.

QUESTION: I'd like a report that while those talks were happening in Oman that we had not let Israel know. But we did tell and inform Israel we were meeting --

MS. PSAKI: They were briefed. We've always told our partners that if - that we should be open to bilateral discussions, and if anything developed or was serious, we would brief them on those. And the President briefed Prime Minister Netanyahu in September.

QUESTION: Can you confirm that the talks in Oman started at the back in March this year?

MS. PSAKI: Mm-hmm.

QUESTION: So before the election of Romney?

MS. PSAKI: Yes. And the determination that there was - the goal at that point was determining if there was a channel to work through. But as I mentioned, really the talks picked up with President Obama and President Obama exchanging letters.

QUESTION: Yes, number of subjects.

QUESTION: It's 1:00pm, before that.

MS. PSAKI: One more or two?

QUESTION: Can I check - yeah, yes.





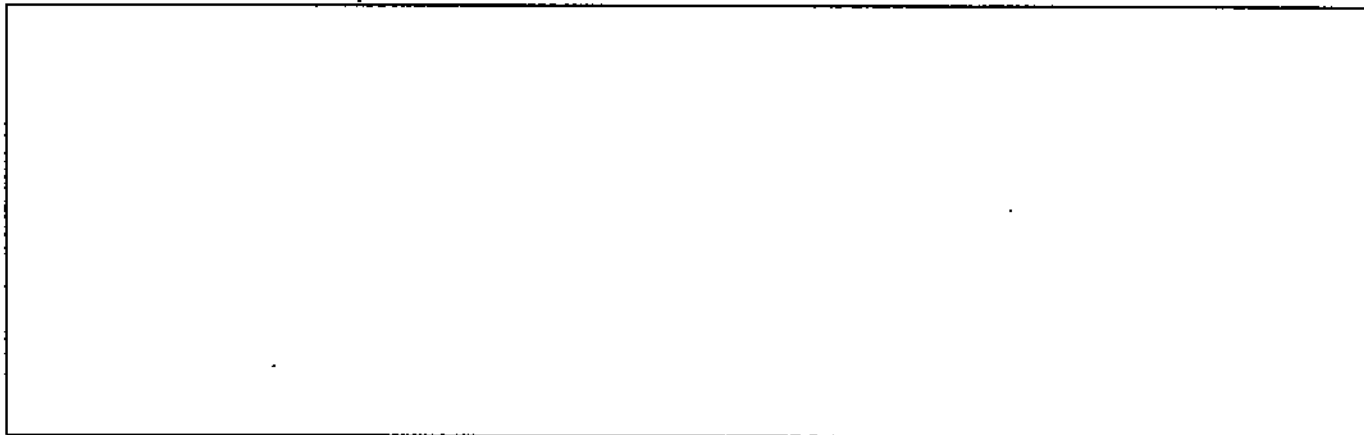
**Toufanian, Melissa Turley**

---

**From:** Frifield, Julia E  
**Sent:** Monday, June 06, 2016 12:21 PM  
**To:** Kirby, John; Beechem, Stephanie; Johnston, Amy L; Schram, Zachary I; Toner, Mark C; Trudeau, Elizabeth K; Finer, Jonathan J; Stout, Jennifer P  
**Subject:** RE: 6/6 Fox News Fox & Friends -- Rep. Jason Chaffetz

RELEASE IN  
PART B5

Here's draft points for today's briefing:



B5

---

**From:** Kirby, John  
**Sent:** Monday, June 06, 2016 9:27 AM  
**To:** Beechem, Stephanie; Frifield, Julia E; Johnston, Amy L; Schram, Zachary I; Toner, Mark C; Trudeau, Elizabeth K; Finer, Jonathan J; Stout, Jennifer P  
**Subject:** Re: 6/6 Fox News Fox & Friends -- Rep. Jason Chaffetz

Thanks Steph. Adding Finer and Stout.

Sent from my BlackBerry 10 smartphone.

---

**From:** Beechem, Stephanie  
**Sent:** Monday, June 6, 2016 21:21  
**To:** Frifield, Julia E; Johnston, Amy L; Schram, Zachary I; Kirby, John; Toner, Mark C; Trudeau, Elizabeth K  
**Subject:** 6/6 Fox News Fox & Friends -- Rep. Jason Chaffetz

See below for Chaffetz's comments this a.m. about calling Sec. Kerry to testify on the Iran video

REP. JASON CHAFFETZ, R-UTAH, IS INTERVIEWED ON FOX NEWS' "FOX & FRIENDS" REGARDING THE PRESIDENTIAL ELECTION

CQ TRANSCRIPT

JUNE 6, 2016

SPEAKERS: REP. JASON CHAFFETZ, R-UTAH

STEVE DOOCY, FOX NEWS ANCHOR

AINSLEY EARHARDT, FOX NEWS ANCHOR

BRIAN KILMEADE, FOX NEWS ANCHOR

DOOCY: Let's bring in Jason Chaffetz. He is the chairman of the House Oversight Committee. Good morning to you.

CHAFFETZ: Good morning.

EARHARDT: Good morning.

DOOCY: What do you make of that David French story where -- I'm not the guy to take on Donald Trump?

CHAFFETZ: I come from the ABC of politics, which is anybody but Clinton, so I -- I want to get united and I want to win in November and that means making sure that Hillary Clinton is not the next president of the United States.

KILMEADE: All right. Let's talk about now something else that got your attention last week, the huge story that James Rosen's question was edited out of the video record at the State Department. Where are you going with this? What was your reaction to it? We -- you know, I thought the whole thing was pretty outrageous.

CHAFFETZ: Well, it started with Ben Rhodes, who admitted that basically they had snookered the American people into believing that this Iranian deal was what it was supposed to be. And then you go back and there's a white-washing now. They've gone back and they've literally took out eight minutes of video from a James Rosen question.

And then we found another thing: the ABC News found a clip where there was actually a question by a Fox News reporter where they asked definitively if they had ever lied about the Iranian deal, and they said, no, Kevin. Now that's been extracted from the record. It's becoming more than just a coincidence. I think it's now a pattern.

EARHARDT: So what is the Oversight Committee now demanding?

CHAFFETZ: So we're going to, today, later invite the -- Secretary Kerry, he's the cabinet level person who should come testify before Congress and the Oversight Committee and try to explain this. We got a whole bunch of questions about Iran because we don't know the details of what happened there, and now that they're altering the record after Ben Rhodes admitted that they snookered the American people, there is a lot of questions about the Iran deal that need to be answered.

DOOCY: Yeah, but you know what's going to happen, they're going to come and they're going to say, you know, it was just a glitch, whoops, and one guy did it, but he took a call, he doesn't remember who called. How many times did somebody call that guy and say, we need a white flash in there?

CHAFFETZ: And that's why Chairman Royce, head of Foreign Affairs, has asked that the Inspector General do an investigation. We too, in the Oversight Committee are going to do an investigation, but I got to believe that truth is going to surface. And that's what we're all about, trying to provide that sunlight and that sunshine. They don't give us handcuffs, I can't put them in jail. The executive branch has got to do that. But we can hold (oh) them accountable and we can expose it for what it is.

DOOCY: You mentioned the executive branch -- can't put them in handcuffs. You and I were talking in the green room about a case you're working on as well where there have been a number of illegals in this country who have been incarcerated for felonies. The way the law is written, once they're released, they're supposed to -- we're supposed to send them home. That's not happening.

CHAFFETZ: It's probably -- I've been in Congress seven and a half years -- it's probably the most infuriating thing I have. People here illegally get caught committing a crime, get convicted of that crime, they serve their time and instead of being deported, they release them back out into the public. And that -- has happened nearly 68,000 times in this administration.

They claim that these countries won't take them back, but the law says that you're supposed to inform the State Department and not give these countries any more visas until they actually take these people back. I think that's reasonable. They're not obeying that law and they shouldn't be releasing them back into the public.

(CROSSTALK)

KILMEADE: It's pretty outrageous. So let's talk about Donald Trump for a second. Yesterday he did a series of interviews. He talked a lot about the case against him and Trump University, and he says he would rather talk about other things, but the press keeps bringing him back to Trump University. Let's listen.

(BEGIN VIDEO CLIP)

DONALD TRUMP, REPUBLICAN PRESIDENTIAL CANDIDATE: I don't emphasize it, but when I sit down for "Face the Nation" and John Dickerson, a good guy, asks me a question, and the first question is about this, and the second and third question are about this, and then I sit down for Jake and the first question is this, and then the second and third question also are this, you know, you have to respond.

Now -- then the papers pick this up more than they pick up the fact that we had an anemic jobs report, a horrible jobs report, on Friday. And I speak about the jobs report, but people don't find that so exciting.

(END VIDEO CLIP)

KILMEADE: What's your take on that?

CHAFFETZ: Well, look, I think people are disturbed that you would want to try to dismiss a judge based on his ethnicity. You can have qualms with how he's ruling in the case, you can have qualms about his political affiliation, I think that's fair game. But why doesn't he just say, look, it's up to the attorneys, it's in the court and leave it at that?

DOOCY: Sure.

KILMEADE: And that would allow the other...

CHAFFETZ: And then move on. You give it a 10-second answer and move on.

DOOCY: What's been happening in the House regarding, you know, Republicans coalescing around Donald Trump? I know that Paul Ryan famously in the last couple of days said, okay, I'm going to vote for him.

CHAFFETZ: I saw this footage. I was actually watching Fox and this footage out west where Donald Trump was in San Jose and they were out there burning American flags and waving Mexican flags. That is doing as much as anything to rally the country. I don't care where you are in the political spectrum, but rally the country behind Donald Trump. I tell you, it's infuriating.

DOOCY: The anti-Trump protesters are helping Donald Trump...

CHAFFETZ: Yeah, but these aren't organic (ph) -- you can protest in this country, but when you're out there burning the American flag...

KILMEADE: Or egging a woman who just supporting -- was wearing a Donald Trump shirt.

CHAFFETZ: It's (inaudible) to do intimidation. You don't intimidate people to not attend a political rally. We should be celebrating political rally and encouraging young people to go hear both candidates, and the conservative viewpoint, I think, will win. I really do. But to burn the flag and egg people and intimidate...

EARHARDT: Too much violence.

CHAFFETZ: Yeah. That's not good.

EARHARDT: Jason, thanks for being here.

CHAFFETZ: Thanks for having me.

EARHARDT: Appreciate it.

CHAFFETZ: Appreciate it.

(CROSSTALK)

DOOCY: Thank you, Chairman.

KILMEADE: Thank you, Chairman.

END

Jun 08, 2016 9:12 ET .EOF

This email is UNCLASSIFIED.

**Toufanian, Melissa Turley**

---

**From:** Toner, Mark C  
**Sent:** Thursday, June 02, 2016 1:03 PM  
**To:** Smith, Dana S; Kirby, John  
**Subject:** RE: A query

RELEASE IN PART B6

Thanks – he is clearly making the rounds!

---

**From:** Smith, Dana S  
**Sent:** Thursday, June 02, 2016 12:54 PM  
**To:** Kirby, John; Toner, Mark C  
**Subject:** Fw: A query

Fyi

Dana

---

**From:** Smith, Dana S <SmithDSX@state.gov>  
**Sent:** Thursday, June 2, 2016 19:52  
**To:** arshad.mohammed [redacted]  
**Subject:** Re: A query

B6

Hi Arshad,

No, I did not request it- directly or indirectly- and was unaware that it happened until I saw the news this morning. I would never have approved it had my permission been sought. You may quote me.

Best,

Dana

---

**From:** arshad.mohammed [redacted]  
**Sent:** Thursday, June 2, 2016 18:52  
**To:** Smith, Dana S  
**Subject:** A query

Dear Ambassador Smith,

I am writing to ask you on the record whether you, either directly or indirectly, requested that the portion of the Dec. 2, 2013 State Department briefing be excised from the video posted online.

Many thanks,  
Arshad

Arshad Mohammed  
U.S. Foreign Policy Correspondent  
[redacted] (mobile)  
[redacted] (office)

**Toufanian, Melissa Turley**

**From:** Toner, Mark C  
**Sent:** Monday, June 06, 2016 11:55 AM  
**To:** Trudeau, Elizabeth K  
**Cc:** Kirby, John  
**Subject:** Re: ABC News Inquiry

RELEASE IN PART  
B5, B6

Ok [redacted]

B5

Sent from my iPhone

On Jun 6, 2016, at 11:52 AM, Trudeau, Elizabeth K <trudeauek@state.gov> wrote:

Julia working on lines now. [redacted]

B5

**From:** Toner, Mark C  
**Sent:** Monday, June 6, 2016 11:50 AM  
**To:** Trudeau, Elizabeth K  
**Cc:** Kirby, John  
**Subject:** Fwd: ABC News Inquiry

Do you have any update from H bureau??

Sent from my iPhone

Begin forwarded message:

**From:** "Fishel, Justin" [redacted]  
**Date:** June 6, 2016 at 11:17:13 AM EDT  
**To:** "kirbyj@state.gov" <kirbyj@state.gov>, "Toner, Mark C" <tonermc2@state.gov>, "trudeauek@state.gov" <trudeauek@state.gov>  
**Subject:** ABC News Inquiry

B6

Do you know if Secretary Kerry will accept this invitation or decline? Thank you.

-Justin

**From:** Siegel, Benjamin R.  
**Sent:** Monday, June 06, 2016 10:46 AM  
**To:** #ABCTV NEWS DC CAPITOL HILL  
**Cc:** #ABCTV News DC Global Affairs; Radia, Kirt M.; Williams, Jon  
**Subject:** House Oversight Cmte inviting Kerry to testify on edited State Dept video

House Oversight Committee Chairman Jason Chaffetz, R-Utah, said Monday that he plans to invite Secretary Kerry to testify before his panel about the edited State Dept briefing video.

"There is a lot of questions about the Iran deal that need to be answered," Chaffetz said in an appearance on Fox News this morning.

The Utah Republican said his committee is going to formally invite Kerry – who can turn it down– later this afternoon.

Chaffetz tried to force Ben Rhodes to appear before the committee a few weeks ago for a dress-down about the NYT Magazine story, a move that backfired when Rhodes didn't appear. (House Dems spent the hearing excoriating the GOP witness, a former Cheney aide, about the Iraq War.)

Ben Siegel  
ABC News | Capitol Hill  
O: [REDACTED]  
C: [REDACTED]  
Twitter: @benyc

B6

**Toufanian, Melissa Turley**

---

**From:** Toner, Mark C  
**Sent:** Friday, June 03, 2016 10:14 AM  
**To:** Kirby, John  
**Subject:** RE: Additional comment on background re edit of State Department video of February 6, 2013 Daily Press Briefing

RELEASE IN PART B6

Yes, and he acknowledged receipt

---

**From:** Kirby, John  
**Sent:** Friday, June 03, 2016 10:11 AM  
**To:** Toner, Mark C  
**Subject:** Re: Additional comment on background re edit of State Department video of February 6, 2013 Daily Press Briefing

Did this go to Rosen?

Sent from my iPhone

On Jun 3, 2016, at 15:23, Toner, Mark C <[tonermc@state.gov](mailto:tonermc@state.gov)> wrote:

On background, attributed to a Senior State Department official:

"Though the technician responsible for making the edit couldn't remember who spoke to her or who requested the edit, she did indicate that Jen Psaki was not the caller. We've also seen no indication whatsoever that leads us to think Ms. Psaki was the requestor, either."

Thanks, Mark

Deputy Spokesperson

(o) 202-647-7192

(c)

B6



**Toufanian, Melissa Turley**

---

**From:** Toner, Mark C  
**Sent:** Friday, June 03, 2016 10:26 AM  
**To:** Kirby, John  
**Cc:** Trudeau, Elizabeth K  
**Subject:** RE: Additional comment on background re edit of State Department video of February 6, 2013 Daily Press Briefing

RELEASE IN PART B6

FOX just reported your Jen quote on background:

---

**From:** Kirby, John  
**Sent:** Friday, June 03, 2016 10:11 AM  
**To:** Toner, Mark C  
**Subject:** Re: Additional comment on background re edit of State Department video of February 6, 2013 Daily Press Briefing

Did this go to Rosen?

Sent from my iPhone

On Jun 3, 2016, at 15:23, Toner, Mark C <[tonermc@state.gov](mailto:tonermc@state.gov)> wrote:

On background, attributed to a Senior State Department official:

"Though the technician responsible for making the edit couldn't remember who spoke to her or who requested the edit, she did indicate that Jen Psaki was not the caller. We've also seen no indication whatsoever that leads us to think Ms. Psaki was the requestor, either."

Thanks, Mark

Deputy Spokesperson  
(o) 202-647-7192  
(c)

B6

**Toufanian, Melissa Turley**

**From:** Rosen, James [redacted]  
**Sent:** Friday, May 13, 2016 6:14 PM  
**To:** Kirby, John

RELEASE IN PART B6

B6

John, Thanks for the strong statement on the erased video. Yours gratefully, James

-----  
James Rosen  
Chief Washington Correspondent  
Host, "The Foxhole"  
Twitter: @JamesRosenFNC  
202-824-6541 [redacted]  
202-549-6756 [redacted]  
[redacted]  
Author, Cheney One on One

B6

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

**Toufanian, Melissa Turley**

**From:** Stevenson, Susan N  
**Sent:** Monday, June 06, 2016 6:43 PM  
**To:** Stout, Jennifer P; Sullivan, Thomas D; Finer, Jonathan J; Kirby, John  
**Cc:** Toner, Mark C; Trudeau, Elizabeth K  
**Subject:** Cause of Action message on SOS referral re Video  
**Attachments:** 2016.06.06 CoA Inst. Req to SOS and DOS-IG for Referral re Video.pdf

**RELEASE IN PART B6**

Looping you all in to this letter from Cause of Action Institute (which you may have received separately) asking S and the OIG to investigate into the video editing.

Susan

This email is UNCLASSIFIED.

---

**From:** Henry Kerner [mailto: ]  
**Sent:** Monday, June 06, 2016 2:22 PM  
**To:** Stevenson, Susan N  
**Subject:** SOS referral re Video

B6

Dear Ms. Stevenson,

Please find attached a letter requesting that Secretary Kerry refer the matter regarding the alteration of the video of the State Department's press briefing on December 2, 2013 to the Attorney General for an investigation into potential criminal violations.

Thank you for your attention to this matter.

Henry

Henry Kerner  
Assistant Vice-President  
Cause of Action Institute  
1875 Eye Street, NW, Suite 800  
Washington, D.C. 20006

(o) / (c)

B6



**Toufanian, Melissa Turley**

---

**From:** Frifield, Julia E-  
**Sent:** Friday, June 03, 2016 1:27 PM  
**To:** Toner, Mark C; Kirby, John; Trudeau, Elizabeth K  
**Subject:** Fw: Chairman Royce letter to IG Linick re: Iran video  
**Attachments:** Iran.video cuts.Royce to Linick.6.3.16.pdf

**RELEASE IN PART B6**

Another one

Sent from my BlackBerry 10 smartphone.

---

**From:** Johnston, Amy L <[JohnstonAL@state.gov](mailto:JohnstonAL@state.gov)>  
**Sent:** Friday, June 3, 2016 11:14 AM  
**To:** Frifield, Julia E; Schram, Zachary I  
**Subject:** FW: Chairman Royce letter to IG Linick re: Iran video

FYI

---

**From:** Rodriguez, Laura I  
**Sent:** Friday, June 03, 2016 11:11 AM  
**To:** Lorman, Amanda L; Sadoski, Nicholas A  
**Cc:** Johnston, Amy L  
**Subject:** FW: Chairman Royce letter to IG Linick re: Iran video

FYI – this seems a bit out of the blue but I may have missed this surfacing while I was traveling.

Laura I. Rodriguez, Deputy Assistant Secretary, House Affairs  
Bureau of Legislative Affairs  
Department of State  
(202) 647-1656

This email is UNCLASSIFIED.

---

**From:** Edward A. Burrier [<mailto:Edward.Burrier@state.gov>]  
**Sent:** Friday, June 03, 2016 10:05 AM  
**To:** Rodriguez, Laura I  
**Subject:** FW: Chairman Royce letter to IG Linick re: Iran video

B6

Laura – welcome back. The Secretary is cc'd on this correspondence to the IG.

Regards,  
Edward

---

**From:** Edward A. Burrier  
**Sent:** Friday, June 03, 2016 10:04 AM  
**To:** Ryan Holden (OIG)

**Cc:** Tom Alexander (HFAC)  
**Subject:** Chairman Royce letter to IG Linick re: Iran video

Ryan -

Please find attached a letter from Chairman Royce to Inspector General Linick regarding the Department's handling of the Iran video issue. As always, thanks in advance for seeing it gets the appropriate attention. We'll also make the Secretary's office aware of this correspondence.

I've cc'd Tom Alexander, who is out on travel, who you would normally be receiving this from.

Regards,  
Edward

---

**Edward A. Burrier**  
*Deputy Staff Director*  
Committee on Foreign Affairs



<http://foreignaffairs.house.gov>

**Toufanian, Melissa Turley**

---

**From:** Trudeau, Elizabeth K  
**Sent:** Thursday, June 02, 2016 8:34 PM **RELEASE IN PART B5**  
**To:** Tran, Michael J; Toner, Mark C  
**Cc:** Kirby, John; Stevenson, Susan N  
**Subject:** Re: Draft - Message from Assistant Secretary John Kirby: TEST

Nice, thanks, MT. We're pending Kirby's ok.

---

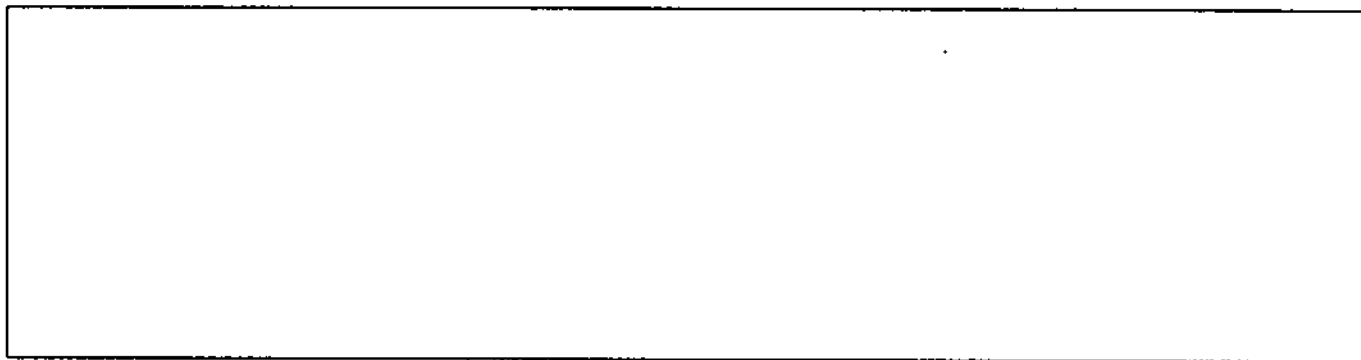
**From:** Tran, Michael J  
**Sent:** Thursday, June 2, 2016 8:33 PM  
**To:** Trudeau, Elizabeth K; Toner, Mark C  
**Cc:** Kirby, John; Stevenson, Susan N  
**Subject:** Draft - Message from Assistant Secretary John Kirby: TEST

Draft test for approval to send to small bullpen list.

---

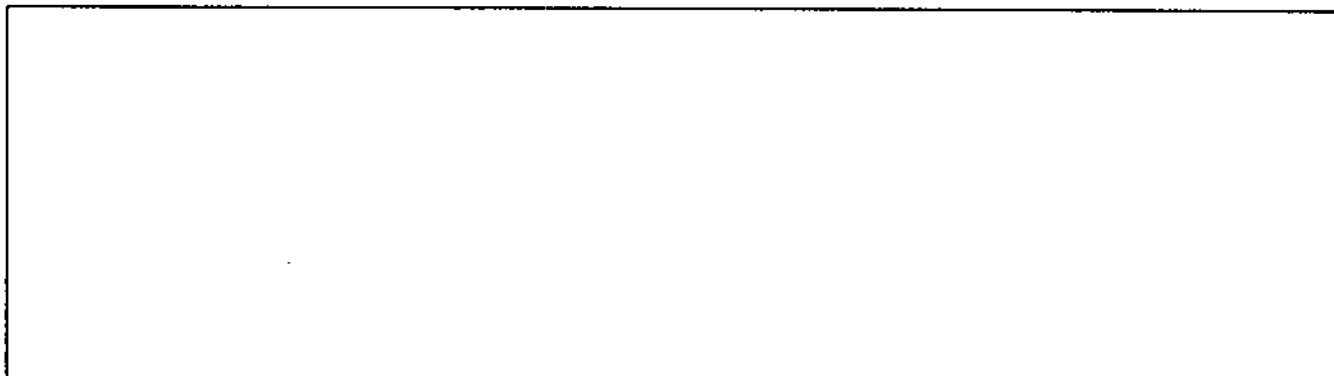
**From:** State Department Press Office [mailto:usstatebpa@subscriptions.fcg.gov]  
**Sent:** Thursday, June 02, 2016 8:30 PM  
**Subject:** Message from Assistant Secretary John Kirby: TEST

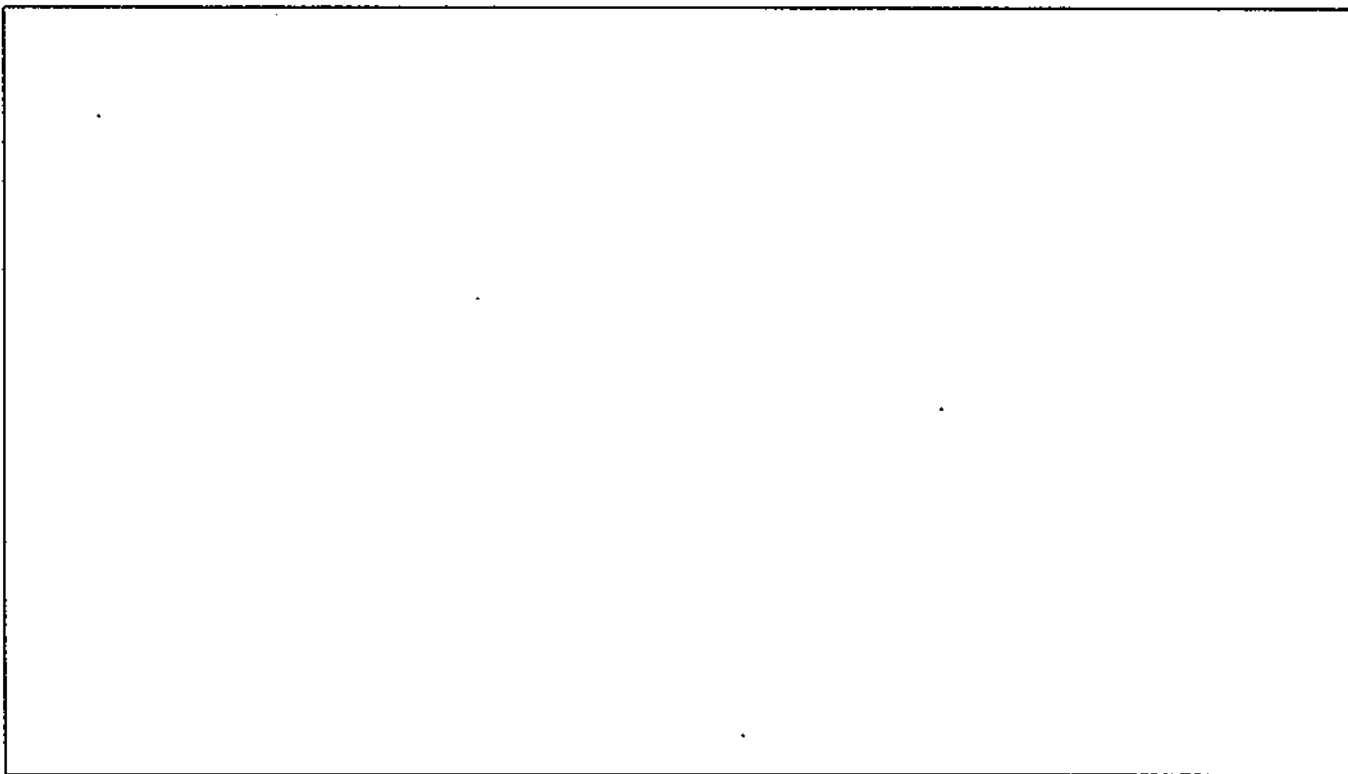
June 2, 2016



Kirby

\*\*\*\*\*Begin Message to Bureau\*\*\*\*\*





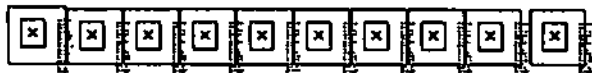
\*\*\*\*\*End Message to Bureau\*\*\*\*\*

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Stay connected with the State Department Office of Press Relations:

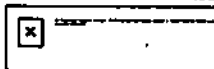


Stay connected with the State Department:



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This email was sent to Email Address using GovDelivery, on behalf of U S Department of State 2201 C Street NW Washington, DC 20520



**Toufanian, Melissa Turley**

---

**From:** Trudeau, Elizabeth K RELEASE IN PART B5  
**Sent:** Saturday, June 04, 2016 8:57 AM  
**To:** Kirby, John; Norton, John (Ryan); Wyatt, Courtni A; Turley, Melissa K  
**Subject:** Kirby-- if asked, Toria wanted to make sure you have these for Q+A

On record to A/S Victoria Nuland:

"When I responded to that question at the podium in February 2013, I had no knowledge of any bilateral talks between the US and Iran. As Spokesperson, I was kept completely in the dark."

If asked,

B5



**Toufanian, Melissa Turley**

**From:** Trudeau, Elizabeth K  
**Sent:** Friday, June 03, 2016 5:55 PM  
**To:** Wyatt, Courtni A; Kirby, John  
**Cc:** Toner, Mark C; Norton, John (Ryan); Starr, Katherine L; Thompson, Nicole A.  
**Subject:** RE: KIRBY/ E+T - [redacted]

**RELEASE IN PART B5**

B5

[redacted] Will be posted only/ note released, entirely on.  
NAT is on it.

B5

**From:** Wyatt, Courtni A  
**Sent:** Friday, June 03, 2016 5:54 PM  
**To:** Kirby, John; Trudeau, Elizabeth K  
**Cc:** Toner, Mark C; Norton, John (Ryan); Starr, Katherine L; Thompson, Nicole A.  
**Subject:** Re: KIRBY/ E+T - [redacted]

B5

**From:** Kirby, John  
**Sent:** Friday, June 3, 2016 11:50 PM  
**To:** Trudeau, Elizabeth K  
**Cc:** Toner, Mark C; Wyatt, Courtni A; Norton, John (Ryan); Starr, Katherine L; Thompson, Nicole A.  
**Subject:** Re: KIRBY/ E+T - [redacted]

B5

Sent from my iPhone

On Jun 3, 2016, at 23:40, Trudeau, Elizabeth K <trudeauek@state.gov> wrote:

[redacted]

B5

Instructions: Please transcribe, circulate, edit and post (on the record portion only)

..

**U.S. DEPARTMENT OF STATE  
Office of the Spokesperson**

**For Immediate Release**

**June 3, 2016**

**REMARKS**

**Secretary of State John Kerry  
Roundtable with Traveling Press**

**June 3, 2016  
Intercontinental Hotel  
Paris, France**

**UNEDITED/DRAFT**

**MR KIRBY:** Because it's been such a long day for everybody, the Secretary doesn't have any kind of opening statements or anything for you, but he's got to get going so we're going to do about 10 minutes here, guys. And we do this on the record, and just go ahead and try and start with questions, okay?

Do you want to lead, Brad?

**QUESTION:** Sure. We haven't had a chance to ask this yet: What's your reaction to Clinton and all her top aides not cooperating with the email review you ordered? Are you disappointed? And then the second part of my question: Would you and your top aides cooperate with any investigations that future secretaries launch, or would you potentially --

**SECRETARY KERRY:** Well, I'm not going to launch -- I'm not going to get into any hypotheticals because our people have fully complied with all of the requirements and everything that we have in email is on the backup, is --

**QUESTION:** I meant about anything.

**SECRETARY KERRY:** Well, obviously, I mean, look, I'm not going to speculate. I don't think we have anything to be concerned about; and if and when something arises, we'll -- I can't imagine, because I think we've been bending over backwards. I am the guy who wrote the letter to the IG to ask for a self-investigation into our own department and asked for all recommendations with respect to how do we make -- improve it, what do we do. Three-quarters of the recommendations they made we had already implemented -- or more. Ninety percent of them we probably implemented before they even made a report. And then we did a couple of other things that were helpful. So I feel very proud of what we have done to be open and accessible and accountable.

**QUESTION:** What about this past secretary --

**SECRETARY KERRY:** And we are accountable.

**QUESTION:** What about her decision? You ordered the review. She didn't cooperate nor did any of her top aides.

**SECRETARY KERRY:** I am not going to get into commenting on something that involves the presidential race and candidates and prior behavior. There are enough investigations and enough open interrogations going on that the -- it just seems to me it's sort of been overdone in so many ways, and we'll just see where it goes. But publicly, we've done everything we can to provide information to people, to release information, to get all the emails out, to accelerate. We cannibalized departments. We brought people in by the dozens in order to accelerate the release of emails. We did it as fast as humanly possible, and tens of thousands of emails were processed and run through other departments, and I think we've done a hell of a good job of trying to be open and accountable.

**QUESTION:** On some other investigations, the House Foreign Affairs Committee today and the House Oversight Committee have called for investigations into the missing portion of the tape on the State Department's website. Do you think there should be a further investigation or that people should be held accountable for this? And do you think that as you travel around the world --

**SECRETARY KERRY:** Well, I'll just begin by saying whatever – I mean, the first I ever heard of it was yesterday or the day before yesterday. It's completely inappropriate by any standards. Inappropriate. And I'm trying to find out more about exactly what happened and – but it's completely also contrary to everything that my tenure at the department has personified. I mean, this guy stands up every day, five days a week usually or at least one of our people are there accountable to you for hours. We stay till the last question is asked.

And what's interesting about that I have learned is the entire transcript continually remained available and posted. It never was changed. The Defense – what's it called?

**MR KIRBY:** Video Information website.

**SECRETARY KERRY:** The Defense Video Information was always available, never was changed. So whatever happened was both clumsy and stupid and inappropriate, and I'm trying to find out more details, period.

**QUESTION:** So can I ask you about the ministerial meeting you've had today?

**SECRETARY KERRY:** Yeah.

**QUESTION:** The final statement mentioned only the prospect of convening an international conference by the end of this year. Would the U.S. encourage this conference to happen?

**SECRETARY KERRY:** I have no idea yet. I mean, it talked about the prospect of it, and I think it's fair to hold open the possibilities. But right now, I think what today emphasized is we need to find some immediate kinds of steps on the ground that will make a difference. We need to work with the parties. Everybody agreed today that you can't impose a solution from outside and you need to have direct negotiations. And I will continue to encourage that. I talk to the prime minister of Israel regularly. I talked to him, I think just literally, yesterday or day before. We've talked regularly, and I will talk to him in the next few days. And I will talk to President Abbas, who I also talk to regularly, and others in the Arab community and else – and the neighbors. And we will continue to work on this very intensely over the course of the next – all the way to the last day that I'm in office.

**QUESTION:** Sir, if I can ask a follow-up on the video questions. Do you want people working for you to tamper with the historical record?

**SECRETARY KERRY:** Of course not. I just said it's inappropriate.

**QUESTION:** If you find out who requested or ordered this, would you want them to continue to work in the Public Affairs --

**SECRETARY KERRY:** I would like to find out exactly what happened and why. And I'm not going to make any comments about – but I said it's a stupid and inappropriate thing to do, and I think that comment summarizes my point of view about it. And I am trying to find out the details of what this was.

**QUESTION:** Do you think the investigation has hit a dead end or a --

**SECRETARY KERRY:** I have no idea yet. I just – as I say, I just learned about this the other day. And I've been asking a lot of questions, and we'll find out where we are.

**QUESTION:** Do you know that you were given the deadline by Wednesday by the chairman of House Government Reform Committee, Jason Chaffetz, to find out who is the person?

**SECRETARY KERRY:** Well, I hope I can find out before Wednesday. (Laughter.) We'll find out – we'll find out as soon as we can, I assure you. But I can't be more emphatic than saying a combination of stupidity and inappropriateness, and it just seems baffling to me given that records are there for everybody to peruse. I don't understand what was in somebody's mind, but until I find out, I'm not going to speculate.

**QUESTION:** Would there be a consequence then?

**SECRETARY KERRY:** I said I'm not going to speculate. I want to find out what happened.

**QUESTION:** What do you make of Bibi's talk about the Arab Peace Initiative, which he kind of blew off when you pushed it a few years back? The API, the Arab Peace Initiative.

**SECRETARY KERRY:** Look --

**QUESTION:** Did you see it as serious or a distraction to some of the other things going on?

**SECRETARY KERRY:** We – I don't know the answer to that. We have to find out what the thoughts are about going forward, then we'll see. I don't know yet.

**QUESTION:** And do you have any indication yet from President Sisi what his plans are? He's been making a lot of – he talked about --

**SECRETARY KERRY:** Yeah, I've talked to President Sisi very directly, and in fact, I hope to be going back to see President Sisi somewhere in the next weeks on a number of topics – that included. But --

**QUESTION:** Can you explain to us some more what --

**SECRETARY KERRY:** No, I think it'd be inappropriate. I think that he's trying to be helpful. He wants to be helpful to the process. He's offered his ability to try to be helpful. And obviously, Egypt is an important player and has an ability to be able to make some difference on all of this.

**MR KIRBY:** We only have time for one more, guys. We've got to get the Secretary --

**QUESTION:** I have one on Syria. There have been massive bombing today on Aleppo. What could be done? Do you plan to call Foreign Minister Lavrov to ask him to use his influence on the regime?

**SECRETARY KERRY:** I have talked to – I talked to Foreign Minister Lavrov today at some length, and we talked very specifically about how to deal with this problem and the cessation and move things forward. We're engaged in some very real discussions right now about how to try to move the process forward. We've had, I think, two or three conversations in the last 10 days – something like that – and I will talk to him very shortly again in order to continue to see where this is heading.

**QUESTION:** Was that on the phone or was it here?

**SECRETARY KERRY:** No, he was – it was on the phone. We had a phone conversation this morning. We had a good – about an hour’s conversation about all of this. It was in-depth, and we are continuing to work on a number of ways to try to strengthen the enforcement and accountability for the cessation. And we have good ideas, but it’s too early.

**QUESTION:** Did you talk about the air drops again?

**SECRETARY KERRY:** We talked about the delivery of humanitarian assistance. The preference is to get it in by ground, and we’re still working on getting it in by ground.

**MR KIRBY:** Okay, guys, that’s going to have to be it for tonight. The Secretary’s got to get going, so thanks.

**QUESTION:** Thank you.

**SECRETARY KERRY:** You got what you need?

**QUESTION:** Yeah, it was good.

**SECRETARY KERRY:** Everybody okay?

**QUESTION:** Thank you.

**SECRETARY KERRY:** I mean, I think the Congress today did exactly what I said to you on the airplane. It was an opportunity to get people together. I had a particularly – it was particularly helpful because I had a chance to meet with the Moroccan prime minister, with the Egyptian prime minister, the Norwegian prime minister, with the EU – Federica, and with the UN Secretary General. So I had a lot of meetings during it which were all very helpful in terms of this topic, and working on the Quartet report – the things we’re doing. So it was a well – it was a day well spent. And then I got to spend about three hours on a video conference with Washington. How’s that? (Laughter.) Fun.

Now, ladies and gentlemen, it is John’s birthday.

(Singing Happy Birthday.)

(Applause.)

**SECRETARY KERRY:** Good stuff, man. Growing old with grace, hey: Speech. Speech. You’ve got to blow it out, man.

**MR KIRBY:** Oh, yeah, that’s right.

**SECRETARY KERRY:** You’ve got to make a wish. You’ve got to know your wish and then you blow it out.

**MR KIRBY:** Okay, I got one. (Laughter.)

**SECRETARY KERRY:** I want another job. That’s his wish.

**QUESTION:** I never want to hear about that tape again.

**SECRETARY KERRY:** Hey, by the way, you mentioned the tape again. Let me just make one comment quickly to all of you on the record.

**MR KIRBY:** You guys can put this on the record.

**QUESTION:** On the record or off the record?

**QUESTION:** Off the record or on the record?

**SECRETARY KERRY:** No, on the record. On the record.

**MR KIRBY:** You can put this on the record.

**SECRETARY KERRY:** I want to put this on the record. I know, because I heard back home, that somebody asked a question about Jen Psaki and her role in this or possible. Jen Psaki was an absolutely superb, beyond any question, straight dealer as spokesperson. And I am convinced and satisfied that Jen Psaki didn't know anything about it, and there's no evidence whatsoever to the effect that somehow she was involved in this. And I'm absolutely – I have total confidence in Jen Psaki and in Jen Psaki's abilities and in her ethics. So there's no question in my mind she didn't even know about this and was as surprised and taken aback as I am. And we think it is as inappropriate as I have said to you. So that I am certain of.

**QUESTION:** Could you say with that level of confidence – could you say that about other officials, like Marie Harf or --

**SECRETARY KERRY:** I have not had a chance to – as I said, I'm not going to go down a list. I'm not going to start playing. But I know about Jen Psaki particularly because that would be the first person one would ask and check out and run the hoops on. But I can tell you that I have – she was a superb spokesperson, is beyond reproach in terms of her approach to these things, her ethics. She's always been up front with people, and I have absolute confidence in Jen Psaki.

But I am trying to find out what happened here, because as I say, it's unacceptable. Not in my – not in the department that I run am I going to have somebody clipping – it's just – you'd think people learn from history, you'd think they learn from just basic common sense. It doesn't make sense particularly since it's remained posted in its full transcript and posted. So I don't know what happened, but I'm going to try and do my due diligence. Okay? Thanks all, appreciate it.

**QUESTION:** Thank you.

**SECRETARY KERRY:** Thank you all, thanks. Happy Birthday.

**MR KIRBY:** Thank you, sir.

###

<Kerry (06-03-2016) TRIP REMARKS at Roundtable with Traveling Press.doc>

**Toufanian, Melissa Turley**

---

**From:** Trudeau, Elizabeth K  
**Sent:** Thursday, June 02, 2016 8:34 PM RELEASE IN PART B5  
**To:** Kirby, John  
**Subject:** KIRBY: Draft - Message from Assistant Secretary John Kirby: TEST

Ok?

---

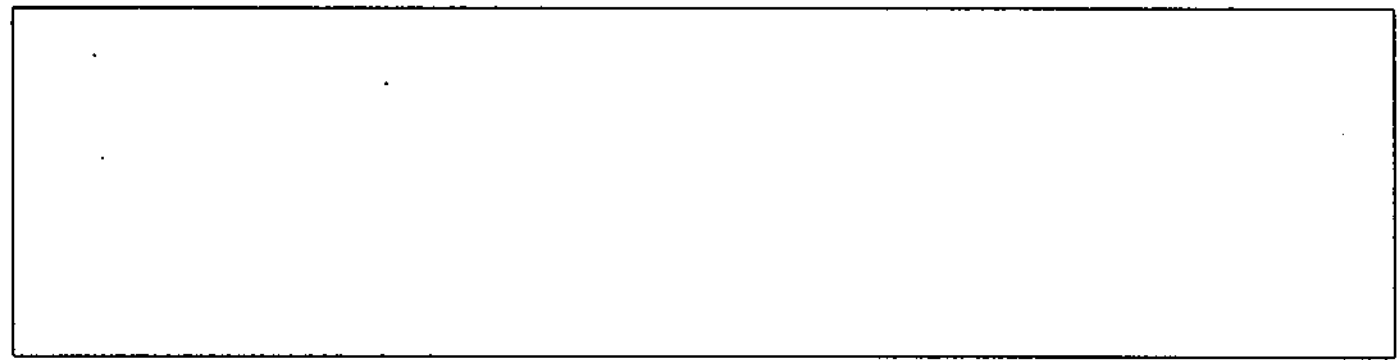
**From:** Tran, Michael J <TranMJ@state.gov>  
**Sent:** Thursday, June 2, 2016 8:33 PM  
**To:** Trudeau, Elizabeth K; Toner, Mark C  
**Cc:** Kirby, John; Stevenson, Susan N  
**Subject:** Draft - Message from Assistant Secretary John Kirby: TEST

Draft test for approval to send to small bullpen list.

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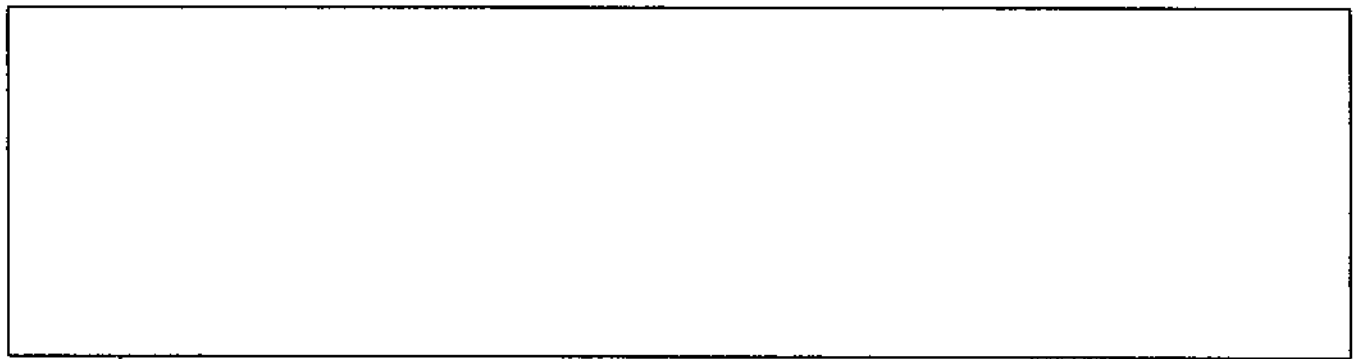
**From:** State Department Press Office [mailto:usstatebpa@subscriptions.fcg.gov]  
**Sent:** Thursday, June 02, 2016 8:30 PM  
**Subject:** Message from Assistant Secretary John Kirby: TEST

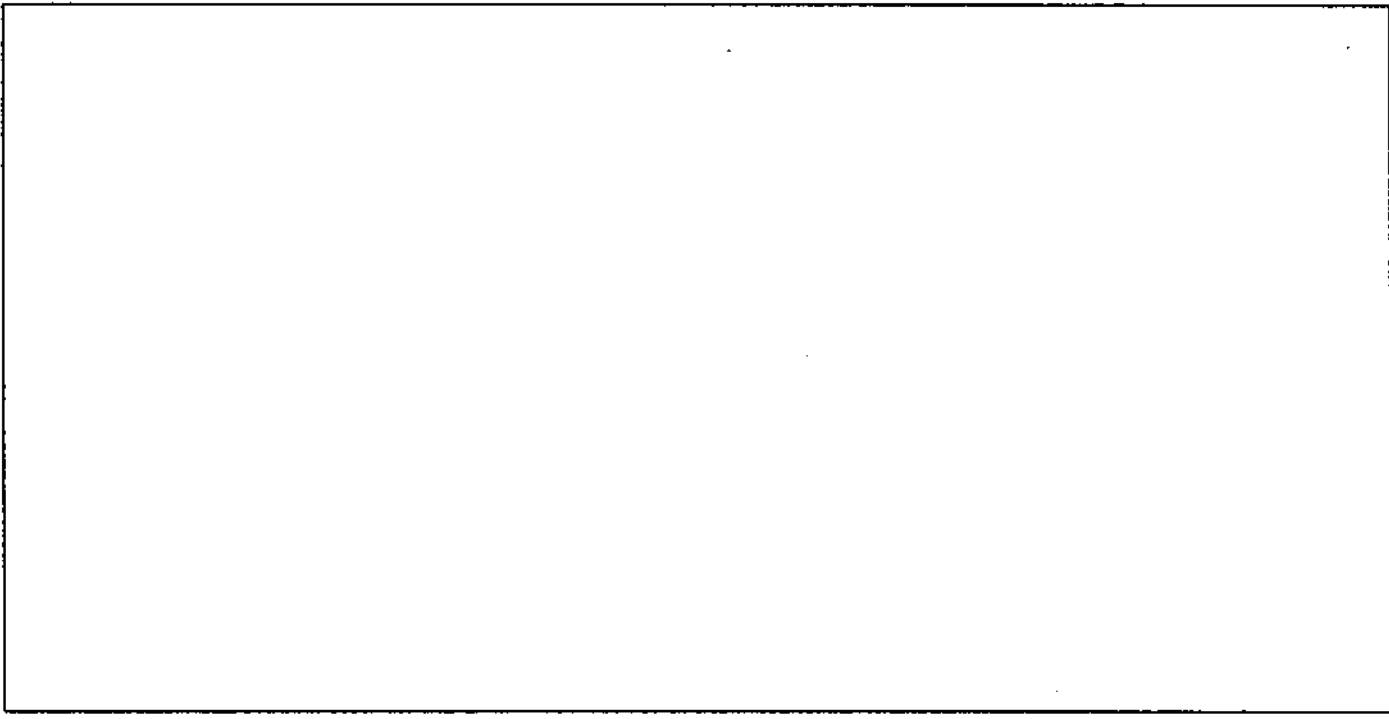
June 2, 2016



Kirby

\*\*\*\*\*Begin Message to Bureau\*\*\*\*\*

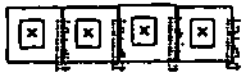




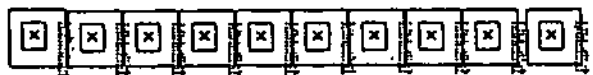
K

\*\*\*\*\*End Message to Bureau\*\*\*\*\*

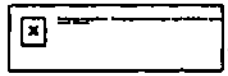
Stay connected with the State Department Office of Press Relations:



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**Toufanian, Melissa Turley**

---

**From:** Toner, Mark C RELEASE IN PART B5  
**Sent:** Thursday, June 02, 2016 12:37 PM  
**To:** Kirby, John; Stevenson, Susan N  
**Cc:** Trudeau, Elizabeth K; Whelan, Moira  
**Subject:** RE: KIRBY: Draft message to the bureau re: policy against altering official records

John

B5

---

**From:** Kirby, John  
**Sent:** Thursday, June 02, 2016 11:15 AM  
**To:** Stevenson, Susan N  
**Cc:** Toner, Mark C; Trudeau, Elizabeth K; Whelan, Moira  
**Subject:** RE: KIRBY: Draft message to the bureau re: policy against altering official records

+ Moira

How's this look?

B5

[Redacted]

B5

K

---

**From:** Stevenson, Susan N  
**Sent:** Wednesday, June 01, 2016 8:34 PM  
**To:** Kirby, John  
**Cc:** Toner, Mark C; Trudeau, Elizabeth K  
**Subject:** KIRBY: Draft message to the bureau re: policy against altering official records

John,

As discussed, a first draft of your "policy" message to the bureau is attached. [Redacted]  
[Redacted] Please edit away.

B5

Susan

Susan N. Stevenson  
Principal Deputy Asst. Secretary  
PA Front Office, Room 6634  
Tel. 202-647-0419  
E-mail: [StevensonSN@state.gov](mailto:StevensonSN@state.gov)

**Toufanian, Melissa Turley**

**From:** Frifield, Julia E RELEASE IN PART B5, B6  
**Sent:** Friday, June 03, 2016 10:24 AM  
**To:** Toner, Mark C; Kirby, John; Beechem, Stephanie; Hickey, Lauren A; Trudeau, Elizabeth K; Schram, Zachary I; Sullivan, Thomas D; Lorman, Amanda L; Finer, Jonathan J; Norris, Ann M; Stout, Jennifer P; Johnston, Amy L  
**Subject:** Re: Letter to Secretary Kerry from Chairman Chaffetz

suggest:

B5

Sent from my BlackBerry 10 smartphone.

---

**From:** Toner, Mark C  
**Sent:** Friday, June 3, 2016 9:26 AM  
**To:** Frifield, Julia E; Kirby, John; Beechem, Stephanie; Hickey, Lauren A; Trudeau, Elizabeth K; Schram, Zachary I; Sullivan, Thomas D; Lorman, Amanda L; Finer, Jonathan J; Norris, Ann M; Stout, Jennifer P; Johnston, Amy L  
**Subject:** RE: Letter to Secretary Kerry from Chairman Chaffetz

Julia – We'll need some lines to address this letter today, along lines of:

B5

Mark

---

**From:** Frifield, Julia E  
**Sent:** Thursday, June 02, 2016 10:16 PM  
**To:** Kirby, John; Toner, Mark C; Beechem, Stephanie; Hickey, Lauren A; Trudeau, Elizabeth K; Schram, Zachary I; Sullivan, Thomas D; Lorman, Amanda L; Finer, Jonathan J; Norris, Ann M; Stout, Jennifer P; Johnston, Amy L  
**Subject:** Fw: Letter to Secretary Kerry from Chairman Chaffetz

Here we go

---

**From:** Hemingway, Jennifer <[Jennifer.Hemingway](mailto:Jennifer.Hemingway)>   
**Sent:** Thursday, June 2, 2016 7:54 PM  
**To:** Frifield, Julia E  
**Cc:** Dockham, Andrew; Arthur, Art; Yi, Sang; Rapallo, Dave  
**Subject:** Letter to Secretary Kerry from Chairman Chaffetz

B6

Julia,

I am attaching a letter to Secretary Kerry from Chairman Chaffetz that requests information by June 8, 2016.

Please acknowledge receipt.

Sincerely,  
Jennifer

**Toufanian, Melissa Turley**

**From:** Trudeau, Elizabeth K  
**Sent:** Friday, June 03, 2016 5:37 PM  
**To:** Nuland, Victoria J; Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H  
**Subject:** RE: me re: iran talks

RELEASE IN PART B5, B6

Got it.

**From:** Nuland, Victoria J  
**Sent:** Friday, June 03, 2016 5:37 PM  
**To:** Trudeau, Elizabeth K; Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H  
**Subject:** RE: me re: iran talks

Yes pls.

**From:** Trudeau, Elizabeth K  
**Sent:** Friday, June 03, 2016 5:36 PM  
**To:** Nuland, Victoria J; Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H  
**Subject:** RE: me re: iran talks

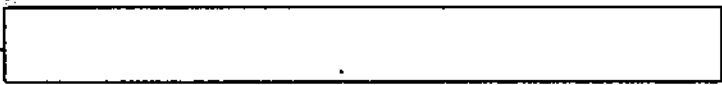
I can take care of this now. As below?

On record to A/S Victoria Nuland:

**When I responded to that question at the podium in February 2013, I had no knowledge of any bilateral talks between the US and Iran. As Spokesperson, I was kept completely in the dark.**

**From:** Nuland, Victoria J  
**Sent:** Friday, June 03, 2016 5:35 PM  
**To:** Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H; Trudeau, Elizabeth K  
**Subject:** RE: me re: iran talks

Judy, PA, pls also push my quote to FOX asap.



B5

**From:** Nuland, Victoria J  
**Sent:** Friday, June 03, 2016 5:00 PM  
**To:** jennifer\_r\_psaki (Redacted) Kirby, John; Toner, Mark C; Finer, Jonathan J; Sullivan, Thomas D  
**Cc:** Kuo, Judy H  
**Subject:** me re: iran talks

B6

Team,

In response to a query from Blitzer, I went on the record today with the following regarding my 2/13 denial as Spox that we were holding bilateral talks with Iran. Pls feel free to use it.



When I responded to that question at the podium in February 2013, I had no knowledge of any bilateral talks between the US and Iran. As Spokesperson, I was kept completely in the dark.

We also cleared the following for PA to use:

[Redacted]

[Redacted]

B5

**Toufanian, Melissa Turley**

---

**From:** Toner, Mark C  
**Sent:** Thursday, June 02, 2016 4:54 PM  
**To:** Kirby, John; Trudeau, Elizabeth K  
**Subject:** Politico on Video

RELEASE IN PART B6

<http://www.politico.com/story/2016/06/paul-ryan-iran-video-editing-223832>

Deputy Spokesperson

(o) 202-647-7192

(c)

B6

**Toufanian, Melissa Turley**

**From:** Toner, Mark C  
**Sent:** Friday, June 03, 2016 1:22 PM  
**To:** Trudeau, Elizabeth K; Kirby, John  
**Cc:** Frifield, Julia E  
**Subject:** RE: Question about S. Kerry

RELEASE IN PART B5,B6

[Redacted]

B5

+ Julia

---

**From:** Trudeau, Elizabeth K  
**Sent:** Friday, June 03, 2016 1:18 PM  
**To:** Kirby, John; Toner, Mark C  
**Subject:** FW: Question about S. Kerry

[Redacted]

---

**From:** Pamela Dockins [mailto:[Redacted]]  
**Sent:** Friday, June 03, 2016 1:17 PM  
**To:** Kirby, John  
**Cc:** PA Press Duty  
**Subject:** Question about S. Kerry

B6

Hi John,

House Oversight and Government Reform committee chairman Jason Chaffetz has given S. Kerry until Wednesday to identify the the person who ordered that video segment from a 2013 State Department briefing to be edited out.

Other lawmakers say the incident shows the Obama administration was deliberately trying to mislead the public about Iran nuclear talks. :

What is Secretary Kerry's response to these accusations and to the letter sent by Chaffetz?

Pam Dockins  
State Department Correspondent  
Voice of America  
State Department: [Redacted]  
Newsroom: [Redacted]

B6  
B6

**Toufanian, Melissa Turley**

**From:** Rosen, James [redacted]  
**Sent:** Friday, June 03, 2016 10:10 AM  
**To:** Kirby, John **RELEASE IN PART B6**  
**Subject:** RE:

B6

Am at my desk.

-----  
James Rosen  
Chief Washington Correspondent  
Host, "The Foxhole"  
Twitter: @JamesRosenFNC

[redacted] (office)  
[redacted] (mobile)  
[redacted]

Author, Cheney One on One

-----Original Message-----

**From:** Kirby, John [<http://redirect.state.sbu/?url=mailto:KirbyJ@state.gov>]  
**Sent:** Friday, June 03, 2016 10:09 AM  
**To:** Rosen, James  
**Subject:** Re:

Ok

Sent from my iPhone

On Jun 3, 2016, at 15:44, Rosen, James

[redacted] wrote:

Sure. Numbers below. Am stuck in traffic at present. Can let you know when I am in my office.

-----  
James Rosen  
Chief Washington Correspondent  
Host, "The Foxhole"  
Twitter: @JamesRosenFNC

[redacted] (office)  
[redacted] (mobile)

[redacted]

B6

Author,  
Cheney One on One

On Jun 3, 2016, at 9:42 AM, Kirby, John  
<[KirbyJ@state.gov](mailto:KirbyJ@state.gov)<<http://redirect.state.sbu/?url=https://urldefense.proofpoint.com/v2/url?u=http->



B6

[Redacted]

[Redacted]

wrote:

How about I call you in a little bit?

Sent from my iPhone

On Jun 3, 2016, at 15:39, Rosen, James

[Redacted]

[Redacted]

wrote:

J., I trust you saw Jen Psaki's comments yesterday -- on the very day you had expressed your "great respect" for me as a reporter. I was really taken aback. When she and Marie were under constant, often sexist, attack, I stood up form both on Twitter, on O'Reilly, on Hoiw Kurtz's MediaBuzz...very disappointing. Yours sincerely, James

B6

James Rosen  
Chief Washington Correspondent  
Host, "The Foxhole"  
Twitter: @JamesRosenFNC

[Redacted]

(office)

(mobile)

[Redacted]

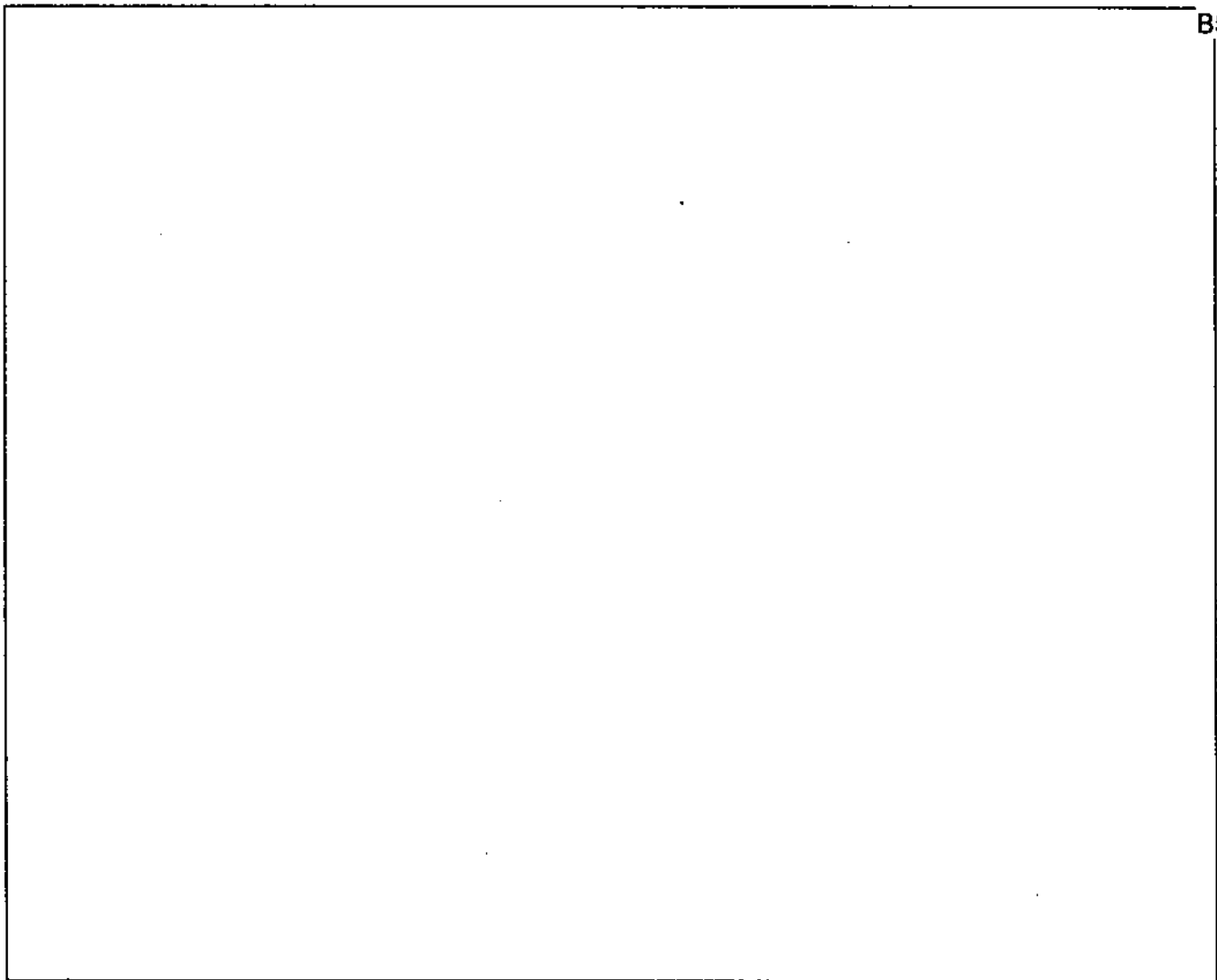
> Author,

Cheney One on One This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

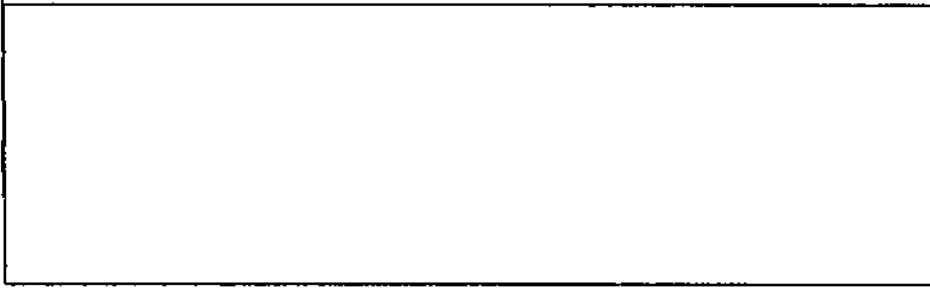
PRIVILEGED & CONFIDENTIAL  
DELIBERATIVE - DRAFT

RELEASE IN PART B5

Dear Mr. Chairman:



B5



**From:** (U) Tubbs, Robert N  
**Sent:** Tuesday, June 21, 2016 3:46 PM  
**To:** Hahs, Ona M; Gardner, Joshua B  
**Cc:** Tubbs, Robert  
**Subject:** FW: Editing policy

**RELEASE IN FULL**

This email is UNCLASSIFIED.

---

**From:** Kirby, John [<mailto:Kirby@state.gov>]  
**Sent:** Thursday, June 02, 2016 7:45 PM  
**To:** PA - All PA Bureau Users-DL  
**Subject:** Editing policy

Colleagues,

As you know, we learned that on at least one occasion this bureau edited a portion of the video of a daily press briefing before posting it to our YouTube channel and the Department's website.

Upon learning of this, I immediately directed the video to be restored in its entirety with the full and complete copy that exists -- and had existed since the day of the briefing -- on the Defense Video and Imagery Distribution System website. I also verified that the full transcript of the briefing, which we also posted on the Department website, was intact and had been so since the date of the briefing.

To my surprise, PA did not have in place any rules governing this type of action. Now we do.

All video and transcripts from daily press briefings will be immediately and permanently uploaded in their entirety on publicly accessible platforms. In the unlikely event that narrow, compelling circumstances require edits to be made, such as the inadvertent release of privacy-protected or classified national security information, they will only be made with the express permission of the Assistant Secretary of State for Public Affairs and with an appropriate level of annotation and disclosure.

This new policy took effect yesterday. And I have tasked Susan Stevenson to lead an effort to create new language for the Foreign Affairs Manual to institutionalize this approach.

I know you share my commitment to transparency, disclosure and accountability. While the actions taken in relation to the editing of this video broke no protocol -- since none existed -- they clearly were not the appropriate steps to take.

I ask for your help going forward in ensuring that the content of any video or transcript from daily press briefings is not edited or altered in any way without my specific permission.

Thanks for all your hard work and dedication. We're a great team with a great mission.

K

Sent from my iPad