

# THE FACTS BEHIND THE WHITE HOUSE EMAIL SCANDALS

- **There are *two separate* email scandals:**

- Top White House officials' use of RNC email accounts and RNC destruction of those emails and
- Five million EOP emails missing from White House (EOP) server from period 3/03 to 10/05

- **RNC Email Scandal:**

- Top White House officials, including Karl Rove, used RNC and other outside email accounts to conduct White House business
- Those officials took no steps to ensure that the emails were preserved, as the Presidential Records Act requires
- Emails show that officials were aware that if they used outside email accounts, their email messages would not be preserved
- Even though DOJ sent White House a preservation request for records related to CIA leak investigation in September 2003, RNC continued to purge all emails every 30 days until August 2004

- **White House Email Scandal:**

- In late 2001 or early 2002, Bush administration discontinued automatic email archiving/preservation system put in place by Clinton administration (ARMS)
- Bush administration failed to put another system in place that would appropriately and effectively save email records in a records management system
- Instead, Bush administration extracts email messages from the EOP server and stores them in files on a file server
- There are no effective internal controls on this system to ensure complete set of messages; messages can be modified or deleted
- In October 2005, White House discovered emails were missing from this system, briefing White House Counsel (Harriet Miers) on the problem as well as Special Counsel Patrick Fitzgerald's staff

- EOP's Office of Administration (OA) did independent analysis to determine extent of missing email problem – found hundreds of days of email missing between March 2003 and October 2005, for a rough total estimate of five million missing emails
- White House Counsel was briefed on this and given plan of action to recover missing emails
- White House never implemented plan to recover missing emails (even in face of preservation order from DOJ)
- White House has still not put effective email archiving system in place, even though it knows current system is not effective and has led to at least five million missing emails
  
- **Bush administration is still not telling the truth**
  - Dana Perino has said problem with EOP server occurred when White House switched from Lotus Notes to Microsoft Outlook – this is untrue; emails are missing for a 2½ year period starting in March 2003 and ending in October 2005
  - Dana Perino has said no intentional loss of any document – but by October 2005, White House knew system wasn't working and knowingly and willfully refused to implement plan to recover five million emails missing from EOP server, instead leaving in place a system that does not work
  - Dana Perino has said system set up to comply with Presidential Records Act by automatically preserving EOP emails – but White House is using system that doesn't effectively preserve email and that doesn't comply with archiving standards (see 36 C.F.R. Part 1234 – guidance for preserving email under Federal Records Act) and doesn't work (e.g. five million missing emails)