

# The Washington Post

## The basics of Hillary Clinton's ongoing e-mail troubles

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*This story has been revised.*

Hillary Clinton has been talking about her private email server for a long time. When a reporter asked Democratic presidential candidate Hillary Clinton about the story's staying power as she walked away from a news conference in August 2015, the politician threw up her hands.

"Nobody talks to me about it other than you guys," she replied.

But a year later — and with just over three months until the election — Clinton is still being asked questions about her decision to use a personal email account for work during her tenure as secretary of state.

On Monday, a lawsuit from a conservative group revealed new email exchanges concerning the Clinton Foundation and State Department access and put pressure on the State Department to quickly review an unreleased trove of nearly 15,000 documents.

Here's what you need to know about the issue.

### **I'm behind. What are the basics here?**

Clinton's camp set up a private email server in early 2009, shortly before she became secretary of state in the Obama administration. She used it for both work and personal emails through the end of her tenure at the department in 2013.

That became a big deal as Republican members of Congress started investigating the 2012 attack on an American diplomatic compound in Benghazi, Libya. In part because the State Department realized it didn't have copies of Clinton's emails to comply with requests related to that investigation, the agency asked previous secretaries to turn over their email archives in late 2014.

Clinton's team handed over about 30,000 work-related emails — but later said they had deleted over 30,000 messages deemed personal. Then in March, the New York Times broke the news that Clinton had exclusively used her private email account for work messages while at the State Department.

There was an almost immediate backlash, and the government went through the emails Clinton had turned over. It withheld or redacted some messages found to contain classified information, but the vast majority of the emails were released in batches starting in May 2015. The last batch was released in February.

### **But there are more coming out?**

Yes. On Monday, conservative group Judicial Watch released 725 pages of emails from a top Clinton aide, Huma Abedin, that were obtained through one of its several Freedom of Information Act lawsuits against the State Department concerning Clinton's time at the agency.

According to Judicial Watch, the cache includes 20 exchanges with Clinton that were not among the correspondence the former secretary handed over to the State Department. The emails also appear to show how Clinton Foundation donors used their connections with the charity to try to get access to Clinton's State Department.

The same day, the federal judge overseeing Judicial Watch's lawsuits ordered the State Department to review nearly 15,000 new emails and documents uncovered by the FBI's investigation into the private server and come up with a timeline for their potential release. The earliest such release is expected in mid-October.

### **Wait, is Clinton in criminal trouble?**

No. After a year-long investigation, FBI Director James B. Comey announced last month that he was recommending against criminal charges. However, he did say Clinton and her team "were extremely careless in their handling of very sensitive, highly classified information."

### **So using a private account was bad security?**

That's the consensus, yes. Comey blasted Clinton for letting classified information end up on servers "not even supported by full-time security staff, like those found at Departments and Agencies of the U.S. Government — or even with a commercial service like Gmail."

Although the FBI did not find "direct evidence" that Clinton's email had been hacked, Comey said that it would be practically impossible to know if the system was breached given the sophistication of the attackers who may have targeted it.

### **So why did Clinton do it?**

Convenience, according to Clinton. "I opted for convenience to use my personal email account, which was allowed by the State Department, because I thought it would be easier to carry just one device for my work and for my personal emails instead of two," she said in a March 2015 news conference.

But not everyone accepts that explanation. "I don't think anyone buys the idea that she set up a private server for 'convenience' rather than to retain control over correspondence legally subject

to Freedom of Information requests," Julian Sanchez, a senior fellow at the Cato Institute, recently told The Washington Post.