

THE FED PAGE



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IN THE LOOP

Doesn't 'Gmail' mean . . . ?

House Oversight and Government Reform Committee members, at a hearing Wednesday, railed against the head of the Chemical Safety Board (CSB), who had used personal e-mails to evade public records disclosure rules, and called for him to resign immediately.

The timing of the hearing is of particular fascination given the focus on former secretary of state **Hillary Clinton's** use of private e-mail accounts instead of a government account to do official work.

"There is something rotten to its core, and it is you," Chairman **Jason Chaffetz** (R-Utah) said to CSB Chairman **Rafael Moure-Eraso**.

An Environmental Protection Agency inspector general's report concluded that Moure-Eraso, whose independent board has been accused of management failures, had purposely moved conversations to his personal e-mail account so they wouldn't be preserved on government servers.

Talking about the Clinton issue Tuesday, Chaffetz pointed to the hearing as an example that the committee takes "violations of the Federal Records Act within federal agencies . . . very seriously."

A tough line of questioning on the use of personal e-mails came from Rep. **Trey Gowdy** (R-S.C.), who also chairs the Select Committee on Benghazi, which, our colleague **Carol Leonnig** reports, is going to subpoena Clinton's private e-mails.

Moure-Eraso defended himself, saying he believed it was normal and customary for people to use Gmail accounts for some correspondence.

But the EPA inspector general said that Moure-Eraso and two other officials were deliberately using private e-mail to discuss matters related to a separate investigation to keep those conversations off the government servers. That was a violation of the Federal Records Act, because they did not submit those e-mails to the official record to make them subject to the Freedom of Information Act.

Specific rules on officials' use of private e-mails did not go into effect until August 2013, Tom Blanton, director of the National Security Archive, told the Loop on Wednesday. But the Federal Records Act does require agency heads to maintain records of offi-

cial business.

And that is where Clinton could as well be found to have violated the law because she kept official business correspondence outside the official record, he said.

But, Blanton said, when the Benghazi investigators asked, she did turn over 55,000 of her e-mails.

Does the State Department inspector general have any plans to investigate whether Clinton broke the law while she was secretary? A spokesman said there weren't any.