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### 3 Federal Laws Hillary May Have Violated By Using Personal Email Accounts for State Business

BY LARRY O'CONNOR ([HTTP://WWW.IJREVIEW.COM/AUTHOR/LARRY/](http://www.ijreview.com/author/larry/)) (1 YEAR AGO)

I HAVE A COPY OF: THE CONSTITUTION OF THE UNITED STATES, WHERE DOES IT SAY ANYONE "CHARGED WITH A FELONY" CAN RUN FOR THE OFFICE OF PRESIDENT?



"WHY" HASN'T HILLARY CLINTON BEEN TO TRIAL ON "FELONY CHARGES"?

Sincerely,

*Larry W. Long*

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"PLEASE REPLY"

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Supporters of Hillary Clinton continue

(<http://www.nytimes.com/2015/03/05/us/politics/hillary-clinton-emails-catches-democrats-off-guards.html>) to ask the equivalent of 'What difference does it make?' with regard to the former Secretary of State's use of a personal email account to conduct official State Department business.

Meanwhile, many investigative reporters are combing through federal rules and regulations to discover what criminal charges

(<http://insider.foxnews.com/2015/03/05/what-charges-could-hillary-clinton-face-over-her-private-emails>) Clinton could face for her actions.



(<http://www.ijreview.com>)

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Here are the three most frequently cited laws that appear to have been violated by Clinton:



ORIES)

## 1. Mishandling Classified Information

Executive Order 13526 (<http://www.whitehouse.gov/the-press-office/executive-order-classified-national-security-information>) and 18 U.S.C Sec. 793(f) (<https://www.law.cornell.edu/uscode/text/18/793>) of the federal code make it unlawful to send or store classified information on personal email. Casey Harper at The Daily Caller (<http://dailycaller.com/2015/03/04/hillary-could-be-prosecuted-for-sending-classified-information-through-her-private-email/>) delved into this angle:

*“By using a private email system, Secretary Clinton violated the Federal Records Act and the State Department’s Foreign Affairs Manual regarding records management, and worse, could have left classified and top secret documents vulnerable to cyber attack,” Cause of Action Executive Director Dan Epstein said in an email to reporters.*

*“This is an egregious violation of the law, and if it were anyone else, they could be facing fines and criminal prosecution.”*

Harper goes on to point out that multiple violations of this law have been enforced recently, including in 1999, when former CIA Director John M. Deutch's security clearance was suspended for using his personal email to send classified information. (<http://www.ijreview.com>) 615  

Additionally, this past week, Gen. David Petraeus pleaded guilty ORIGINAL (<http://www.ijreview.com/2015/03/262355-former-cia-director-gen-david-petraeus-agrees-plea-deal-mishandling-classified-docs/>) for mishandling ORIGINAL classified information by using a Gmail account instead of his official government email.

## 2. Violation of The 2009 Federal Records Act

Section 1236.22 (<http://www.politico.com/blogs/media/2015/03/pushback-on-hillary-emails-falls-short-203418.html>) of the 2009 National Archives and Records Administration (NARA) requirements states that:

***“Agencies that allow employees to send and receive official electronic mail messages using a system not operated by the agency must ensure that Federal records sent or received on such systems are preserved in the appropriate agency record keeping system.”***

According to the original story on Clinton's emails published ([http://www.nytimes.com/2015/03/04/us/politics/using-private-email-hillary-clinton-thwarted-record-requests.html?\\_r=0](http://www.nytimes.com/2015/03/04/us/politics/using-private-email-hillary-clinton-thwarted-record-requests.html?_r=0)) in The New York Times:

*“Federal regulations, since 2009, have required that all emails be preserved as part of an agency’s record-keeping system. In Mrs. Clinton’s case, her emails were kept on her personal account and her staff took no steps to have them preserved as part of State Department record.*

*In response to a State Department request, Mrs. Clinton’s advisers, late last year, reviewed her account and decided which emails to turn over to the State Department.”*

The fact that the State Department combs through the 55,000 pages (<http://www.reuters.com/article/2015/03/05/us-usa-politics-clinton-emails-idUSKBN0M10BX20150305>) of emails sent on Clinton’s private email account seems to verify that at least some of the emails Clinton sent contained classified information.

### **3. Violation of the Freedom Of Information Act (FOIA)**

Veterans for a Strong America has filed a lawsuit against the State Department over potential violations of FOIA. Joel Arends, chairman of the non-profit group, explained to the Washington Examiner (<http://www.washingtonexaminer.com/vets-group-to-sue-state-department-for-ignoring-clinton-email-telephone-log-foia/article/2561066>) that their FOIA request over the Benghazi affair specifically asked for any personal email accounts Secretary Clinton may have used:

*“At this point in time, I think we’re the only ones that specifically asked for both her personal and government email and phone logs,’ Arends said of his group’s Benghazi-related request.”*