

THE LATEST PLOY TO AVOID FEDERAL AND PRESIDENTIAL RECORDS ACT, FOIA

As if the AP and the Administration weren't already enjoying a contentious relationship, today it details the Administration's use of second, secret emails.

Some of President Barack Obama's political appointees, including the secretary for Health and Human Services, are using secret government email accounts they say are necessary to prevent their inboxes from being overwhelmed with unwanted messages, according to a review by The Associated Press.

The scope of using the secret accounts across government remains a mystery: Most U.S. agencies have failed to turn over lists of political appointees' email addresses, which the AP sought under the Freedom of Information Act more than three months ago. The Labor Department initially asked the AP to pay more than \$1 million for its email addresses.

[snip]

Google can't find any reference on the Internet to the secret address for HHS Secretary Kathleen Sebelius. Congressional oversight committees told the AP they were unfamiliar with the non-public government addresses identified so far by the AP.

Ten agencies have not yet turned over lists of email addresses, including the Environmental Protection Agency; the Pentagon; and the departments of

Veterans Affairs, Transportation, Treasury, Justice, Housing and Urban Development, Homeland Security, Commerce and Agriculture. All have said they are working on a response to the AP.

Now, the Administration claims people are doing this just to cut down on clutter in their email boxes. But thus far, it appears that the second emails aren't being turned over under FOIAs or, if they are, aren't being identified as belonging to the principal.

And so we move into another chapter of the Executive Branch hiding or deleting emails to avoid transparency, which of course goes back to Poppy Bush's efforts to hide PROFS notes as part of the Iran-Contra coverup. The National Security Archive's timeline, of course, misses the several efforts under the Bush Administration to either delete massive amounts of emails, particularly those from sensitive days of the CIA Leak Investigation, and the political staff's use of RNC email addresses to take emails entirely out of Presidential Records Act retention.

This is getting tiresome: we're going on 5 presidential administrations now that have played games with emails, a tedious series of efforts to avoid transparency.

Maybe it's time for Congress to put some real teeth onto laws requiring the President to retain such records?