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Henry A. Kissinger Collection
Status and Summary of Engagement (internal)
June 4, 2012

10/27/11

- 1:45pm Pre-brief for the Secretary regarding Henry A. Kissinger (HAK) Collection at Library of Congress. Pat Kennedy (M), Cheryl Mills (C), Peggy Grafeld, Josh Dorosin, and Mary McLeod brief the Secretary.
- 2:00pm The Secretary meets with HAK; M, C, Peggy Grafeld, Josh Dorosin, and Mary McLeod are present.

11/2/11

- 5:27pm Peggy emails Dr. James Levinsohn (Director of the Jackson Institute for Global Affairs at Yale University) to discuss the HAK collection.
- 10:23pm Dr. James Levinsohn responds to Peggy's email and identifies Edward (Ted) Wittenstein (Assistant to the President of Yale) as the point of contact for this effort.

11/3/11

- 7:22am Peggy emails Jim and Ted; proposes a call with Ted on the following day (11/4/11).
- 3:25pm M emails Peggy, Josh, and Mary McLeod because he received a call from Jeff Smith (Attorney at Arnold and Porter who represents HAK; former State Department attorney in L). M briefs Jeff on the HAK collection.
- 3:30pm (est) Peggy speaks with Jeff Smith regarding the way forward.
- 3:59pm Peggy emails M with an update on her call with Jeff. Peggy will contact the National Archives and Records Administration (NARA) to discuss options to assist Yale with its research at NARA.
- 4:30pm Jeff Smith emails Dorothy Robinson (Office of the Vice President and General Counsel at Yale University) and provides Peggy's contact information. Included in that email are Christine Weideman (Yale), William Massa (Yale), Ted Wittenstein (Yale), Philippe Oudinot (Arnold and Porter), and Ambassador R.N. Viets. Peggy is bcc'ed.
- 9:53pm Ted emails Peggy and suggests that Chris Weideman should participate in the call between Peggy and Ted.
- 10:34pm Peggy responds to Ted and suggests a call the next day (11/4/11).
- 11:31pm Peggy emails William (Jay) Bosanko (Executive for Agency Services at NARA) to share that State would like to work with NARA to facilitate a team from Yale in making copies of HAK collection at NARA.
- 11:39pm Jay (NARA) responds to Peggy; NARA will be in touch.

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11:40pm Ted responds to Peggy and suggests a call between 4pm and 5pm the following day (11/4/11).

11/4/11

12:18am Peggy responds to Ted and accepts the proposed call time.
9:35am Ted provides his cell phone number to Peggy for the call.
4:00pm Peggy and Ted have a meeting (call) to discuss the HAK project at Yale. Ted explains that Yale wants to create a new collect at the University and there is a deed of gift to Yale.

11/5/11

11:24am Peggy emails M and Josh to brief them about her call with Ted.

11/6/11

8:53am M emails Peggy and Josh to ask if they need anything for their meeting with Yale.

11/8/11

5:44pm Jeff emails Peggy (cc: Dorothy Robinson and Ted) to begin effort to schedule 11/16/11 meeting with State, Yale, and Arnold and Porter.

11/10/11

11:11am Peggy replies to Jeff (cc: Dorothy, Ted, and Josh Dorosin) and schedules the meeting for 11/16/11 from 2pm to 4pm.

11/11/11

9:40am Philippe Oudinot (Arnold and Porter) emails Peggy (cc: Jeff) to request a copy of the email that she sent to Jeff the previous day.
11:09am Peggy forwards the requested email to Philippe (cc: Jeff).
1:15pm Philippe emails Peggy (cc: Jeff, Dorothy, and Ted) to say thanks.

11/13/11

11:38pm Dorothy emails Peggy and Philippe (cc: Jeff and Ted) to request that the 11/16/11 meeting be moved to 1:30pm (instead of 2pm).

11/14/11

8:26am Jeff replies to Dorothy, Philippe, and Peggy; 1:30pm works for Arnold and Porter.

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9:28am Peggy responds to the email sent at 8:26am; 1:30pm works for State as well. Josh is included on this message.

11/15/11

12:22pm Jeff emails Peggy. Yale is reluctant to provide a copy of the HAK-Yale agreement to State.

12:37pm Peggy responds to Jeff's email.

4:06pm Jeff says that he will bring a copy of the HAK-Yale agreement to the meeting on the following day (11/16/11) and will determine what he can share with State.

4:37pm Peggy replies and says thank you.

5:41pm Jeff replies to Peggy. Jeff spoke to Dorothy (Yale) who wants to make sure that the meeting is productive. Provisions in the HAK-Yale agreement are shared which include: (1) the donation of his papers from his private life, before and after government service (2) creation of the Center for the Study of American Diplomacy at Yale, with his papers as the foundation documents, (3) establishment of Kissinger Fellows and Kissinger Scholars at Yale, (4) an annual Kissinger conference and lecture, and (4) establishment of an Advisory Board to assist the Center in the administration of these programs.

7:03pm Peggy emails Jeff to advise that State looks forward to a productive meeting and notes that Yale using the HAK files at the Library of Congress (LOC) covering his tenure as SecState is a non-starter because the copies of State records at the LOC are still classified. The original State records covering HAK's tenure as SecState have been reviewed and transferred to the National Archives (NARA); 90 percent of them have been declassified and are available to the public either in paper at NARA or online via the internet. Using the State records at the LOC would require a redundant review effort of these records, 90% of which are declassified and already accessible for research. The State Department has consistently advised HAK that the declassified State records already at NARA should be leveraged for HAK's purposes both at Yale and the LOC.

11/16/11

8:29am Jeff emails Peggy (cc: Josh). He and the Yale representatives will meet with the Library of Congress prior to the State meeting.

2:00pm State, Yale, and Arnold and Porter meet at State. Attendees include Peggy, Josh, Eric Stein (Peggy's staff), Jeff, Philippe, Dorothy, and Ted. The various HAK files are discussed. State demonstrated to the meeting participants that 185,000 of the 200,000 HAK files are already available online through the State Department and NARA websites or in paper form at NARA. State suggested various ways that it could assist HAK and Yale, including State working with the Yale archivist to have publicly available electronic declassified records put in a format desired by Yale; providing copies memoranda of conversations (MemCons) which have not yet been sent to NARA; and facilitating Yale's access and copying of

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declassified paper records at NARA by coordinating with NARA and Yale. Meeting concludes; Yale will need to decide how to follow up on State's offer. (Note: The entire collection of State Department paper records directly related to HAK's actions as SecState – over 200,000 pages – have been transferred to NARA. More than 185,000 pages are fully declassified, with the remainder withheld primarily for other agencies' equities. The State documents at the LOC are copies of these records, unless HAK has added materials not formerly in State files.)

11/18/11

10:35am Jeff emails Peggy (cc: Josh, Philippe). Jeff plans to contact the National Declassification Center to obtain a better understanding of the Remote Archive Capture (RAC) tool. He notes that Yale will need to determine how to best allocate their time and money.

11/21/11

10:09am Peggy emails Jeff following up on the 11/18/11 message and action items for Jeff and Yale.

12/16/11

4:55pm Peggy emails Jeff requesting status update of his and Yale's pending action items, forwarding the message from 11/21/11.

4:57pm Peggy emails Josh to alert him that M has requested an update for S on the HAK effort.

12/20/11

5:27pm Peggy and Josh send updating HAK talking points to M.

1/27/12

3:23pm Jeff emails Peggy and requests to talk.

1/31/12

5:00pm (est) M requests that Peggy prepare a tick tock.

5:15pm (est) Peggy calls Jeff and discusses current state of play reiterating offer for Yale to copy declassified materials at NARA and State position to not undertake second review of material for RAC. Also suggested the HAK material on RAC has not yet been made available to State reviewers.

2/1/12

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- 7:06am Nadia Nowytski (Jeff's Assistant) forwards to Peggy a breakdown of the content found in the RAC. The chart is from Nancy Smith at NARA.
- 2:25pm Jeff emails Peggy. He shared the information from their 1/31/11 call with HAK. The National Declassification Center (NDC) has not referred 259,402 pages of content from the RAC to State. Jeff has not yet called NARA or the NDC but agrees that a meeting with all government agencies involved may be productive and offered to host it. State reiterated the need to ensure HAK is aware that State materials at LOC are duplicates of those at NARA.
- 5:30pm M meeting with Peggy, Sheryl Walter, Josh, and Richard Visek (L).
- 3/5/12
- 9:30am Peggy received from NARA a copy of the Deed of Gift for Donation of Historical Materials, which provided to NARA (via the RAC) electronic copies of the LOC HAK records.
- 4:53pm Peggy and Josh Dorosin (L/M) contact NARA, schedule a teleconference for the following day to discuss the RAC priorities and whether any HAK materials from the LOC are RAC priorities.
- 3/6/12
- 2:00pm Peggy and Josh participate in a call with NARA to initiate discussions for a way forward.
- 3/7/12
- 12:49pm Peggy emails M with additional background information explaining how the HAK records arrived at the LOC.
- 3/12/12
- 7:43am Peggy emails Jeff Smith to let Jeff know that State and NARA have options.
8:55am Jeff replies via email to Peggy to say thanks for the update.
- 3/15/12
- 5:39pm Peggy emails Jeff Smith to continue the discussion about the records at NARA and the LOC.
- 3/21/12
- 7:06am State, via the National Declassification Center (NDC), received a letter from the CIA advising that HAK records had been referred to the State Department for review.
- 3/26/12

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5:42pm Peggy emails Jeff Smith and provides verification of the product of State's declassification review effort and availability of records to the public in the form of links to the NARA and State web sites, the former providing inventories of records covering HAK's tenure as SecState, and the latter posting more than 9000 pages of the full texts of the telephone transcripts.

5:54pm Jeff Smith replies to Peggy's email and says thank you.

3/27/12

8:44am Jeff Smith emails Peggy and asks about the Department's policies on charging to copy documents as well as whether there is a charge to review documents for declassification.

8:50am Peggy provides Jeff Smith with the fee schedule and the Freedom of Information Act regulations.

8:53am Jeff Smith replies via email and says thanks.

Between 3/27/12 and 4/4/12

SecState receives a letter from HAK

4/4/12

5:00pm (est) M requests from Peggy information for a response to the HAK letter

4/6/12

4:27pm Peggy sends a draft response letter to M.

4/12/12

2:19pm Peggy makes edits to draft response letter to HAK.

5:02pm Josh Dorosin (L/M) makes further edits to the draft response letter to HAK; letter submitted to M.

4/13/12

8:30am (est) Peggy informed that HAK State documents are not even on the list of documents to be reviewed on the RAC; this priority list is set by the NARA's Presidential Libraries.

4/23/12

9:33am Jeff Smith emails Peggy and requests to set up a call.

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10:00am Peggy and Jeff Smith talk. Jeff Smith owes HAK a memo by COB on 4/24/12; he advises that this memo is drafted to update HAK on the status of the LOC collection.

4/24/12

5:45pm Peggy and Josh Dorosin (L/M) speak to Jeff Smith. The discussion focuses on guidance State has previously shared: that State's documents have been reviewed and are available at NARA, either online or in paper form. State reaffirms that it does not have any role in setting the prioritization for declassification review on the RAC (NARA's Presidential Libraries determines this priority list).

4/26/12

5:37pm Peggy and Jeff Smith speak about the outcome of Jeff's meeting and HAK's continued concern that State has not reviewed the LOC documents on the RAC.

DRAFT

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