

Hillary Clinton's IT Contractor Is Back in the News Again

Hillary Clinton's IT contractor, Platte River Networks, is back in the news again, and it's really bad news, both for the former secretary of state and for Platte River Networks' CEO, Treve Suazo.

The House Committee on Science, Space and Technology has issued a criminal referral to Attorney General Jeff Sessions, alleging failure to produce documents and information demanded in Aug. 23 and Sept. 16 subpoenas, making false statements regarding not having custody or control of responsive documents and obstructing the committee's investigation. This stems from a committee hearing held in January of 2016 titled "Cybersecurity: What the Federal Government Can Learn from the Private Sector."

At that hearing, industry experts raised concerns regarding the precautions taken to secure the Clinton private server and legality of such an email arrangement.

The Science, Space and Technology Committee has direct jurisdiction over the National Institute of Standards and Technology, which sets standards pursuant to the Federal Information Security Modernization Act of 2014. With jurisdiction over the nation's cybersecurity standards, the committee issued its subpoenas because Clinton chose to forego Department of State computer systems, which would have strictly complied with FISMA standards.

Based on the January 2016 testimony, the committee launched an investigation to determine whether the level of security of Clinton's private server and email account was comparable to the cybersecurity standards prescribed by NIST and FISMA. The

following is the timeline of requests and subpoenas directed to Platte River Networks:

- Jan. 14, 2016 – the committee wrote Platte River Networks, Datto and SECNAP, all companies that played a role in securing data stored on Clinton's private server, requesting their assistance in understanding the work each company performed to secure the server, and whether it was performed in accordance with the NIST Framework.
- July 12, 2016 – Senate Homeland Security and Governmental Affairs Committee Chairman Ron Johnson (R-Wis.) and House Science, Space and Technology Committee Chairman Lamar Smith (R-Texas), together, wrote to Suazo, reiterating the Jan. 14 request for documents and additionally requested transcribed interviews of seven Platte River Network employees.
- Aug. 23, 2016 – Smith wrote a formal demand, known as a *subpoena duces tecum*, ordering Suazo to appear before the committee and to produce the requested documents. The committee has determined his attorneys deliberately misinterpreted the language of the subpoena. At this time, the committee began receiving responsive materials from Datto that showed it was regularly communicating with Platte River Networks regarding the status of Clinton server backups, and that Platte River Networks was purposefully withholding documents and other materials responsive to the committee's subpoenas.
- Sept. 16, 2016 – Smith issued a *second subpoena duces tecum* to Suazo.
- Sept. 28, 2016 – the committee again wrote to Suazo's attorneys, reiterating its demand for the subpoenaed documents.

After announcing the criminal referral, Smith issued the following statement:

Failure to comply with duly issued subpoenas and obstruction

of a congressional investigation will not be tolerated. As a result, the Committee is referring Mr. Treve Suazo, CEO of Platte River Networks, to the Department of Justice for prosecution under federal laws pertaining to failing to produce subpoenaed documents, making false statements to Congress regarding possession of documents and obstructing Congress. Platte River Networks, a company hired by former Secretary Hillary Clinton, has deliberately withheld requested materials from the Committee and refused to comply with lawfully issued subpoenas. With a new administration in place, I am hopeful that the Department of Justice will appropriately respond to the referral. We cannot allow companies with valuable information to stonewall us in our oversight efforts.

But it's only getting worse from there. Judicial Watch released its own statement that a federal grand jury granted the FBI subpoenas to investigate Clinton's email accounts. The revelation flies in the face of repeated claims that she was not the focus of a criminal investigation during the 2016 presidential election.

The government watchdog group has sued the Department of State, demanding Secretary of State Rex Tillerson conduct a "damage assessment" of Clinton's private, unsecured email server, as required by the Federal Records Act. FBI Special Agent E.W. Priestap, the supervisor of the agency's investigation into Hillary Clinton's email activities, issued the following statement as part of the government's declaration in the case:

The FBI obtained grand jury subpoenas related to the Blackberry e-mail accounts, which produced no responsive materials, as the requested data was outside the retention time utilized by those providers.

Judicial Watch President Tom Fitton had a very good question for the FBI as a result of the new development in the case.

Noting how this new information is the direct opposite of what Americans were being told during the course of the presidential election, he wondered why this information was only just now being released by the federal government.

“It is disturbing that the State Department, Justice Department and FBI are still trying to protect Hillary Clinton,” he added. “President Trump needs to clean house at all these agencies.” {eoa}