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RELEASE IN FULL

**DEPARTMENT OF STATE REVIEW OF DECEMBER 2, 2013 DAILY
PRESS BRIEFING VIDEO FOOTAGE****I. INTRODUCTION & SUMMARY**

The Department of State publishes written transcripts and videos of its daily press briefings. Transcripts are made available on state.gov, and videos are made available through multiple distribution channels and locations, including state.gov, YouTube, and an online repository called the Defense Video and Imagery Distribution System (DVIDS). In May 2016, the Department became aware that approximately nine minutes of footage concerning Iran were missing from the state.gov and YouTube versions of the daily press briefing video from December 2, 2013. A momentary white flash had been inserted in its place. The full transcript of the briefing had always been available on state.gov, and the complete video had always been available on DVIDS.

The Department conducted factfinding to determine what occurred, and in particular to determine if content was removed from selected parts of the public record in an effort to obscure it. The Department spoke with over 30 individuals and reviewed numerous email accounts to identify potentially relevant information. The Department has briefed the Office of Inspector General on its review and findings.

After extensive interviews and document review, the facts surrounding this matter remain partially unclear and the Department is unable to draw definitive conclusions. Nevertheless, the Department can conclude that the YouTube and state.gov versions of the December 2, 2013, daily press briefing video likely were deliberately edited: the white flash is evidence of deliberate editing and a video technician recalls making the edit. However, the Department has not found any evidence to support a conclusion that the video was edited to hide any content. Because the content reflects an exchange that took place in front of the State Department press corps and was reported on almost immediately by the press, any attempt to obscure the content would have been futile. The uninterrupted availability of the full record transcript and DVIDS video also suggests that the YouTube and state.gov versions of the video were not edited in an effort to hide information. The Department cannot rule out the possibility that the white flash was inserted into the YouTube and state.gov versions of the video in place of technically corrupted footage in those versions.

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Prior to the Department's review of this matter, the Department lacked a policy to prohibit making edits to press briefing footage to obscure content. In June 2016, the Bureau of Public Affairs adopted a policy that makes clear that content-driven editing of the daily press briefing video is not condoned or permitted, absent exceptional circumstances—even if that may not be what occurred here.

II. BACKGROUND

On May 9, 2016, a reporter informed the Department that footage was missing from the Department's daily press briefing video from December 2, 2013. The footage concerned Iran. Reporters questioned whether the footage had been removed to hide it.

The Bureau of Public Affairs (PA) looked into the matter and confirmed that approximately nine minutes of footage were missing from the versions of the briefing video posted on YouTube and on state.gov. See Tab 1 for a transcript of the missing footage.¹ PA also determined that the entire briefing video was available on another public video repository, the Defense Video and Imagery Distribution System (DVIDS), which is the Department's normal repository for broadcast-quality videos of daily press briefings. PA also determined that the entire official transcript of the briefing was available on state.gov. PA immediately replaced the shortened version of the video on state.gov with the full-length video, and added an annotation to the YouTube video that provided a link to the full-length version on state.gov.

On May 11, a technician in PA's Office of Digital Engagement reported a recollection of making an edit to a video of that daily press briefing in response to a request over the phone from elsewhere in PA. The technician could not, however, remember who made the request.

Soon thereafter, the Department conducted a preliminary inquiry to see if there had been any wrongdoing, including by interviewing the technician and reviewing relevant law, regulations, and directives. The preliminary inquiry concluded that no rules had been broken in posting the edited video. Moreover, as noted above, the DVIDS video and the full written transcript was always publicly available.

¹ The media have focused on the omission of one exchange between the Spokesperson and a Fox News reporter concerning past statements about negotiations with Iran. However, that exchange is not the only content missing from the video: the nine-minute gap covered several exchanges, not exclusively with Fox News. See Tab 1. Further, the exchanges were on various aspects of the nuclear deal with Iran, many of which (including meetings in Oman that led up to the negotiations) had been briefed previously.

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Nevertheless, the Department determined that deliberate, content-driven edits to daily press videos generally should be prohibited in the future. On June 1, Assistant Secretary Kirby announced a policy, formally circulated to the PA bureau via email on June 2, that "all video and transcripts from daily press briefings will be immediately and permanently uploaded in their entirety on publicly accessible platforms", and that "[i]n the unlikely event that narrow, compelling circumstances require edits to be made, such as the inadvertent release of privacy-protected or classified national security information, they will only be made with the express permission of the Assistant Secretary...and with an appropriate level of annotation and disclosure." See Tab 2.

At the request of the Secretary, the Department subsequently conducted a broader review of the matter, which is summarized in this report.

III. FINDINGS & CONCLUSIONS

Following are the key findings and conclusions of the Department's review of this matter. In addition, based on interviews and the documentary record, the Department has prepared a rough chronology of likely events surrounding the creation, processing, and distribution of the video. See Tab 3 for an approximate timeline.

Full Record Transcript and Full Video Always Available. The full record transcript and full video of the December 2, 2013, daily press briefing were always available to the public. In addition, the exchange at the press briefing took place before the press corps and was reported on almost immediately.² The written transcript of a daily press briefing is reflected in the applicable Department records disposition schedule as the permanent record of the briefing. As described above, until June 2016, the Department did not have a rule or policy prohibiting the editing of daily press briefing videos for content. A policy is now in place that will govern this issue going forward. See Tab 2. In addition, the Department will work with the National Archives and Records Administration to determine whether any changes to the current records disposition schedules should be made.

Evidence that the Video Was Missing the Footage in Question Soon After the Briefing. Emails suggest that the video likely was already missing the footage in question approximately 18 minutes after the daily press briefing's conclusion on

² See Tab 4 for an example of contemporary press reporting on the exchange.

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December 2, 2013. At that time, the briefing's assigned editor for web distribution internally uploaded for onward processing a version of the briefing that was already almost exactly the length of the shortened version that would eventually be posted to state.gov and YouTube. Therefore, it seems likely that the version of the video uploaded internally by the editor at that time was the same as the version that appeared on state.gov and YouTube.³ The assigned editor had no record or recollection of removing footage of questions and answers from the video, or of anything unusual happening that day.

Evidence of Purposeful Editing. A technician from PA recalled having received a request to edit the video over the phone from a female caller from elsewhere in PA who could credibly assert that an edit should be made. Given the passage of time, the technician's memory was imperfect. The technician did not recall the identity of the caller and the Department has been unable to ascertain it independently through interviews or document review. The technician believed that the call likely came late in the day, well after the briefing would have ended. The technician did not believe the call had come from the Spokesperson. The technician did not recall a reason being given for the edit request, but did believe that the requester had mentioned in the course of the call a Fox network reporter and Iran.⁴ The technician indicated that the requester may also have provided the start and end times for an edit, though the technician also recalls consulting the written transcript to locate the exchange. Although the technician recalled seeking approval from a supervisor, when interviewed the supervisor did not recall that exchange or anything else about the video. The technician also recalled adding a white flash in order to make clear that footage had been removed. However, that technician does not usually engage in any editing, and is usually not involved in the daily press briefing video processing until several steps into the process of preparing the video for web distribution. It is difficult to reconcile the recollection of the video technician with information suggesting that the video was at a shorter total run time minutes after the briefing ended.

Evidence Inconsistent With Content-Driven Edit. The manner in which the video appeared on state.gov and YouTube was inconsistent with an effort to hide the edit. The fact that footage was missing on those sites was clear from the presence of a white flash and the choppy nature of the cut. Ordinarily, when a glitch corrupts a

³ Because of limitations on storage space, no intermediate versions of the video remained in 2016, so the Department was not able to compare versions to confirm this.

⁴ As shown in Tab I, the missing footage included but was not limited to exchanges with a Fox News reporter on Iran.

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portion of a question-and-answer (which does happen on occasion), the assigned editor edits the entire question-and-answer out of the video as seamlessly as possible. (The Department will review whether some form of marker or notice would be appropriate in such instances.) However, the cut in the December 2, 2013, video was not seamless; it begins in the middle of an answer, and ends in the middle of a sentence. It is possible that the December 2, 2013, video contained a glitch that wasn't noticed until after the video left the assigned editor. There were various technical problems occurring with the video production system during this period, including unpredictable electric voltage dips affecting the studio master control room's servers. However, the Department found no information indicating that such a problem occurred on December 2, 2013.

In addition, it does not appear that the exchanges in question raised policy concerns within the Department. The exchanges were on various aspects of the nuclear deal with Iran, many of which (including meetings in Oman that led up to the negotiations) had been briefed previously, and interviewees familiar with briefing the press did not find the exchange with Fox News to be more notable than many others that occur in daily press briefings. Further, interviews and at least one email suggest that the spokesperson was generally seen to have done an effective job in answering the relevant reporter's questions.

Finally, the Department did not find evidence that editing press briefing videos for content is or was a common practice. Although the Department has not conducted a review of other videos, no interviewee was aware of any other videos of daily press briefings that might have been edited for the purpose of removing content.

Possible Conclusions: Despite 34 interviews and follow-ups, email reviews, and cross-checks of those records still available from the editing and processing of the press briefing video in question, the Department's factfinding has not revealed who may have requested an edit or why the request may have been made.

The context of the incident is also relevant. The videos of the daily press briefing contained information that had already been disclosed, through the briefing itself, to the domestic and international press. In addition, the edit was reflected in versions uploaded to YouTube and state.gov, but not the DVIDS version (which is frequently accessed for broadcast-quality footage) or the written transcript. Further, it is possible that the domestic press pool made its own video of the daily press briefing, as this appears to have already been common at the time.

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Taking into account all of the evidence, the following explanations cannot be ruled out.

- If an effort was made—however clumsy and ineffective—to scrub the public record of an already-public exchange with the press, no documentary evidence or memory of such an effort remains. If such an effort was undertaken, it was not comprehensive (in light of the unedited transcript and DVIDS video) and it was undertaken through a technician who would not normally be involved in the video editing process.
- Alternatively, a glitch in the December 2, 2013, briefing video may have resulted in the corruption of nine minutes from the YouTube and state.gov versions of the press briefing videos. The glitch was identified late in the day and the video technician was asked to address it since the normal editing team was gone for the day. Because the technician was not a normal editor, and in an effort to be transparent about the missing footage, the technician added a white flash to the video.

IV. FACTFINDING PROCESS

In reviewing this matter, the Department interviewed 34 individuals and conducted email searches. Nine of these individuals were senior officials in relevant positions from the relevant time period, including the then Department Spokesperson and Deputy Spokesperson, and numerous others within the PA bureau. Fifteen of the interviewees were in positions in which they might have known who requested an edit or might have been in a position to relay a request for an edit from someone with the perceived authority. The final 10 individuals (including the technician who recalled making the edit) were involved in or familiar with the video production and editing processes in the Department as of December 2013, and might have been involved with the particular video in question or could explain those processes in greater detail. Individuals in this category also provided available records from programs and tools involved in the video production process.

In addition to being asked for any relevant emails on the subject matter, individuals were asked to review emails sent or received for the time period December 2-6, 2013 (the work week of the press briefing in question), and from May 9, 2016 (the

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date on which the story broke) to the day of the email search.⁵ Individuals were instructed not to delete any relevant email.⁶ The Department does not have records of phone calls made to the video technician that day.

The Department met with staff from the Office of Inspector General twice during the course of the factfinding to brief them on process and findings.

Attachments:

Tab 1 – Excerpt of December 2, 2013 Daily Press Briefing Transcript

Tab 2 – June 2, 2016 Email from Assistant Secretary Kirby

Tab 3 – Approximate Timeline of December 2, 2013, Daily Press Briefing Video

Tab 4 – Example of contemporary press coverage of the relevant exchange

⁵ It appears that the version of the video missing the footage was likely created on the day of the briefing – Monday, December 2, 2013. In any case, the shortened video had been made public on both YouTube and state.gov by Wednesday, December 4. Nevertheless, emails were reviewed for the entire week in question, just in case there were any after-the-fact acknowledgments or discussions of an edit. The recent emails (May 9, 2016 to the date of the search) were reviewed in case the recent attention to the issue prompted emailed recollections of an edit.

⁶ It should be noted that emails were reviewed as a matter of due diligence in the factfinding, not because there was any indication of the existence of email communications that would lead to the identity of an individual who requested an edit or other explanation. Indeed, no email or documentary evidence was discovered that described making the edit.

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