



Written by [C. Mitchell Shaw](#) on July 26, 2016

23,035 Cables Prove That Clinton Knew E-mails Were Marked Classified When She Sent and Received Them

After spending more than a year denying — and avoiding indictment for — sending and receiving classified information over her unsecured, private e-mail server, Hillary Clinton still can't shake the truth. Besides the [DNC e-mails](#) that are making waves in the news because they show that the Democratic National Committee violated its own rules to help Clinton win the Democrat presidential nomination, WikiLeaks founder Julian Assange also recently tweeted a link to a trove of leaked diplomatic cables from 2010 that prove irrefutably that Clinton *knowingly* sent and received information that was classified at the time.



The cables [published by WikiLeaks](#) — 23,035 in all — are *all* from her first year as secretary of state and are *all* marked “(C)” for “confidential” — a designation for classified information. The cables were originally provided to WikiLeaks by Pfc. Bradley Manning in 2010. Mrs. Clinton held that office for another three years, meaning that she could have seen as many as nearly 100,000 such classified documents in the form of cables — proving, as Assange [asserts](#), that “she was intimately familiar” with the “(C)” designation.

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FBI Director James Comey may have attempted to sell the line that [Clinton did not intend to break the law](#), but considering the size and scope of her mishandling of sensitive intelligence, it is more than a little hard to swallow what Comey was dishing out. Considering that [the Justice Department has prosecuted people for far smaller infractions](#), it will be interesting to see if — now that it can be easily demonstrated that Clinton *knew she was breaking the law* — Comey will continue to oppose her indictment.

Assange — with an obvious nod toward the irony involved — pointed out in an interview with ITV last month that the Obama administration has prosecuted a number of whistleblowers in recent years. WikiLeaks — which Assange started and continues to run while in exile — relies on whistleblowers, so his bias is easily understood.

While testifying before a House Oversight Committee, Comey was questioned about his assertion that Clinton did not know she was breaking the law because she did not know what a classified marking was. As [The Hill reported](#), Comey answered:

“No, not that she would have no idea what a classified marking would be,” Comey responded. “It’s an interesting question whether she ... was actually sophisticated enough to understand what a C in [parentheses] means.”

“You asked me if I would assume someone would know,” he added. “Probably before this



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investigation, I would have. I am not so sure of that any longer. I think it's possible — possible — that she didn't know what a C meant when she saw it in the body of an email like that."

While the *too-stupid-to-know-it-was-criminal* defense is not exactly new, it is hardly something one would expect on the resumé of a presidential candidate. Besides that, Comey was assuming — or at least asserting — that Clinton would not have known what "(C)" meant when it appeared in a document containing intelligence information. Now that it is known that she had seen that designation in *at least* 23,035 classified cables, perhaps Comey will offer the defense that he isn't qualified for his post either. After all, the ability to conduct an investigation without being swayed by political concerns is certainly a prerequisite for qualification to sit at the helm of the FBI.

Setting aside Comey's asinine defense of Clinton's criminal actions based on her supposed ignorance, the fact is that she was not ignorant. Clinton signed two non-disclosure agreements (NDAs) as part of her appointment as secretary of state. Those NDAs spelled out — in language clear enough to be understood even by someone who is not "sophisticated" — her responsibilities and obligations under the law. As this writer [reported](#) when the first of those two NDAs came to light:

The NDA signed by Mrs. Clinton on her second day as secretary of state spells out — in language so clear that the meaning of the word "is" is quite unambiguous — her responsibility in handling the sensitive information to which she would have access in her new job. One part reads, "I have been advised that the unauthorized disclosure, unauthorized retention, or negligent handling of SCI [Sensitive Compartmented Information] by me could cause irreparable injury to the United States or be used to advantage by a foreign nation." The agreement goes on to address how Secretary Clinton could be sure she was abiding by the letter and the spirit of the agreement. "I understand that it is my responsibility to consult with appropriate management authorities in the Department ... in order to ensure that I know whether information or material within my knowledge or control ... might be SCI," the NDA says.

The 113 e-mails which even Comey admits Clinton sent or received on her unsecured, private server were marked "(C)," and it was Clinton's legal responsibility to recognize that. She is, after all, a graduate of law school and was licensed to practice law [until 2002](#). If she truly is that ignorant of the law, should she be running for president?

Here, for example, are the first few paragraphs of [one of the cables](#) Clinton reviewed as secretary of state:

1. (U) This is a PRT Anbar cable.
2. (C) SUMMARY: Tension between the Iraqi Police and the judiciary was on display at the weekly Anbar Operations Command meeting covering security issues. Similar feelings were present at PRToffs meeting with Provincial Chief Judge Mohammed Al-Kubaisi. END SUMMARY.
3. (C) On February 22, PRToff attended the Anbar Operations Command (AOC) weekly security meeting at the Blue Diamond Iraqi Army facility. Staff Major General (sMG) Aziz, appearing vigorous and healthy, chaired the meeting for the first time since his medical treatment in Turkey. Provincial Chief of Police (PCOP) sMG Baha Al-Karkhi, Deputy Governor Hikmat Jasim Zaidan and Investigative Judge (IJ) Ghanim Al-Azawi were also present.
4. (C) The initial interchange at the meeting was characterized by the usual Iraqi Police (IP) complaints of judicial shortcomings and focused on the IP's inability to find an investigative judge over the weekend to approve warrants. Investigative Judge Ghanim responded that an IJ was



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always available and that police should “just knock on my door.” He explained that CPA Administrator Paul Bremer had issued an order years earlier requiring a lawyer to be present at the initial appearance of a suspect and said the absence of a lawyer was the real impediment to prosecuting cases. SMG Aziz countered that this law was enacted a long time ago and that terrorist suspects should be treated differently from other criminals since theirs was a special crime against society. He asked that the laws be changed in order to allow detention of terror suspects without a warrant via a streamlined process. IJ Ghanim responded that the existing judicial process was sound and provided a good example of the rule of law to the citizenry.

This writer will admit to not being “sophisticated enough to understand” what much of this document discusses, but then this writer is not secretary of state and has not signed legal forms agreeing that “I understand that it is my responsibility to consult with appropriate management authorities in the Department ... in order to ensure that I know whether information or material within my knowledge or control ... might be” classified. Even with my lack of sophistication, though, a couple of things stand out to me. That “(C)” could only mean a handful of things: (1) It could denote the ordering of paragraphs. But since almost all of the paragraphs are labeled “(C),” that is probably not correct. (2) It could mean that that paragraph is protected by a copyright. Again, since the product of government can’t be copyrighted, that too, is probably not the right answer. (3) I should go ask one of the “appropriate management authorities in the Department” — preferably one who is sufficiently “sophisticated” — what it means just “to ensure that I know whether information or material within my knowledge or control ... might be” classified.

Having seen that designation more than 23,000 times (and possibly 100,000 times), Clinton — Comey’s protestations to the contrary duly noted — was certainly aware that she was obligated to maintain a chain of custody where that classified information was concerned. Shae was also certainly aware — as is demonstrated by her signature on two separate NDAs — that her unsecured, private server (which was not authorized to store or transmit such information) was outside of that chain of custody. She was legally obligated to be aware of that designation.

What secretary Clinton did, though was ignore that designation *at least 113 times* as she sent and received emails which were marked classified *at the time*. And that does not even take into account the e-mails which — because they were written by Clinton or one of her aids — were never marked classified even though the information they contained was classified. When those e-mails are taken into account, the total is more than 2,000. And now, she’s running for president.

Correction: *This article and its headline originally asserted that the 23,035 cables were recently leaked Clinton e-mails. We now realize that was not the case. The New American and the author of this story take seriously our responsibility to report accurately. The article and headline have been edited to reflect the facts and we apologize for the original inaccuracy.*



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