



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION
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www.archives.gov

Sent Via Email. No Hard Copy to Follow.

January 31, 2018

Mr. Stephen P. Rees
Assistant Director
Records Management Division
Federal Bureau of Investigation
170 Marcel Drive
Winchester, VA 22602
sprees@fbi.gov

Dear Mr. Rees:

The National Archives and Records Administration (NARA) has become aware of a possible unauthorized disposition of Federal Bureau of Investigation (FBI) records based on the letter dated January 20, 2018, sent to the FBI by the Senate Committee on Homeland Security and Governmental Affairs. This letter (attached) outlines the potential loss of text messages from both agency-issued and personal devices as well as emails pertaining to FBI official business sent or received via personal, non-government accounts.

As required in 36 CFR 1230.14, Federal agencies must promptly report to NARA any unauthorized removal or destruction of records. Based on the letter referenced above and in accordance with 36 CFR 1230.16(b), NARA requests that FBI respond within 30 calendar days to the allegations that text messages, emails and other Federal records may have been lost or destroyed. In particular, the FBI should identify the scope and scale of all records, lost, destroyed, or otherwise alienated, as the Senate Committee requested in its letter of January 20, 2018, as well as the scope and results of any searches of personal devices or accounts conducted to determine whether Federal records remained extant. The response should also detail specific actions the FBI will take to address any failure to capture and preserve Federal records in a timely fashion, and the steps the FBI will take to mitigate future risk. Please indicate in your response if any records lost can be re-created or duplicated from other sources, or recovered from the appropriate email service providers.

We understand the Department of Justice Inspector General (IG) is conducting a review, and the full nature of the potential unauthorized disposition of records may not be resolved within 30 calendar days. With this in mind, we request any information you can provide regarding our inquiry within the 30 calendar days and then future updates as appropriate. In addition, we request a copy of the final IG report, and copies of future responses to the Senate Committee on this matter to the extent they implicate the Federal Records Act. We look forward to receiving your final report satisfying the above requirements upon conclusion of the IG investigation and fulfillment of the U.S. Senate committee's information request.

Thank you for your cooperation. If you have any questions, please contact me at (301) 837-1539 or by email to Laurence.Brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence V. Brewer". The signature is written in a cursive style with a large initial 'L'.

LAURENCE BREWER
Chief Records Officer
for the U.S. Government

CC:

Mr. Michael H. Allen
Department of Justice
Deputy Assistant Attorney General for Policy, Management, and Planning
Justice Management Division
michael.allen3@usdoj.gov

Jeffrey C. Dutton
Department of Justice
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