



Office of the Chief
Records Officer for the
U.S. Government

Sent Via Email. No Hard Copy to Follow.

February 10, 2022

Ms. Teresa S. Fitzgerald
Department of Justice
Federal Bureau of Investigation
Information Management Division
170 Marcel Drive
Winchester, VA 22602

Dear Ms. Fitzgerald,

The National Archives and Records Administration received your email notifying NARA of the *Rolling Stone* article, "He spent 25 years infiltrating Nazis, the Klan, and Biker Gangs," published on January 31, 2022.

In the article, the author stated: "Sitting in the crates he brought home when he retired are the field notes and transcripts of every case he's worked." Additionally, the author states that the subject of the article showed footage that he has in his custody, 'As he talks, he screens footage that he took of those men through a hidden cam on his person. It was wildly risky work, taping terrorists with long guns in woods miles from his support team. It is no less risky to be showing this film and revealing these details for mass consumption.' He also shows the author photographs and images he has saved on his phone during his investigations, 'I ask him how he endured those spectral hours in the company of such fools. Scott stiffens and pulls up pictures on his phone.'"

In accordance with 36 CFR 1230.16(b), NARA requests that the FBI look into this allegation and respond within 30 calendar days with a report. This report must include a full description of the records that have been removed from federal custody, including any photographs or videos that belong in the legal and physical custody of the federal government, documentation of how the FBI will be recovering these records and returning them to federal custody, and explanations of the safeguards established to prevent further loss of records.

Thank you for your assistance in this matter. If you have any questions or wish to discuss further, please contact me at laurence.brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence M. 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: Jeanette Plante, Department of Justice, Department Records Officer,
jeanette.plante@usdoj.gov



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March 30, 2022

Ms. Teresa S. Fitzgerald
Department of Justice
Federal Bureau of Investigation
Information Management Division
170 Marcel Drive
Winchester, VA 22602

Dear Teresa Fitzgerald,

The National Archives and Records Administration received your report in response to our letter dated February 10, 2022, requesting that the FBI look into information that suggested federal records were removed from federal custody in the *Rolling Stone* article, "He spent 25 years infiltrating Nazis, the Klan, and Biker Gangs," published on January 31, 2022.

In your report, you informed us that on February 14, 2022, you retrieved 99 discs from the former employee's residence, documented that the former employee affirmed that he does not possess any hard copy documents and that the discs are the "totality of government records and information in his possession." Additionally, the former employee advised that all photographs and videos referenced in the article are open-source materials.

NARA understands that the FBI implemented steps to mitigate the risk that this issue reoccurs. We understand that all personnel are required to complete mandatory records management training that reminds personnel of the penalties for the unauthorized removal or destruction of records. We also understand that the FBI conducts awareness campaigns to highlight records and information protection and the identification and reporting of insider threats. The FBI is also working to raise awareness of employees' pre-publication requirements and further reminding employees that "all information created and acquired by current and former FBI personnel in connection with official FBI duties, as well as all official material to which FBI personnel have access, is the property of the United States." Additionally, NARA understands

that the FBI is enhancing “exit debriefings and checklists with reminders on the proper disposition of and prohibitions on the removal of records and information.”

Based on the information you provided, we consider this allegation to be resolved. However, if more information surfaces that indicates that there are more federal records that have been alienated from federal custody, we will reopen this case. Thank you for your assistance in this matter. If you have any questions or wish to discuss further, please contact me at laurence.brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence M. Brewer". The signature is written in a cursive, flowing style.

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

cc: Jeanette Plante, Department of Justice, Department Records Officer,
jeanette.plante@usdoj.gov