

OCT 31 2012

Ms. Tammy Hudson
Records Officer
Department of Homeland Security
7th and D Street SW
Washington, D. C., 20528

Dear Ms. Hudson:

The National Archives and Records Administration (NARA) has received information from the U. S. Senate Permanent Subcommittee on Investigations alleging the possible loss of email record material related to the management of grant funds awarded by the Federal Emergency Management Agency (FEMA) to the Delaware Valley Intelligence Center (DVIC).

In the course of the Subcommittee's investigation, interviews with a Department of Homeland Security staffer, Joseph Liciardello, revealed connections between Mr. Liciardello and the DVIC grant. When the Subcommittee requested that DHS produce all emails from Mr. Liciardello's official DHS employee email account, however, the Subcommittee was told that DHS technological representatives were unable to access emails from May and June of 2011. This response to the Subcommittee's inquiry was recorded in the published report of the Subcommittee's findings, *Federal Support For And Involvement In State and Local Fusion Centers: Majority and Minority Staff Report* (October 3, 2012). The specific allegation concerning DHS email is found on pages 67-68 in Footnote 349, and is also referenced as Exhibit #10 of that same report, "DHS Response to Subcommittee Inquiry 8/17/2012".

As you are aware, 44 U.S.C. 3102 requires Federal agencies to provide effective controls over the creation, maintenance and use of records in the conduct of current business. Further, 36 CFR 1236 lays out specific guidelines for the protection and management of electronic records, including email.

We request that you look into this matter to determine whether an instance of destruction of Federal records actually occurred and notify us of your findings. If you conclude Federal records were alienated without proper authorization, vwe request that you furnish us with a report as

required and described under 36 CFR 1230.14 (How Do Agencies Report Incidents?) at <http://www.archives.gov/about/regulations/part-1230.html#1230.14>. Your report should include a statement about the safeguards established to prevent further loss of records.

We look forward to your response and thank you for your cooperation.

If you have any questions, please contact Erin Cayce of the Records Management Services Section at 301-837-1907 or erin.cayce@nara.gov.

Sincerely,

PAUL M. WESTER, JR.
Chief Records Officer
for the U.S. Government

Enclosures

cc:

Official file – ACNR

Reading file – ACNR, AC

Day file – CRO

File 1301-1b Unauthorized Disposal – Department of Homeland Security

S: \Alleged\DHS - unauthorized destruction of e-mail initial letter 2012.10.doc

Ec/sg/10/31/12



November 17, 2016

Ms. Tammy Hudson
Records Officer
Department of Homeland Security
7th and D Street SW
Washington, DC 20528

Dear Ms. Hudson:

We reviewed your letter dated 31 October 2016, addressing the possible loss of email records related to the management of grant funds awarded by the Federal Emergency Management Agency (FEMA) to the Delaware Valley Intelligence Center (DVIC), specifically emails dated between May - June 2011 from Mr. Liciardello's email account. Your letter indicates that the allegation of loss was erroneous as reported in the United States Senate Permanent Subcommittee on Investigations, Committee on Homeland Security and Governmental Affairs report.

Additionally, you requested and received Mr. Liciardello's emails for the time period between May – June 2011, many of which reference DVIC, demonstrating that the email records in question have been preserved.

The National Archives and Records Administration accepts your description and appreciates the efforts made clarifying the circumstances surrounding this allegation. We consider this matter closed. Thank you for your cooperation.

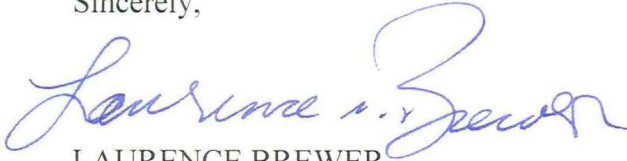
NATIONAL ARCHIVES *and*
RECORDS ADMINISTRATION

8601 ADELPHI ROAD
COLLEGE PARK, MD 20740-6001

www.archives.gov

If you have further questions or concerns, please contact Dawn Sherman-Fells, Archivist & Senior Records Analyst, at 301-837-2083 or via email to Dawn.Sherman@nara.gov

Sincerely,

A handwritten signature in blue ink, appearing to read "Laurence Brewer". The signature is fluid and cursive, with a large initial "L" and "B".

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