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United States Senate
SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510-6475

November 17, 2014

Margaret Hawkins
Director, Records and Management Services
National Archives and Records Administration
8601 Adelphi Road
College Park, Maryland 20740-6001

Re: Public Comments on Proposed CIA Records Schedule N1-263-14-1

Dear Ms. Hawkins:

We write to express our concerns about the recent CIA proposal to the National Archives and Records Administration (NARA) to allow for the destruction of email messages sent and received by non-senior CIA officials.

As you know from your evaluation of the CIA proposal, the Agency has asked NARA for authority to destroy the emails of all but 22 of its most senior employees three years after their departure from the CIA "or when no longer needed, whichever is sooner." Based on our oversight of the CIA, we disagree with the CIA proposal for the following three reasons:

(1) In our experience, email messages are essential to finding CIA records that may not exist in other so-called permanent records at the CIA. Therefore, we disagree with the NARA appraisal which found, *"It is unlikely that permanent records will be found in these email accounts that is not filed in other appropriate files appraised as permanent."*

(2) Applying the new proposal to all but the 22 most senior CIA officials means the new policy would allow the destruction of important records and messages of a number of top CIA officials. For example, the new proposal would allow the destruction of important records created by senior CIA officials such as: (a) the Deputy Director of the National

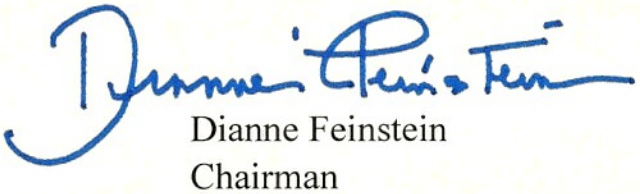
Clandestine Service (b) the Director of the CIA's Counterterrorism Center and all of its employees, (c) the head of the CIA's Counterintelligence Center, and all of its employees, (d) the head of the CIA's Counterproliferation Division, and all of its employees.

(3) The rationale for the new CIA proposal is supposedly to save money spent on the cost of email retention, but the CIA has not provided the Committee – nor perhaps NARA – with any projected cost savings to justify the new email destruction policy.

Therefore, we request that NARA reconsider its tentative approval of the CIA's proposal, which could allow the destruction of crucial documentary evidence regarding the CIA's activities that is essential for Congress, the public, and the courts to know. The National Archives must ensure there is a thorough, systematic, and orderly way to preserve these important documents.

Thank you very much for your consideration of our position.

Sincerely,



Dianne Feinstein
Chairman

Saxby Chambliss
Vice Chairman

cc: The Honorable Jim Clapper, Director of National Intelligence
The Honorable John Brennan, Director, Central Intelligence Agency