



# National Archives and Records Administration

800 Ark Rd  
College Park, Maryland 20740-6001

December 10, 2007

Mr. Joseph Lambert  
Director, Information Management Services  
Central Intelligence Agency  
Washington, DC 20505

Dear Mr. Lambert:

According to recent reports in the media, the Central Intelligence Agency destroyed video tapes of the interrogations of two al-Qaeda terrorism suspects. As you are aware, no Federal records may be destroyed except under the authorization of a records disposition schedule approved by the Archivist of the United States. We are unaware of any CIA disposition authority that covers these records. Also, your response to this letter should take into account the fact that if the tapes had been requested under FOIA, GRS 14, Item 11(b) precluded their destruction until resolution of the FOIA case(s).

Pursuant to NARA's responsibilities under 44 U.S.C. 2905 to investigate allegations of unauthorized destruction of records, we would appreciate it if you would investigate this matter and report the circumstances of the destruction of the records. If there was an unauthorized destruction of Federal records, please provide us with the report required under 36 CFR 1228.104 (copy enclosed) within 30 days of the date of this letter. If you are unable to provide your report within this time, please provide us with an interim report indicating what actions you have taken and when you expect to submit the final report.

We appreciate your cooperation. Please call David Langbart on 301-837-3172 if you have any questions.

Sincerely,

PAUL M. WESTER, JR.  
Director  
Modern Records Programs

Enclosure

TITLE 36--PARKS, FORESTS, AND PUBLIC PROPERTY

CHAPTER XII--NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

PART 1228\_DISPOSITION OF FEDERAL RECORDS--Table of Contents

Subpart 3\_Damage to, Alienation, and Unauthorized Destruction of Records

Sec. 1228.104 Reporting.

(a) The head of a Federal agency shall report any unlawful or accidental destruction, defacing, alteration, or removal of records in the custody of that agency to NARA (NWML), 8601 Adelphi Rd., College Park, MD 20740-6001. The report shall include:

(1) A complete description of the records with volume and dates if known;

(2) The office of origin;

(3) A statement of the exact circumstances surrounding the alienation, defacing, or destruction of the records;

(4) A statement of the safeguards established to prevent further loss of documentation; and

(5) When appropriate, details of the actions taken to salvage, retrieve, or reconstruct the records.

(b) This report has been cleared in accordance with GSA regulations in Title 41 of the CFR and assigned Interagency Report Control Number 0285-NAR-AR.

(c) The Archivist of the United States will assist the head of the agency in contacting the Attorney General for the recovery of any unlawfully removed records.

[45 FR 5705, Jan. 24, 1980, as amended at 46 FR 60205, Dec. 9, 1981. Redesignated and amended at 50 FR 15723, 15725, Apr. 19, 1985; 51 FR 23538, June 30, 1986. Redesignated and amended at 55 FR 27434, July 2, 1990; 63 FR 35829, July 1, 1998; 66 FR 27027, May 16, 2001]