



February 22, 2017

Mr. John Ellis
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (MC 2822T)
Washington, DC 20460

Dear John,

The National Archives and Records Administration (NARA) was alerted to an allegation of unauthorized disposition of Environmental Protection Agency (EPA) records from a news article published by Bloomberg Government on February 14, 2017 (see attachment). The news article referenced the enclosed letter from the House Committee on Science, Space, and Technology, which alleges that:

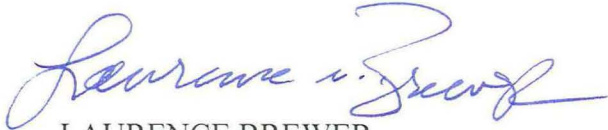
“... career officials at the EPA are aiming to spread their goals covertly to avoid federal records requirements, while also aiming to circumvent the government’s ability to monitor their communications.”

In accordance with 36 CFR 1230.16(b), NARA is requesting that EPA provide us with a response within 30 calendar days indicating the specific actions EPA will take to address these allegations and the steps EPA will take to mitigate the loss or unauthorized removal of EPA records. If EPA determines that an unauthorized disposition has occurred, then EPA must submit a report to NARA in accordance with 36 CFR 1230.14 describing these actions to recover, recreate, or duplicate the records from other sources.

While we understand that the EPA Inspector General is now investigating these allegations, we would appreciate receiving a report of their findings as they relate to the records management issues involved in this case.

Thank you for your cooperation. If you have any questions, please contact Andrea Noel, Senior Records Analyst, at 301-837-3564 or by email at andrea.noel@nara.gov.

Sincerely,



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



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION
8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001
www.archives.gov

Sent Via Email. No Hard Copy to Follow.

October 31, 2018

Mr. John Ellis
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (MC 2822T)
Washington, DC 20460

Dear Mr. Ellis:

The National Archives and Records Administration (NARA) was alerted to an allegation of unauthorized disposition of U.S. Environmental Protection Agency (EPA) records from a news article published by Bloomberg Government on February 14, 2017. The news article referenced a letter from the House Committee on Science, Space, and Technology, alleging that:

“... career officials at the EPA are aiming to spread their goals covertly to avoid federal records requirements, while also aiming to circumvent the government’s ability to monitor their communications.”

In your March 24, 2017 letter, NARA was made aware that in early February 2017, in response to a February 2, 2017 Washington Times article, the EPA Office of Inspector General (OIG) commenced a review into whether EPA employees were using unauthorized encryption applications on their EPA-issued mobile devices for EPA business and not maintaining official EPA records, and that EPA would provide NARA a final report regarding these allegations once the OIG investigation was completed.

NARA received your final report on October 10, 2018, and this report noted that the EPA OIG concluded that no evidence was found to support the allegation that the Signal and WhatsApp apps were being used by EPA employees on their EPA-issued mobile devices to purposely circumvent the applicable federal record retention rules.

Additionally, the report indicated that EPA issued a memorandum outlining EPA policy regarding EPA-issued mobile devices. This memorandum explained that Government-Furnished Mobile Device users are only authorized to download applications (or "apps") that appear in the Agency's Mobile Application Catalog. The Memorandum also explained that users should only access EPA-approved apps through the "App Catalog" icon on users' Government Furnished Mobile Devices.

Finally, the report states that in June 2018, EPA completed its process of enrolling all agency mobile devices into the Device Enrollment Program, ensuring that all Agency employees no longer have the ability to download apps that are not in the authorized app catalog on an EPA-issued device.

NARA finds that the final report and all actions pertaining to this allegation not only satisfies all 36 CFR 1230.14 reporting requirements, but also indicates that this allegation was unfounded. Therefore, NARA considers this case closed.

Thank you for your cooperation. If you have any further concerns regarding this matter, please contact Andréa Noel, Senior Records Analyst, at 301-837-3564 or by email at andrea.noel@nara.gov.

Sincerely,

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

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