

2 Nov 2020, 15:21

From: Edward Hasbrouck <edward@hasbrouck.org>
To: unauthorizeddisposition@nara.gov, RM.Communications@nara.gov
Subject: Evidence of unauthorized destruction of records
Copies to: FOIA <foia@nara.gov>, GaryM Stern <garym.stern@nara.gov>
Date sent: Mon, 02 Nov 2020 15:21:06 -0800

To whom it may concern:

I am writing to report information which appears to indicate the unauthorized destruction or removal of Federal agency records by the National Commission on Military, National and Public Service (NCMNPS).

The NCMNPS was a temporary Federal agency whose statutory mandate expired 18 September 2020.

Shortly before the expiration of the NCMNPS, on 15 September 2020, I submitted a Freedom Of Information Act (FOIA) request to the NCMNPS.

I received an e-mail message confirming receipt of this request at the e-mail address designated by NCMNPS regulations for the submission of FOIA requests on 16 September 2020, and a US Postal Service confirmation of receipt of this request at the postal address designated by the NCMNPS regulations for the submission of FOIA requests on 17 September 2020.

I have attached a copy of this request and of the e-mail and postal confirmation of its receipt by the NCMNPS prior to its expiration.

All records of the NCMNPS were transferred to NARA on the expiration of the statutory mandate for the NCMNPS on 18 September 2020.

However, I have been informed by the NARA FOIA office, as copied below, that "NARA did not receive any pending FOIA requests from the National Commission on Military, National, and Public Service (Commission) upon its termination on September 18, 2020".

It thus appears that the NCMNPS improperly destroyed or removed this FOIA request before turning over others of its records to NARA.

This improper destruction or removal of records by NARA appears to indicate a possible violation of 18 U.S. Code §1519, and may indicate other violations of Federal law by NCMNPS staff and/or contractors.

Please advise to which Federal law enforcement agency I should report evidence such as this of violations of 18 U.S. Code §2071, or other criminal malfeasance in performing their official duties, by the NCMNPS or its staff. I have been unable to determine whether or not there is an Office of Inspector General with jurisdiction over the former NCMNPS and its former staff, or what other agency would have such jurisdiction.

I am copying this message to NARA's FOIA office, FOIA Public Liaison, and Chief FOIA Officer, so that they will be aware of this pending criminal complaint and of the need to preserve all records received by NARA from the NCMNPS as evidence bearing on this criminal complaint.

Sincerely,

Edward Hasbrouck

----- Forwarded message follows -----

Date sent: Mon, 2 Nov 2020 14:21:50 -0800 (PST)
From: FOIA <FOIA@nara.gov>
To: FOIA <FOIA@nara.gov>
Copies to: "edward@hasbrouck.org" <edward@hasbrouck.org>
Subject: Response to your Email of October 28, 2020

November 2, 2020

Mr. Hasbrouck,

NARA did not receive any pending FOIA requests from the National Commission on Military, National, and Public Service (Commission) upon its termination on September 18, 2020....

Sincerely,
The FOIA Team
Office of General Counsel
National Archives and Records Administration
College Park, MD
foia@nara.gov

----- End of forwarded message -----

Attachments:

C:\users\edward\Desktop\Link to draft\inspire2serve\FOIA\NCMNPS-FOIA-15SEP2020-signed-re