



Office of the Chief
Records Officer for the
U.S. Government

Sent Via Email. No Hard Copy to Follow.

April 7, 2023

Mary Wilson
Department of Health and Human Services
Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta GA, 30329

Dear Mary Wilson,

The National Archives and Records Administration (NARA) received an allegation of unauthorized disposition of Centers for Disease Control (CDC) records. On March 29, 2023, NARA received a complaint from the America First Legal Foundation (AFLF) alleging that the CDC has had a pattern and practice of unlawfully deleting the emails of employees who separate from employment within as little as thirty days from the date of separation.

The Department of Human Health Services (HHS) adopted the Capstone approach in 2016 to manage agency emails/email accounts, and all HHS components must follow the recordkeeping requirements in General Records Schedule (GRS) 6.1, Email Managed Under A Capstone Approach. NARA requests that the CDC investigate this allegation to determine whether email records of separated employees have been prematurely deleted, and are not being preserved and managed in accordance with GRS 6.1.

Please provide a comprehensive report within 30 days of this letter in accordance with 36 CFR 1230.16. Your report should include a complete description of the records mentioned in the allegation, including volume and dates of the records, applicable record schedule/disposition authority number, and specific details describing the unauthorized disposition incident. Additionally, please include in your report any salvage, recovery, or restoration efforts, and safeguards that will be implemented to prevent the future unauthorized disposition of such records.

Thank you for your attention to this matter. If you wish to discuss further, please do not hesitate to contact me at Laurence.Brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence R. Brewer". The signature is written in a cursive style with a large initial 'L'.

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

Enclosure

cc: Jacquelyn Smith-Simpson, Acting Department Records Officer



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February 23, 2024

Mary Wilson
Department of Health and Human Services
Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta GA, 30329

Dear Mary Wilson,

The National Archives and Records Administration (NARA) received the Centers for Disease Control (CDC) reports in response to the complaint made by the America First Legal Foundation (AFLF), who alleged that the CDC has had a pattern and practice of unlawfully deleting the emails of employees who separate from employment within as little as thirty days from the date of separation.

Your reports indicate that “a review of April 2023 data identified 326 email accounts that met the CDC’s eligibility criteria for disposal. All were found to be compliant with approved guidance (delineated below). Therefore, disposal of email accounts in less than 30 days is not occurring.”

NARA acknowledges that the CDC’s policies and procedures prohibit disposing of separated employees’ email accounts without authorization, and specific criteria must be met before the email accounts of separated employees’ are deleted.

The CDC does not require the preservation of all emails but rather preserves all records from email accounts. CDC’s records management policy instructs all agency personnel to maintain records outside of email accounts in a proper record-keeping system, shared drive, personal drive, or physical format. The CDC instructs individual email account holders to apply retention based on the email’s content value and its applicability to a NARA-approved records schedule.

Based on the information provided, the reporting requirements of 36 CFR 1230.14(a) have been met, and NARA considers this matter closed. I appreciate your attention to this critical matter.

If you have any questions or wish to discuss further, please contact me at laurence.brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence M. Brewer". The signature is written in a cursive style with a large initial "L" and "B".

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

Cc: Susan Little, Department Records Officer