



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

Sent Via Email. No Hard Copy to Follow.

April 13, 2021

Ms. Donna Miller
Agency Records Officer
Department of Commerce
National Institute of Standards and Technology
100 Bureau Drive, Room B35
Gaithersburg, MD 20899-3221
donna.miller@nist.gov

Dear Ms. Miller:

The National Archives and Records Administration (NARA) has identified an unauthorized disposition of Department of Commerce (DOC), National Institute of Standards and Technology (NIST) records. During a recent meeting with NARA, DOC's OIG reported the early destruction of NIST emails that are currently destroyed on 90-day cycles. There is a possibility that the early destruction may be due to NIST's application of old and inactive GRS schedule instructions. NIST's emails should be kept until the approval and implementation of a Capstone schedule occurs and the schedule's retention periods are met. Please note that per 36 CFR 1230.14, if records have been destroyed without NARA's proper authorization, destruction must cease and agencies must report these incidents promptly to NARA.

In accordance with 36 CFR 1230.16, NARA requests that NIST investigate this matter and provide a response within 30 days that includes, a description of the records, the records schedule disposition citation that covers the records; details regarding the records destruction incident and recovery efforts; and a statement of the safeguards that will be implemented to prevent future unauthorized disposals of such records.

Thank you for your attention to this matter.

Sincerely,

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

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



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August 30, 2021

Ms. Donna Miller
Agency Records Officer
Department of Commerce
National Institute of Standards and Technology
100 Bureau Drive, Room B35
Gaithersburg, MD 20899-3221
donna.miller@nist.gov

Dear Ms. Miller:

The National Archives and Records Administration (NARA) has received the National Institute of Standards and Technology's (NIST) response regarding NARA's request for further information pertaining to the potential unauthorized destruction of NIST emails (UD-2021-0024). During your investigation of this matter, NIST identified that only non-recordkeeping copies of guest researchers' emails had been destroyed. The agency also determined that NIST emails are not destroyed in 90-day cycles as originally reported but that non-record emails are destroyed 90 days after staff separate from the agency.

NIST continues to manage its emails as permanent until its NA-1005, Verification for Implementing GRS 6.1, is approved by NARA. The agency has also incorporated additional RM training as part of its employee onboarding process and a mandatory records certification as part of its offboarding process. Based on the information that you provided, the reporting requirements of 36 CFR 1230.14(a) have been met. NARA is satisfied with the safeguards established and considers this matter closed. If you have any questions, please contact me at laurence.brewer@nara.gov.

Thank you for your attention to this matter.

Sincerely,

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

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