



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION  
8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001  
[www.archives.gov](http://www.archives.gov)

***Sent Via Email. No Hard Copy to Follow.***

October 3, 2019

Jason Lautenbacher  
Department of Education  
Chief, Information Management Branch  
400 Maryland Avenue SW  
Washington DC 20202

Dear Mr. Lautenbacher,

The National Archives and Records Administration (NARA) has been made aware of an allegation of unauthorized disposition by a member of the public regarding email that was sent by this individual to Nelnet as a contractor for the Department of Education (hereafter referred to as Education). The allegation is that Education is deleting emails sent by this member of the public without reading them and with no response. The member of the public included screenshots of the read receipt from the email system that showed his email was deleted without being read (see attached).

In accordance with 36 CFR 1230.16(b), NARA is requesting that Education provide us with a report within 30 calendar days that is responsive to these allegations. If Education determines that an unauthorized disposition has occurred, then Education must submit a report to NARA, as required by 36 CFR 1230.14, that addresses whether specific records can be recovered, recreated, or duplicated from other sources and the steps Education will take to ensure that all email records are labeled appropriately and captured by Education.

If you have any questions, please contact me at [laurence.brewer@nara.gov](mailto:laurence.brewer@nara.gov).

Thank you for your cooperation.

Sincerely,

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

Enclosed



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December 11, 2019

Mr. Jason Lautenbacher  
Department of Education  
Chief, Information Management Branch  
400 Maryland Avenue SW  
Washington DC 20202

Dear Mr. Lautenbacher:

The National Archives and Records Administration (NARA) has received your letter in response to our letter dated October 3, 2019, that documented an allegation of unauthorized disposition by a member of the public regarding email that was being deleted without being read by the Department of Education (Education) Nelnet.

Based on the information in your letter, NARA understands that Education and Nelnet is in possession of the email in question and the email is being appropriately preserved. We therefore consider this allegation to be unfounded.

Thank you very much for your cooperation. If you have any questions, please contact me at [laurence.brewer@nara.gov](mailto:laurence.brewer@nara.gov).

Sincerely,

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