



NATIONAL
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October 25, 2016

Ms. Rachel Vera
Records Officer
U.S. Department of Labor
200 Constitution Ave., NW, Room S1321
Washington DC 20210

Dear Ms. Vera:

The National Archives and Records Administration (NARA) was made aware of an allegation of an unauthorized disposition of records made by the organization, Americans for Limited Government (ALG). ALG alleges that it had filed a FOIA with the Department of Labor for Wage and Hour Division (WHD) communications concerning opinion records. ALG suggests that WHG indicated in 2012 that they had records responsive to the FOIA request, but in July 2016, the WHD stated that they did not, after deleting an email account in 2013 that may have suggested otherwise.

Per a conversation Mr. Steven Pierce, Document Management Branch Chief for the Wage and Hour Division and Mrs. Karyn Skevakis (NARA) had on October 13, 2016, I am writing to inquire about the deletion of the email account indicated above that potentially contained records that were responsive to the FOIA request and were potentially permanent records. We are providing three documents containing information concerning this allegation.

In accordance with 36 CFR 1230.16(b), NARA is requesting that DOL and WHD provide us with a response within 30 calendar days that identifies the specific actions WHD will take to address these allegations and the steps WHD will take to mitigate future risk. In addition, the WHD must submit a report to NARA as described in 36 CFR 1230.14. Please indicate if the specific records outlined in the allegation can be recreated or duplicated from other sources.

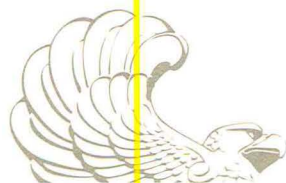
We appreciate your assistance in this matter. If you have any questions, please contact Karyn Skevakis at 301-837-3069 or karyn.skevakis@nara.gov.

Sincerely,

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

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COLLEGE PARK, MD 20740-6001
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January 5, 2017

Ms. Rachel Vera
Records Officer
U.S. Department of Labor
200 Constitution Ave., NW, Room S1321
Washington DC 20210

Dear Ms. Vera:

The National Archives and Records Administration (NARA) has received the letter from the Department of Labor (DOL) regarding the allegation of unauthorized disposal of DOL Wage and Hour Division (WHD) email records of former WHD Deputy Administrator Nancy Leppink.

Based on the information in this letter, we understand that the DOL WHD has located backup media that contained all of the email records from Ms. Leppink's tenure at WHD (dating from September 2009 to December 2012) and that the DOL will be updating their response to the Freedom of Information Act request for these emails made by the Americans for Limited Government.

Accordingly, NARA considers this matter resolved and we appreciate your assistance in reaching this determination. If you have any questions, please contact Karyn Skevakis at 301-837-3069 or karyn.skevakis@nara.gov.

Sincerely,

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

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