



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION
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February 24, 2020

Ms. Tiffany Branch
Agency Records Officer
Food and Drug Administration
1350 Piccard Drive, 410M
Rockville, MD 20850
tiffany.branch@fda.hhs.gov

Dear Ms. Branch,

The National Archives and Records Administration (NARA) was made aware of an allegation of unauthorized disposition of records from the Food and Drug Administration (FDA). It was recently brought to our attention that former FDA Commissioner Scott Gottlieb's twitter account was deleted. This allegation was first reported on December 26, 2019, in a CNBC article.

The article stated that, "The Food and Drug Administration has deleted the tweets by former Commissioner Scott Gottlieb, an unusual move that quickly sparked criticism that the agency may have broken federal record-keeping policy by not preserving social media accounts used by federal officials."

NARA requests that you investigate this allegation of unauthorized disposition of agency records and submit a report to NARA within 30 calendar days. Please ensure your report is compliant with 36 CFR 1230.14.

Your attention to this matter is greatly appreciated.

Sincerely,

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

cc Debbie Kramer, HHS Department Records Officer
debbie.kramer@hhs.gov
Richard Green, NARA Appraisal Archivist
richard.green@nara.gov



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

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May 16, 2022

Tiffany Branch
Agency Records Officer
Food and Drug Administration
1350 Piccard Drive, 410M
Rockville, MD 20850
tiffany.branch@fda.hhs.gov

Dear Tiffany Branch,

The National Archives and Records Administration (NARA) received the Food and Drug Administration's (FDA) final report, dated January 15, 2021, regarding the allegation of the unauthorized deletion of social media records related to the Twitter account of former FDA Commissioner, Scott Gottlieb.

In that report, FDA indicated that shortly after Dr. Stephen Hahn was confirmed to serve as Commissioner of FDA, the Twitter account that had previously been used by Commissioner Gottlieb was re-purposed for use by Commissioner Hahn. Prior to re-purposing, FDA archived Commissioner Gottlieb's tweets and a downloadable HTML file of those tweets is publicly available on FDA's website. However, any replies to Commissioner Gottlieb's tweets were not retained because FDA considered such communications to be nonrecord.

The report also stated that FDA was in the process of creating a social media records schedule, as well as agency guidance for capturing and managing content from social media platforms.

Although NARA found FDA's description of events and future safeguard plans feasible, NARA requested, as follow up, copies of FDA's social media records management guidance and draft records retention schedule, which was received on April 18, 2022.

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

Cc: Jacqlyn Smith-Simpson
Acting Department Records
Officer,
Jacqlyn.Smith@hhs.gov