



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

Sent Via Email. No Hard Copy to Follow.

February 7, 2023

Kim Tart
Department of Veterans Affairs
810 Vermont Ave, NW
Enterprise Records Service (005R1B)
Washington, DC 20420

Dear Kim Tart,

The National Archives and Records Administration (NARA) has been notified of a potential unauthorized disposition of records at the Department of Veterans Affairs (VA). A member of the public has alleged that the Birmingham Veterans Affairs Medical Center (BVAMC), Birmingham, Alabama, destroyed a “single” individual Disruptive Behavior File. The file was the subject of a December 27, 2022 FOIA request that was submitted to the Birmingham VA Health Care System FOIA Office and was assigned FOIA tracking number 23-03011-FP.

In accordance with 36 CFR 1230.14(a), we request that VA provide us with the required report within 30 calendar days to this allegation. If it is determined that an unauthorized disposition of records has occurred, the response should include the following information:

- A complete description of the records with volume and dates if known;
- The office maintaining the records;
- A statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records;
- A statement of the safeguards established to prevent further loss of documentation; and
- Details of the actions taken to salvage, retrieve, or reconstruct the records.

If it is determined that there has been no unauthorized disposition, please provide us with sufficient documentation to support that finding. 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 R. 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



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July 18, 2023

Kim Tart
Department of Veterans Affairs
810 Vermont Ave, NW
Enterprise Records Service (005R1B)
Washington, DC 20420

Dear Kim Tart,

The National Archives and Records Administration (NARA) acknowledges receipt of the Department of Veterans Affairs' report regarding an alleged unauthorized disposition of an individual Disruptive Behavior File documenting an incident that occurred at the Birmingham Veterans Affairs Medical Center (BVAMC), Birmingham, Alabama.

We understand that the Veterans Health Administration (VHA) National Records Officer and the VHA FOIA Officer researched the matter and determined that the records are accessible and have been documented in the minutes. VA recommends that the requestor make a formal request for the minutes. Since no unauthorized disposition has occurred, VA does not believe the requirements of 36 CFR 1230.14(a) are applicable.

Based on this information, NARA considers this matter closed. If you have any questions regarding this matter, please contact me at laurence.brewer@nara.gov.

Sincerely,

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