



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

Sent Via Email. No Hard Copy to Follow.

October 4, 2023

John Smith
Office of the Secretary of Defense
OSD Records Administrator
Records and Declassification Division
Washington Headquarters Services
4800 Mark Center Drive, 02F09-02
Alexandria, VA 22350-3100

Dear John Smith,

The National Archives and Records Administration (NARA) has been notified of a potential unauthorized disposition of records. A member of the public has alleged that the Defense Health Agency (DHA) and its subordinate entity Walter Reed National Military Medical Center (WRNMMC) may have destroyed records related to a medical records amendment that was submitted to WRNMMC on February 18, 2016. The records were the subject of a FOIA (DHA #2018-023) submitted on August 17, 2017.

In accordance with 36 CFR 1230.14(a), NARA requests that OSD respond 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 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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November 17, 2023

John Smith
Office of the Secretary of Defense
OSD Records Administrator
Records and Declassification Division
Washington Headquarters Services
4800 Mark Center Drive, Suite 02F09-02
Alexandria, VA 22350-3100

Dear John Smith:

The National Archives and Records Administration (NARA) acknowledges receipt of the Office of the Secretary of Defense's (OSD) report regarding an allegation that the Defense Health Agency (DHA) and its subordinate entity Walter Reed National Military Medical Center (WRNMMC) may have destroyed records related to a medical records amendment.

According to the report, the OSD Records Administrator coordinated with the DHA Records Officer to investigate the allegation and determined that it relates to a FOIA lawsuit filed against the DHA in 2016. In 2021, the Department of Justice and the DHA won the lawsuit on summary judgment. Based on the information provided, OSD/DHA found no evidence that suggests that DHA or WRNMMC destroyed the requested records. OSD/DHA assures us that all records relating to the request are appropriately retained per the OSD and DOD regulations. Additionally, DHA has provided all records eligible for release in accordance with the Privacy Act and FOIA.

Thank you for your attention to this matter. Based on this information, NARA considers this allegation of unauthorized disposition unfounded. If you have any questions, please contact me at laurence.brewer@nara.gov.

Sincerely,

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