



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

Sent Via Email. No Hard Copy to Follow.

March 1, 2021

Ms. Luz D. Ortiz
Department of Defense
Office of the Secretary of Defense
4800 Mark Center Drive, Suite 02F09-02
Alexandria, VA 22350-3100
luz.d.ortiz.civ@mail.mil

Dear Ms. Ortiz:

The National Archives and Records Administration (NARA) has been notified of a potential unauthorized disposition of records at the Defense Health Agency's (DHA) Walter Reed National Military Medical Center (WRNMMC). A member of the public alleges that in response to an April 26, 2014 FOIA request to WRNMMC an unlawful destruction of records occurred. The request (requester number: FOIA WRNMMC #14-1) sought records related to an August 16, 2014 FOIA appeal, and specifically documents with certified mail tracking numbers 70121640000096651035 and 70121640000096654524.

NARA requests that the DHA investigate this matter to determine if all applicable FOIA records were provided at the time of the request and whether responsive records were/or will be destroyed in accordance with the appropriate records disposition schedules. Please note that per 36 CFR 1230.14, if records have been destroyed without NARA's proper authorization, the agency must report these incidents promptly to NARA.

NARA requests that you provide NARA with a response within 30 days in accordance with 36 CFR 1230.16. Your report should include a description of the records; the records schedule disposition citation that covers the files; details regarding the records destruction incident and recovery efforts; and a statement of the safeguards that have been or will be implemented to prevent future unauthorized disposals of such records. If you have any questions, please contact me at laurence.brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence M. Brewer". The signature is written in a cursive style with a large initial 'L' and a distinct 'M'.

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



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January 25, 2022

Ms. Luz D. Ortiz
Department of Defense
Office of the Secretary of Defense
4800 Mark Center Drive, Suite 02F09-02
Alexandria, VA 22350-3100
luz.d.ortiz.civ@mail.mil

Dear Ms. Ortiz:

The National Archives and Records Administration (NARA) has received the Department of Defense's response regarding NARA's request for further information pertaining to an allegation of an unauthorized disposition of records at the Defense Health Agency's (DHA) Walter Reed National Military Medical Center (WRNMMC) (UD-2021-0019). A member of the public alleged that in response to an April 26, 2014 FOIA request to WRNMMC an unlawful destruction of records occurred. The request (requester number: FOIA WRNMMC #14-1) sought records related to an August 16, 2014 FOIA appeal, and specifically documents with certified mail tracking numbers 70121640000096651035 and 70121640000096654524.

During your investigation, DHA determined that the applicable FOIA responsive records were provided to the requester and were not unlawfully destroyed by the agency. This allegation also pertains to litigation, *Hammond v. Department of Defense, Et Al.*, No. 1:16-cv-00421, in the United States District Court for the District of Columbia. The court's finding determined that WRNMMC conducted "reasonable and adequate" searches in response to the requester's multiple FOIA requests.

Based on the information that you provided, the reporting requirements of 36 CFR 1230.14 have been met. NARA considers this allegation of unauthorized disposition unfounded. If you have any questions, please contact me at laurence.brewer@nara.gov. Thank you for your attention to this matter.

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