



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

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May 19, 2022

Kim Burch
Agency Records Officer
Federal Mine Safety and Health Review Commission
1331 Pennsylvania Avenue NW, Suite 520N
Washington, DC, 20004

Dear Kim Burch:

The National Archives and Records Administration (NARA) has become aware of an unauthorized removal of records from the Federal Mine Safety and Health Review Commission (FMSHRC). The report, submitted by the Chief Operating Officer, claims that an employee facing disciplinary actions removed sensitive agency records with a wide variety of content.

In accordance with 36 CFR 1230.16(b), NARA is requesting that the FMSHRC provide us with a response within 30 calendar days identifying the specific actions taken to address this allegation, and the steps taken to mitigate future risk. Please indicate if the records outlined in the allegation can be recreated or duplicated from other sources. Additionally, FMSHRC must take the necessary steps to recover the records that were downloaded. The employee must return the hard drive with the records and any copies of the records that were removed.

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,

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

cc. Leslie C. Bayless, Chief Operating Office, Senior Agency Official for Records Management