



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

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December 08, 2025

John Petralia
Agency Records Officer
Merit Systems Protection Board
1615 M Street, NW
Suite 500
Washington, DC 20419-0002

Dear Mr. Petralia:

The National Archives and Records Administration (NARA) acknowledges receipt of the Merit Systems Protection Board's (MSPB) report regarding the unauthorized disposition of Freedom of Information Act (FOIA) records affected by OPEXUS' FOIAXpress February 18, 2025 system outage and data loss incident.

According to the report, on June 5, 2025 on an interagency call, NARA notified all agencies of a system outage of the FOIAXpress application and the requirement to report any unauthorized disposition of records. FOIAXpress stores FOIA case management information including requester information, description of records requested, and responsive documents provided. MSPB reports that on February 18, 2025, four FOIA requests were lost during the incident. The office responsible for maintaining the records is the Office of the Clerk of the Board (OCB), FOIA Program.

NARA understands that due to the small size of MSPB's FOIA dockets and through personal knowledge of the missing documents, FOIA analysts were able to identify suitable records to recreate the missing requests. Additionally, we understand that to prevent future loss of records, MSPB staff will monitor the FOIAXpress application daily, continue to rely on their knowledge of the records, and on OPEXUS's commitment to strengthen its security practices to prevent unauthorized deletions of data from the system. The ARO verified that MSPB's contract for FOIAXpress does contain records management requirements.

Based on this information, the reporting requirements of 36 CFR 1230.14 have been met and NARA considers this matter closed. I appreciate your attention to this matter. If you have any questions or wish to discuss this further, please contact the Records Management Oversight and Reporting Program by email at UnauthorizedDisposition@nara.gov.

Sincerely,

A handwritten signature in black ink that reads "William Fischer". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

WILLIAM FISCHER
Chief Records Officer
for the U.S. Government (Acting)