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November 4, 2026

The Honorable James R. Murphy
Chairman
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dear Chairman Murphy:

In preparation for the 120th Congress, I write to respectfully remind you of requirements related to records management and preservation under the *Federal Records Act of 1950* (FRA),[1] as amended. The preservation of records in accordance with the FRA is critical to ensuring that Congress can fulfill its essential oversight responsibilities.

As you are aware, the FRA requires all departments and agencies in the Executive Branch to collect, retain, and preserve records that document "the transaction of public business" or contain "informational value."[2] The FRA's regulations require the head of each federal agency to "make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency".[3] These protections extend to all types of information, whether stored physically, digitally, or electronically.[4] Further, these requirements apply to all subagencies, offices, departments, and other organizational components under the National Labor Relations Board's purview, as well as to all National Labor Relations Board personnel.

Federal officials and employees who violate the FRA are subject to criminal penalties. Any agency employee who "willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys" or attempts any such action against a federal record is subject to fine and/or imprisonment for up to three years.[5] In addition, any federal officeholder convicted of violating the FRA can lose his/her position and can be

[1] Pub. L. No. 81–754 (1950).
[2] 44 U.S.C. § 3301(a)(1)(A).
[3] 36 C.F.R. § 1220.30 (2026).
[4] *See* 44 U.S.C. § 3301(a)(2).
[5] *See* 18 U.S.C. § 2071(b).

disqualified from holding future federal office.[6] Moreover, the head of an agency, such as the National Labor Relations Board, governed by the FRA has the responsibility to notify the Archivist of the United States of any actual, impending, or threatened unlawful action against records at the agency.[7]

The American people have given Congress a clear mandate to root out waste, fraud, and abuse within the Administration. I request an assurance, in writing, by November 18, 2026, that records, documents, data, or information have not been and will not be concealed, modified, removed, transferred, destroyed, or otherwise rendered inaccessible.

Thank you for your attention to this request. Please send all official correspondence and information related to this request to the Committee's Democratic staff at EWDOversight@mail.house.gov. I look forward to your response.

Sincerely,



ROBERT C. "BOBBY" SCOTT
Ranking Member

cc: The Honorable Tim Walberg, Chairman, Committee on Education and Workforce

[6] *Id.*
[7] *See* 44 U.S.C. § 3106(b).