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Opening Statement
Ranking Member Patrick McHenry

Subcommittee on Information Policy, Census, and National Archives
“National Archives and Records Administration Organizational Issues”
July 30, 2009

Thank you, Mr. Chairman, for holding this very important hearing. And I’m glad to see that you were able to make it this time to testify before our Committee, Miss Thomas.

The topic of today’s hearing is “National Archives and Records Administration Organizational Issues” – but I think calling the inherent failures of Archives management to secure and account for stored data “organizational issues” is putting it far too lightly.

The National Archives is an agency with an extremely important function. It serves as keeper of our nation’s valuable records, preserving government and historical records that include copies of acts of Congress, presidential proclamations, and federal regulations. While the Archives maintains public access to some documents, other records contain highly-sensitive data, and these must be secured to ensure our national security and shield personally-identifiable information. The effectiveness of the Archives as protector of the records under its control is key to preserving our history and maintaining accountability of our government.

The Archives conducts truly invaluable work, yet they are an agency that the public doesn’t often hear much about. Unfortunately, they’ve been getting quite a lot of press as of late, and none of it good.

In May, National Archives Inspector General Brachfield notified Congress that an external hard drive containing national security information had gone missing from the agency’s College Park facility sometime between October 2008 and March 2009, when its absence was first noticed. That drive contained one terabyte of data composed of Clinton presidency records and is the equivalent of “millions of books” full of information, as Mr. Brachfield has previously put it. The missing data includes more than 100,000 social security

numbers, the personal contact information of presidential administration officials, entire computer files of 113 former White House employees, Secret Service and White House operating procedures, and other highly-sensitive information.

Disturbingly, the missing hard drive was stored in easily-identifiable packaging in a workspace that the Archives has admitted was unsecure, unattended, and accessible to personnel without clearance. Even now, is still not known whether the hard drive was misplaced, lost, or stolen, or even when it actually went missing.

It was my hope that National Archives management would immediately react to what has been described as a “catastrophic loss” by tightening security and accessibility at their College Park facility, particularly in the area from which the hard drive was removed. However, when Oversight Committee staff visited the campus on July 17, they observed many of the same deficiencies in security measures and left with the impression that a motivated criminal would be able to remove sensitive materials with little to no resistance. There wasn’t much of an effort on the part of National Archives staff to even make it appear that substantive changes had been made to security.

To be fair, the pattern of material mismanagement at the National Archives precedes Miss Thomas by quite a few years. We all still remember President Clinton’s National Security Advisor, Sandy Berger, caught walking out of the Archives with his pants stuffed with classified, uninventoried documents.

There are many more alarming cases of negligence at the Archives, yet none as egregious as the disappearance of the hard drive. These include the disappearance of \$6 million dollars of taxpayer-funded equipment over the period of 2002 to 2006; the disposal of countless original records from the Bureau of Indian Affairs with the Archives’ trash; and the disappearance of 55,000 pages of CIA and other federal agency records right off the shelf in 2006. There is a prevalent culture of carelessness at the National Archives, and it must be replaced with meticulous accounting for all materials – paper and electronic – and stringent security measures that restrict access of unauthorized employees to areas where confidential data is kept.

On Tuesday, President Obama announced he had selected his nominee for an Archivist to replace Miss Thomas – David Ferriero. Quite frankly, I believe this announcement could not come soon enough. Mr. Ferriero has certainly had a lot of experience managing mass quantities of paper and electronic documents in his tenure as director of research libraries at the New York Public Library, and I look forward to hearing about his qualifications as well as how he plans to turn around the National Archives at his Senate confirmation hearing.

I thank our witnesses for appearing today and I am very interested to hear an explanation of how the theft of a hard drive full of sensitive information from the National Archives could occur and what sort of measures are being taken to prevent a recurrence.