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NOMINATION OF COLLEEN J. SHOGAN

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED EIGHTEENTH CONGRESS

FIRST SESSION

NOMINATION OF COLLEEN J. SHOGAN TO BE ARCHIVIST OF THE
UNITED STATES, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

FEBRUARY 28, 2023

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NOMINATION OF COLLEEN J. SHOGAN

TUESDAY, FEBRUARY 28, 2023

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 10 a.m., in room SD-562, Dirksen Senate Office Building, Hon. Gary Peters, Chairman of the Committee, presiding.

Present: Senators Peters [presiding], Carper, Hassan, Rosen, Ossoff, Blumenthal, Paul, Johnson, Scott, Hawley, and Marshall.

OPENING STATEMENT OF SENATOR PETERS¹

Chairman PETERS. The Committee will come to order.

Today we are considering the nomination of Dr. Colleen Shogan to be Archivist of the National Archives and Records Administration.

The Committee is holding a second hearing on this nomination at the request of our minority colleagues, and I hope that my colleagues will use this additional opportunity to ask substantive questions and evaluate Dr. Shogan's qualifications both carefully and fairly.

Dr. Shogan, welcome back, congratulations once again on your nomination, and thank you for your willingness to serve in this very important position. You are exceedingly well-qualified to serve as the next Archivist of the United States (AOTUS), and I hope to see you confirmed very quickly to this important role.

Throughout your career, you have served in several nonpartisan leadership positions with dedication and integrity, and during last year's nomination hearing, you demonstrated keen judgment, a deep understanding of the importance of the Archivist role, and a firm commitment to nonpartisanship and transparency.

Last Congress, some of my colleagues raised concerns about potential partisan bias. However, your extensive track record shows these claims to be unfounded.

This Committee has heard from many individuals and organizations who attest to Dr. Shogan's expertise and ability to work in a nonpartisan manner. These include the American Political Science Association (APSA), the Council of State Archivists (CoSA), the American Historical Association (AHA), and other national, nonpartisan and nonpolitical organizations who I will say have enthusiastically endorsed Dr. Shogan's nomination. I will enter all of

¹ The prepared statement of Senator Peters appears in the Appendix on page 23.

the letters of support into the hearing record, which there are many here.¹

Chairman PETERS. The National Archives and Records Administration (NARA) is the Federal agency charged with maintaining and preserving Presidential and Federal records. Recent events have highlighted longstanding issues with Presidential records management and classification, and I understand that many of my colleagues are eager for more information on these issues.

But I want to stress that, as you told us in your previous hearing, you are not able to provide details about current investigations related to Presidential records because—and this is a good reason—you do not currently work at NARA. Pretty straightforward. For my Committee colleagues, this is an area that this Committee has been actively engaged in, and it is an area that we will continue to be engaged in as we continue to examine this issue here in Congress.

Last Congress, I convened a hearing to examine records management challenges and potential reforms. Following that hearing, I drafted legislation that will strengthen existing laws and modernize recordkeeping processes. I look forward to working with Ranking Member Paul and the other Members of the Committee to build on the work from last Congress to advance bipartisan legislation that will strengthen our records preservation laws.

Today, I hope to have a constructive dialog about the current challenges facing the National Archives and Dr. Shogan, your plans for addressing those.

The National Archives faces large backlogs of public records requests and requests for military personnel records that are essential, absolutely essential to ensuring veterans and servicemembers receive the benefits that they deserve and have earned.

The Archivist will also be responsible for leading the transition to electronic records across the Federal Government. Confirming Dr. Shogan as the next Archivist will help the National Archives address these challenges.

Assuring the full and accurate preservation of our nation's history is a monumental task and requires an independent, non-partisan leader dedicated to serving the American public. I am confident that Dr. Shogan is the right choice to serve as the next National Archivist.

Today I look forward to hearing more from you, Dr. Shogan, about your experience and qualifications and how you plan to serve. Again, thank you for being before us a second time.

With that, Ranking Member Paul, you are now recognized for your opening remarks.

OPENING STATEMENT OF SENATOR PAUL²

Senator PAUL. Thank you and welcome. My wife and I are big fans of the National Archives and have been there many times, and have always felt like it was an organization that was nonpartisan, and I hope it can remain so.

¹The letters of support appears in the Appendix on page 87.

²The prepared statement of Senator Paul appears in the Appendix on page 25.

Every year, though, tens of thousands of Americans travel to their nation's capital to peacefully stand up for the right to life by participating in the March for Life. It is quintessential First Amendment activity.

Just over a month ago though, on January 20th, was the 50th anniversary of the March.

On their way to the march that morning, dozens of marchers decided to stop by the National Archives to see our nation's founding documents, including the Bill of Rights that guarantees their freedom to participate in the march they were headed to. Rather than being welcomed as more than a million other visitors are each year, these marchers, many of whom were school-aged children, were met by hostility by the Archives and forced to cover up or remove any pro-life messages. This has actually been directly decided by the Supreme Court of the United States (SCOTUS) as far as wearing T-shirts that either criticize a President or go against a political candidate, but it is actually protected speech, even in our schools, where you cannot for a student to cover up their shirt, and yet at the Archives they were forced to cover their shirts.

In one example of many from that day, one young woman standing mere feet from the original Bill of Rights was told to cover her shirt, and her shirt read "Life is a HUMAN RIGHT."

You heard that right. The guards charged with protecting the very parchment our Bill of Rights is written on repeatedly violated the First Amendment rights of marchers in the presence of the actual First Amendment. It is hard to imagine a more offensive way to violate their freedom of speech.

While I understand some action has been taken, a more serious investigation is necessary. This is especially true because similar violations occurred at the Air and Space Museum that day as well.

This is deeply disturbing that this would happen. Nothing like this can ever happen again, and we must understand who ordered it or tolerated it, and the culture that enabled this to happen.

Lest anyone think I am being partisan about this, while I know of no similar violations of speech of those on the political left, I would have exactly the same position. If someone said they disliked Rand Paul and he was a terrible Senator, they have to right to wear that T-shirt.

Beyond the Museum, the Archives is responsible for preserving Executive Branch documents, and that mission has not been without controversy either. Federal records law should be a strictly nonpartisan affair.

Unfortunately, the difference in how the Archives appears to have handled the disputes over documents held by former President Trump and Vice President Pence, and President Biden on the other hand, raises questions about the impartiality of the agency. Specifically, the agency seems to have aggressively publicized the search for documents at President Trump and Vice President Pence's residences, but tried to keep quiet about the documents President Biden kept in at least three locations. While I think the larger issue here is really that too many things are classified, and that is something that you can have some effect on older documents and whether they remain classified, we really have to get

over this. Everything is classified. In fact, it makes oversight of government worse.

But even if it is classified, the rules need to be the same for both parties, and it looks as if there was a great deal of activity going after the Republicans and not so much for the Democrats. It was basically tea and crumpets for Biden, and the Federal Bureau of Investigation (FBI) and drawing guns for Trump. It did not seem really appropriate to many of us.

In another document management matter, the Archives investigated allegations that the National Institute of Health (NIH) improperly destroyed key documents related to Coronavirus Disease 2019 (COVID-19). This is important because we are still struggling to get information from the NIH. You would not think that a scientific organization was resisting document disclosure, but they are. The conclusion of that investigation seems to be that the Archives simply accepted NIH's word that they were not destroying records. Well, realize this is coming from an agency that you would think would be nonpartisan also, but that is resisting all of our entreaties for information.

I have sent more than a dozen letters to NIH. See, people do not know this. I have sent a dozen letters, some of them signed by five Senators. The NIH will not give information to the Senate. We need somebody in a nonpartisan position to say we have to make sure they are not destroying records over there. I have yet to receive any of the documents requested in those letters. I am hoping the Chairman will choose to put some bipartisan heft behind this. But this is a real problem that the government is resisting records release. I have assured the Chairman that if the shoe was on the other foot and there was a Republican administration I will sign every document request because there is no government agency that should be able to resist the Senate's request for information.

Determining whether any documents providing insight into the origins of COVID, some of these being improperly destroyed, warrants more than just a cursory review, and OK, NIH, we are just going to take your word for it.

Today I want to hear what the Archives is going to do to ensure that records related to the origins of COVID-19 are properly preserved, as well as a commitment to provide us with all documents related to the investigation into the origins of COVID.

Finally, there is a partisan pressure campaign underway to bully the Archivist into unilaterally amending the Constitution. Who would have ever guessed that somehow the Archivist would be involved with amending the Constitution? Do you think people were mad over the Supreme Court deciding versus the public or legislatures, deciding the issue of abortion? Can you imagine if an Archivist who is not thought to be someone elected to any kind of office or creating any legislation would somehow be in charge of amending the Constitution would alarm even the most cautious of folks.

Congress imposed a deadline of 1982 for 38 States to ratify the Equal Right Amendment (ERA), a deadline that was not met. We do know the will of Congress on this. Lately, three States have attempted to ratify the amendment notwithstanding the legal deadline. However, there also have been five States that have taken back and removed their approval of this. When something murky,

at best, you would think that Congress would be the arbiter of what would happen, or the people at the very least.

But these activists, who conveniently ignore the five States that have withdrawn their ratification, want the Archivist to certify adoption of the amendment. To this point the nominee has rightly resisted such calls, but we will be looking for reaffirmation of that today.

Thank you, and we welcome your testimony.

Chairman PETERS. Thank you, Ranking Member Paul.

It is the practice of the Homeland Security and Governmental Affairs Committee (HSGAC) to swear in witnesses, so if you will stand and raise your right hand please.

Do you swear the testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Dr. SHOGAN. I do.

Chairman PETERS. Thank you. You may be seated.

Today's nominee is Dr. Colleen Shogan, nominated to be Archivist of the National Archives and Records Administration. Dr. Shogan currently serves as Senior Vice President and Director of the David M. Rubenstein National Center for White House History at the White House Historical Association and as an adjunct lecturer at Georgetown University.

Dr. Shogan also moderates the Emerging Governance Leader Seminar at the Aspen Institute, and serves as a Vice Chair of the Women's Suffrage Centennial Commission, the bipartisan commission designated by Congress to commemorate the 19th Amendment.

Previously she worked at the Library of Congress for over a decade in a variety of roles.

Welcome, Dr. Shogan. You may proceed with your opening remarks.

TESTIMONY OF COLLEEN J. SHOGAN, PH.D.,¹ TO BE ARCHIVIST OF THE UNITED STATES, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Dr. SHOGAN. Thank you, Mr. Chairman and Mr. Ranking Member, and thank you distinguished Members of the Committee. Good morning. My name is Dr. Colleen Shogan, and my nomination to serve as the Eleventh Archivist of the United States is indeed the honor of a lifetime. I am likewise humbled by the opportunity to serve as the first nominated woman in the role.

Before I continue, I would like to thank my husband Rob for being here today. He has consistently supported my career, and I know this will continue if I am confirmed as Archivist.

In 2021, I was diagnosed with early stage breast cancer. I would like to take a moment to acknowledge my family, my close friends, my work colleagues, doctors, and nurses. They helped make today possible for me, and I am eternally grateful. I am healthy today because of their efforts.

I must admit, this setting is quite familiar to me. Over 15 years ago, I worked alongside this Committee as a congressional staffer.

¹ The prepared statement of Dr. Shogan appears in the Appendix on page 28.

I never imagined I would be sitting on this side of the dais for a confirmation hearing.

My passion for the American story started in the public high school I attended outside Pittsburgh, with engaging teachers who taught United States history and government. As a first-generation college student in my family, I was fortunate to receive a first-class education, which allowed me to explore the development and evolution of American ideas and institutions.

My reverence for democratic principles, ideals, and governance led me to a career that included positions in academia, Federal Government service, and nonprofit management. Following my service in the Senate, I spent over a decade directly supporting Congress as a senior leader at the Congressional Research Service (CRS) and the Library of Congress. I also served as the Vice-Chair of the Women's Suffrage Centennial Commission, which commemorated the anniversary of the 19th Amendment without partisanship. These positions, including the one I hold today at the White House Historical Association, have instilled in me the tremendous value of nonpartisanship and access to trusted sources. I am confident that my years of experience in these unique roles have prepared me well to serve as the Archivist of the United States.

The National Archives and Records Administration preserves the building blocks of our nation's democracy. NARA does this by enabling access to the government records which tell our national story in the words and images of the people who made history.

This is critical for several reasons. First, it provides citizens with answers about family heritage, military service, and governmental decisions. Citizen engagement with Archives' materials online and in person through our nationwide system of archival research rooms and Presidential libraries is a top priority for NARA. The National Archives also provides researchers, historians, genealogists, educators, students, and other stakeholders with trusted information about our shared past.

In my own research, I have benefited from examining NARA's records. As a political scientist, I strongly believe that we cannot understand our nation's present condition without a comprehensive understanding of the paths that brought us here. Along with our other Federal cultural institutions, NARA secures the repository of knowledge that enables such understanding, for scholars and citizens alike.

Additionally, the National Archives provides vital records management services and guidance to all three branches of the government and is leading the governmentwide transition to electronic recordkeeping.

Most importantly, NARA safeguards government records in the public trust to enable citizens, such as veterans, to claim their rights to hold their government accountable and to participate in the civic process.

If confirmed, I will have many hills to climb in this position. I do not assume these challenges lightly. To succeed, we will need to find creative ways to become more efficient, to capitalize upon public-private partnerships, and to engage previously underserved communities in meaningful ways.

Of course, NARA must do this as technologies improve at a lightning speed. Government is not always considered nimble when it comes to innovation, but the National Archives can serve as a leader in its transition to a primarily digital future. This will require investing in the Archives' talented workforce and making smart business decisions that will propel NARA forward.

In a private meditation, Abraham Lincoln likened the principles of the Declaration of Independence to the "apple of gold," a phrase contained in the Book of Proverbs. Lincoln knew it was his task to move the Nation toward a "more perfect" realization of these principles. As the 250th anniversary of our country approaches, that hard work continues. If confirmed, I look forward to sharing the treasured collection of the National Archives with all Americans. Thank you.

Chairman PETERS. Thank you, Dr. Shogan.

There are three questions that the Committee asks of every nominee, and I am going to ask you to respond briefly to these questions with just a simple yes or no.

First, is there anything you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Dr. SHOGAN. No.

Chairman PETERS. Second, do you know of anything, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Dr. SHOGAN. No.

Chairman PETERS. Last, do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Dr. SHOGAN. Yes.

Chairman PETERS. Thank you.

Dr. Shogan, my first question is you are not an archivist, or a librarian or a historian. So could you tell the Committee what experience and skills you are going to be bringing to the role of Archivist of the United States?

Dr. SHOGAN. Thank you, Mr. Chairman, for that question. As I stated in my opening statement, I bring over 15 years of experience in the government sector and in the nonprofit sector and increasing positions of importance. I bring management and supervisory skills to the table, working in all facets of government, including eight years at the Congressional Research Service, four years at the Library of Congress in senior executive positions, and then for the past three years as the Senior Vice President at the nonpartisan, nonprofit White House Historical Association.

I also think I do have a very relevant educational background to serve as the Archivist of the United States. I am not a historian. I am a political scientist. But my areas of expertise were in American politics, in political philosophy, and in methodology, and I have really focused on the intersection of political science and history. That has been where my work has focused, which gives me a very good background in the history of ideas and institutions.

Last, I would highlight that I have performed many of these roles, particularly for the past 15 years, in organizations in which

their principles and values, most importantly, were of nonpartisanship.

Chairman PETERS. Dr. Shogan, the outreach and engagement with the public are absolutely essential parts of NARA's work. If confirmed, what are your priorities for educational outreach?

Dr. SHOGAN. Thank you, Mr. Chairman, for that question. This brings a lot of excitement and energy to me because I think that all of our students, all the way from students in elementary school all the way to graduate students, my vision, my hope is that they will turn to the National Archives first when they are engaging in research and exploration related to social studies, to American history, to civics.

I know in this country we do have what some people have referred to as a deficit in a knowledge of American history and in civics, and that is improving and is getting better. But the National Archives can play a major role in helping to close this deficit. If I am confirmed, I look forward to looking to all kinds of third-party partnerships that would enable more access, more knowledge to students about the treasures.

There are 205 million records online through the National Archives in the catalog. That is just amazing. It is the largest online archive in the world. It is unbelievable. We need to make sure that we are making use of those records, making sure that they are available to students. The way we do this is directly to students, but it is also through teachers. I would also want to evaluate our teacher professional training outreach. I know that this has been ongoing at the Archives. I would like to increase that outreach, increase opportunities for professional training for teachers to use our records in the classroom, and I would also like to bring back in-person training for teachers to the National Archives, if confirmed.

Chairman PETERS. Great. The next question relates to a problem that has to be resolved. It is an issue incredibly important to me, and I think every Member on this Committee as well. That issue is that NARA is currently facing a backlog of over 300,000 requests for military service records.

Now I was glad to see that last week NARA released a plan to eliminate the backlog by December of this year—hopefully that will be accomplished—but I think I would like to hear, if confirmed, what steps you are going to take to ensure that goal is actually met.

Dr. SHOGAN. Thank you for that question. This issue is of utmost importance to me. I come from a family of veterans. My father was a veteran. My uncles were veterans, my sister-in-law. It is of utmost importance. This goes right to the heart of access. Veterans need access to these records so they can claim the benefits that they are guaranteed because of their service to this country.

If I am confirmed as Archivist of the United States I view this as being a discrete problem of the first magnitude. I plan to travel to the National Personnel Records Center, which is located outside of Saint Louis, and be able to view the procedures and processes that are in place right now. They are, as you said, Mr. Chairman, making good progress, and the goal is to reduce and eliminate that backlog by December 2023. But I would want to travel there and

see the processes in place, see what else can be done so that we can speed up that deadline.

Chairman PETERS. Great. Dr. Shogan, if confirmed, you are going to play a key role in the transition to digital records across the scope of the Federal Government. Can you describe your experience leading efforts to expand digital resources as well as outreach?

Dr. SHOGAN. Yes, Mr. Chairman. Thank you for that question. I was lucky enough to be very much involved for the very origins of digital outreach and transformation at the Library of Congress. I was very much involved in the drafting of the first digital strategy at the Library of Congress. I would also point to my current position. As you know, COVID really removed a lot of in-person interactions after its inception. I think everybody that was working in cultural or historical institutions was faced with the prospect of having to get their information out in ways that they had never approached before.

We were very aggressive in this regard at the White House Historical Association. It took a lot of time and effort. But we were able to do things such as going to the White House and create a very innovative, 360-degree tour of the White House that we were able to put online, and we were able to engage with students and teachers. We have made use of that 360-degree tour even now that people are back in person with COVID, because we know there are people that cannot travel to visit the White House.

I would hope to make creative endeavors like the ones that I have done in my previous positions, and to apply those principles and strategies to the National Archives, so we could share the National Archives with as many Americans as possible, hopefully in person but also, of course, through digital means.

Chairman PETERS. Thank you, Dr. Shogan. Thank you for the answers to my questions.

I now recognize Ranking Member Paul for his questions.

Senator PAUL. Do you believe that the Archivist has the power to certify amendments to the Constitution when there is a dispute as to how many States have ratified the amendment?

Dr. SHOGAN. Thank you, Mr. Ranking Member. As I understand it, the function before the Archivist of the United States is what has been described as ministerial in function, so the Archivist publishes an amendment when it is part of the Constitution, not the decider.

Senator PAUL. Very good, and I think that is exactly right. In some ways it would probably be similar to sort of the certification of an election. When the Vice President comes in it was thought to be ministerial, not that the Vice President had the power to change or alter the election.

Will you allow security at the Archives to force people to cover clothing that has political speech on it?

Dr. SHOGAN. Thank you, Mr. Ranking Member, for that question. Absolutely not.

Senator PAUL. Will you get to the bottom of how it happened? I do not know if this was some rogue person out there doing this or if those in charge were encouraging this. But will you promise to get to the bottom of it?

Dr. SHOGAN. Absolutely, Mr. Ranking Member.

Senator PAUL. I think one of the things that American people hate most about government is when it appears as if justice or the adjudication of justice is partial, when Lady Liberty is not blind, Lady Justice is not blind, that there are different standards for people depending on their party. At least from where I sit, a lot of Republicans felt like there was a different standard really in the way the FBI treated Donald Trump and Joe Biden.

The bigger problem, though, I think, is that everything is classified. We classify everything. The menu at the White House is supposedly classified. We have problems with too much classification.

But it also makes oversight difficult. For example, a million Americans died from COVID. Somewhere between 12, 15, maybe 18 million people died worldwide from COVID. I cannot get records from the NIH because they classify them. I think it was the Department of Health and Human Services (HHS) sent us a 250-page document and redacted the whole thing. This is just sort of an insult, and I do not know how we get to it.

You do not have complete control of this, but I think you have some control over the older records. How do you understand your role on the older records, being part of declassifying older records?

Dr. SHOGAN. Thank you for that question. Yes, as I understand it the agency that classifies information has the responsibility and the choice to declassify that information. But there is the National Declassification Center at the National Archives, located in Maryland, and if I am confirmed I plan to, of course, visit the National Declassification Center and also prioritize, as you said, Mr. Ranking Member, the older records that are waiting for declassification, figuring out how we can be most efficient in doing this and how we can strengthen relationships with those classifying agencies, those classifying entities, so that we are able to move some of these older documents through the process. I agree with that.

Senator PAUL. For the record here, on the Presidential controversy, what we are stuck with now is millions of dollars will be spent on these investigations, and there should be an investigation of neither Biden nor Trump nor Pence on this. They should be told that these are the rules and we should try to work with people that were in office.

I think we are not going to find that the secrets to making a nuclear weapon were at someone's house. I think we are going to find that a lot of stuff is classified that does not need to be classified. But it began with sort of a witch hunt for Trump. Everybody loved it. The media cackled and rubbed their hands together and it went on for weeks and weeks. They had Donald Trump. They were going to get him. They were going to put him in jail. Like all the rest of the governments that are controlled by one party around the country, they just had glee until Biden was found to have records in a much less secure place, next to his Corvette in his garage.

But I think we have overreacted to both. I have talked with the Chairman and others on the other side that we need to do something about this over-classification problem. What little part you can be of it, I realize and I do not want you to create a problem, but what you can do on the older records I think we would appreciate trying to get less. I look forward to working with the Chairman on trying to change this because we cannot have true over-

sight of government if HHS and NIH is telling us it is none of your business.

We really have to get a hold of what is going on. To me the COVID thing is not about Biden at all. A lot of this happened in the previous administration so really it should not be partisan at all. We should all want to find these records.

I am going to reserve my time for later if that is OK.

Chairman PETERS. That is fine, Senator Paul. Thank you.

Senator Johnson, you are recognized for your questions.

OPENING STATEMENT OF SENATOR JOHNSON

Senator JOHNSON. Thank you, Mr. Chairman. I would like to start by making an appeal to the Chair, now we have the full Committee but also to my new Chair of the Permanent Subcommittee on Investigations (PSI). We have Senator Marshall, Senator Paul, and myself are very interested, as I think the American public is, in the origin of COVID. I think with the recent revelation now the Department of Energy (DOE) is tending toward a leak from a lab. We need to understand exactly how COVID started so we can prevent it from happening in the future.

I think in this Committee we have the investigatory background, certainly my subcommittee does, and I would truly encourage the Chairs of the full Committee and the Permanent Subcommittee on Investigations to cooperate with us, and quite honestly, start a full-fledged Committee investigation into the origins. I think it is extremely important, as well as other aspects of our response to COVID, which I certainly have my viewpoint on that. The House is doing so, I think, in a pretty bipartisan fashion. There should be nothing partisan about this whatsoever.

I really encourage you, as the Chair of the full Committee, and Senator Blumenthal to cooperate with us in those investigations.

Dr. Shogan, in your third question that is standard in terms of asking nominees before the Committee, do you agree without reservation to comply with any request or summons to appear or testify before a duly constituted committee of Congress if you are confirmed, you answered that in the affirmative. I am asking, do you agree that that should be a request from the minority as well?

Dr. SHOGAN. Thank you, Senator Johnson, for that question. If I am confirmed I will be responsive to any requests or inquiries that you have, any members on this

Committee have, or any members of the U.S. Senate or Congress, within compliance of existing law. I will do that.

Senator JOHNSON. There is also legal counsel opinion in 2001, which took a look at the language of the Presidential Records Act (PRA), where it is talking about "to the extent of manner within its jurisdiction, to any committee or subcommittee thereof if such records contain information as needed for the conduct of its business that is not otherwise available." There is no mention of the majority, the minority, or a chairman of a committee or chairwoman of a committee making that request, but the Office of Legal Counsel (OLC) said that it is only a request from a chair.

I understand that is the legal standard put forth by the Department of Justice, an agency within the Executive Branch. But I would argue, and I certainly experienced this, that it has dramati-

cally hampered the rights of the minority to get the bottom of what is happening in government.

In your testimony you mimic the website of the Archives in terms of what the purpose of the Archives is. According to the Archives website, "In a democracy, records belong to the people. Records help us claim our rights and entitlements, hold our elected officials accountable for their actions, and document our history as a Nation. NARA ensures continuing access to the essential documentation of the rights of American citizens and the action of the government," and in your testimony you said you will be there to safeguard government and public records so that the citizens can claim their rights to hold government accountable.

With that Office of Legal Counsel's opinion, if you have the presidency held by one party and both branches of government held by the same party, half the country, through their elected representatives, have no access to records. Do you understand that?

Dr. SHOGAN. Senator, I will need to get back to you on the OLC opinion that you are citing. I believe, as you said, that issued during the presidency of George W. Bush. But once again, I want to promise to be as responsive as possible, under the dictates of the law, to yourself, to other Members of this Committee, and to Members of the U.S. Senate and all Members of Congress, because I do believe, Senator, what you have stated is correct.

The National Archives holds the records of the United States in custody for the American people, but the American people, it is their records, and I look forward to sharing them with as many Americans as possible while following the law.

Senator JOHNSON. By the way, I think current majority leader Schumer had an issue with that same Office of Legal Counsel opinion back in 2018. I actually agree with Senator Schumer. I think it is absurd, if you believe in transparency of government, if you believe that these records are the records of the people, that in certain circumstances there is no possibility for the minority party to get access to records from the Administration so we cannot hold them accountable, and the American public cannot get information that it completely deserves to have. Do you agree with that position? Do you understand the quandary, the problem with that opinion?

Dr. SHOGAN. Senator, I do understand the problem that you are outlining, and once again, I promise if I am confirmed to share as many records as possible with the American people under the dictates of the law.

Senator JOHNSON. If you become Archivist here, you will also be in charge of an agency that in addition to archiving other Executive Branch information you will have potential information yourself, for example, communications between yourself and, in this case, the Department of Justice (DOJ) in terms of how to handle the classified information that is in the hands of President Trump, President Biden, and Vice President Pence.

I would like to, with consent, enter two letters,¹ one January 23rd of this year and also February 24th, written by Senator Grassley and myself to the Acting Archivist, asking for information

¹ The letters submitted by Senator Johnson appears in the Appendix on page 103.

related to those investigations. We did not get a satisfactory answer in our January request so we had to follow it up with a February request. But the first one just said, "If you become Archivist"—this is the question we asked of the Acting Archivist—"will you provide all records between the Archives and the Department of Justice relating to the Archives' response to our January 23, 2023, letter?" I mean, will you provide those types of records? Or are you going to hide behind, oh, there is an active investigation, or only a Chair can request this?

Dr. SHOGAN. Senator, I have not been briefed on any details regarding these incidents due to the Department of Justice investigations. I have not.

Senator JOHNSON. I would just ask that, as you said, you would be responsive to our requests, should you become confirmed, and I would ask for your commitment to be responsive to our requests.

Dr. SHOGAN. Thank you, Senator.

Chairman PETERS. Thank you, Senator Johnson.

Senator Hawley, you are recognized for your questions.

OPENING STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you very much, Mr. Chairman.

Dr. Shogan, when you were here last year a number of Senators asked you, including me, a series of questions about an article you had written, public statements you had made on social media that were, I have to say, pretty grossly partisan, and I thought offensive. You and I went back and forth about it.

After that, a number of us asked you questions for the record relating to these statements. I want to follow up on one of them. I, in particular, asked you to give us a full accounting of the public posts that you had made on Twitter. You locked your Twitter account before you came before this Committee. It had previously been public. I asked you to provide the public posts that had previously been available on Twitter because the ones that we have were pretty disturbing.

You responded as follows, "My personal Twitter account is comprised of posts about my mystery novels, events at the White House Historical Association, Pittsburgh sports teams, travels, and my dog." Is this an accurate statement?

Dr. SHOGAN. Yes, Senator.

Senator HAWLEY. I just remind you you are under oath. Is this an accurate statement?

Dr. SHOGAN. Yes, Senator.

Senator HAWLEY. Let us talk a little bit about your Twitter posts then, that I was asking you about.

On February 18, 2022, you posted on Twitter bemoaning the dropping of mask requirements for children, including those under the age of 5. Do you remember that post?

Dr. SHOGAN. No, Senator. Those tweets were in my personal capacity.

Senator HAWLEY. No. I asked you, would you give all public posts that you had made on Twitter. You said no, effectively, and you said that your Twitter posts consisted of "mystery novels, events at the White House Historical Association, Pittsburgh sports teams,

travels, and my dog.” You just told me now, under oath, that you stood by that.

Now let us talk about your Twitter posts. On February 18, 2022, you posted bemoaning the fact that mask requirements for children under the age of 5—one of whom I happen to have, by the way—had been dropped. Is that a post about your dog or sports teams?

Dr. SHOGAN. My social media is in my personal capacity.

Senator HAWLEY. Answer my question, please, because you have testified under oath that you only posted about your dog and sports teams and novels, and you also said you would not give this Committee any of your public posts.

Is your post on February 18, 2022, bemoaning the lifting of mask requirements for children under the age of 5, who I might just ask all of the data has said is extremely harmful to children, these mask requirements—we will leave that aside for now—is that a post about your dog or sports teams? Yes or no.

Dr. SHOGAN. My social media is in my personal capacity, Senator.

Senator HAWLEY. Yes or no, Dr. Shogan. You are under oath before this Committee, and I have to say you have placed this issue squarely in record by repeatedly refusing to answer. Yes or no?

Dr. SHOGAN. My social media is in my personal capacity, Senator.

Senator HAWLEY. So you are not answering my question. Let us talk about another post.

On May 26, 2022, you talk about an assault weapons ban, retweet a post “Ban assault weapons now,” saying you agree with this idea that you have to be a certain age to buy so-called assault weapons in America. Is that a post about sports teams or your dog or mystery novels?

Dr. SHOGAN. My social media is in my personal capacity, Senator.

Senator HAWLEY. What about the post on January 5, 2021, in which you say that Ted Cruz ought to stay in his own lane and not worry about what is going on in Pittsburgh. This is a reference, I think, to questions he had about the certification of the last election. Is that a post about your dog or sports teams or mystery novels?

Dr. SHOGAN. My social media is in my personal capacity, Senator.

Senator HAWLEY. Do you remember December 10, 2020, where you said that you were hoping that President Trump would have his vetoes overridden and you agree with the post that he was a weak policy President? Is that a post about your dog, sports teams, or mystery novels?

Dr. SHOGAN. My social media is in my personal capacity.

Senator HAWLEY. What about your post on January 5, 2021, in which you speculated that President Trump would pardon himself next, participating in a conversation about the certification of the Electoral College. Is that a post about sports teams, mystery novels, or your work at the White House Historical Association?

Dr. SHOGAN. My social media is in my personal capacity, Senator.

Senator HAWLEY. Do you remember this one? We seem to be having an incredible case of amnesia, but maybe you remember this one. This is from December 3, 2021, in which you advised an individual who goes by “Meg” on social media, that the Library of Congress, who advised this person to complain about religious flags that had been planted on the grounds at the Library of Congress, and you say that they ought to be removed. You go on to give this person advice about how to complain and have them removed. Do you remember that post?

Dr. SHOGAN. My social media is in my personal capacity.

Senator HAWLEY. Do you remember the post?

Dr. SHOGAN. My social media in my personal capacity, Senator.

Senator HAWLEY. I have to say, I have been for four years in the Senate. I have never seen a witness stonewall like this before, never. I have seen a lot. This is extraordinary. Do you remember this post, December 3, 2021?

Dr. SHOGAN. My social media is in my personal capacity, Senator.

Senator HAWLEY. This is unbelievable, and you want to be the Archivist of the United States. You lied to us under oath. You lied to us in your questions for the record (QFRs). You just lied to me a second ago under oath, and now you are sitting here stonewalling, not answering questions about public posts that you made.

Are you a lawyer, Dr. Shogan?

Dr. SHOGAN. No, Senator.

Senator HAWLEY. Are you familiar with the Shurtleff case at the United States Supreme Court?

Dr. SHOGAN. No, Senator, I am not.

Senator HAWLEY. In that case the Supreme Court held that, in fact, it constitutes viewpoint discrimination for a government entity to remove religious flags from its property when it has opened up the property for other people to put flags on it, exactly the question that you were addressing in your public posts on Twitter. You are giving legal advice, which you are not qualified to give, directly contrary to the United States Supreme Court. I just wonder, does this have to do with your view that you wrote about that the religious right is connected to the rise of anti-intellectualism in American politics? Is that what you said about religious flags, that the religious right is a force for anti-intellectualism? Explain that to me.

Dr. SHOGAN. No, Senator.

Senator HAWLEY. Do you stand by your comment that the religious right is part of the rise of anti-intellectualism in American politics?

Dr. SHOGAN. Senator, that article was written. It was about how Republican Presidents use common-sense terminology to effectively communicate with Americans.

Senator HAWLEY. Yes, in which you said that the rise of the religious right is part of the rise in anti-intellectualism in American politics.

I would just point out that is the article in which you say—the title is, “Anti-Intellectualism in the Modern Presidency: Republican Populism.” Very nonpartisan.

Dr. Shogan, I am going to ask you again. Will you give to this Committee your public posts on Twitter? Will you make them available to this Committee?

Dr. SHOGAN. My social media is in my personal capacity.

Senator HAWLEY. Mr. Chairman, I have to tell you, this is the most extraordinary thing I have seen in my brief time in the Senate. I have never seen a witness blatantly lie under oath like Dr. Shogan has just done to this Committee, stonewalled this Committee, and just repeatedly refused to answer my questions about her own posts that are in public. For these reasons I will oppose your nomination, and I strongly urge this Committee to take action on this and force this witness to own up to the fact that she is misleading us right now, before our eyes, Mr. Chairman.

Chairman PETERS. Senator Carper, you are recognized for your question.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Thanks.

Dr. Shogan, why don't you take a minute and just respond to some of what we have heard from Senator Hawley, please, and I promise not to interrupt you.

Dr. SHOGAN. Thank you, Senator. I would like to highlight my nonpartisan record that I have achieved for the past 15 years in service, in public service, eight years at the Congressional Research Service, four years at the Library of Congress, and the past three years at the nonpartisan White House Historical Association. I have worked very effectively with Republicans and Democrats in all of these capacities.

When I worked at the Congressional Research Service I worked with hundreds of Members of Congress and Senators, committees, majority and minority alike. I walked into offices, helped them get from Point A to Point B, regardless of their partisan affiliation.

In my current job at the White House Historical Association, I came to the White House Historical Association, I accepted the position late 2019, started the job in early 2020, and when President Trump was the President of the United States I worked very effectively with that White House, and then, of course, now with President Biden in the White House, I have worked very effectively with that White House.

I stand very strongly behind my professional nonpartisan record, which I think speaks for itself.

Senator CARPER. The information we just heard from my colleague, is this official? Is this like government emails? I do not really understand the source of them. Just explain it.

Dr. SHOGAN. No. Social media in my personal capacity, as marked as much.

Senator CARPER. OK. It will be interesting to see what social media in a personal capacity looked like for some of the folks that we serve with. Thank you for setting the record straight.

I want to begin by thanking you for joining us for today's hearing and for your willingness to serve our country. I am a veteran, the last Vietnam veteran serving here, and I am especially appreciative of the work in that regard.

Over the last decade the National Archives and Records Administration has been putting together the tools to transition the Federal Government from paper to electronic records, and as the chief administrator of NARA, the Archivist plays a critical leadership role in the transition, as you know, to digital records, and providing appropriate support to staff will be crucial in the success of the transition.

Here is my question. With that said, what administrative or policy changes would you implement at NARA in order to ensure the agency has the appropriate resources to carry out this transition from paper to digital, and how will you ensure the staff has the support and training that they need to efficiently accomplish this feat?

Dr. SHOGAN. Thank you, Senator, for that question. It is a very big challenge for NARA, moving forward, the transition from predominantly analog to a predominantly digital archive.

The first challenge, I think, Senator, will be that paper records are not going anywhere. Paper records have existed since the beginning of the republic. As the transition moves to digital records, after June 30, 2024, when the Office of Management and Budget (OMB) directive is implemented, the National Archives will still have to deal with paper records while they transition. To use a sports analogy, if you are a good basketball player you have to be able to play offense and defense, and the National Archives will have to be able to also serve paper records while they make the transition to digital. That will be the first challenge.

The second challenge, I think, Senator, will be that when those digital records come to the National Archives the question will be, are the agencies providing the correct data that accompanies those records, because as you might imagine, there is going to be an exponential increase in the number of digital records compared to analog or paper records. What will really matter is if the accompanying data with those records will help our users find the records that they need. I think that is going to be a major challenge.

Going forward, the Archives, we will need to provide correct training for staff, because just as I said before, the records have increased exponentially but the budget has not increased exponentially. Staff needs to be trained to be able to make this transition from paper to digital, and there will be different requirements for things like metadata. We can rely upon a very strategic use of training to be able to make sure staff are ready for that transition, and once again, being able to continue the servicing of the paper records while NARA becomes a predominantly digital agency.

Senator CARPER. All right. Thank you. One more question, dealing with the ability of the National Archives to adapt to advancements in recordkeeping technology. In 2014, under my leadership as Chairman of this Committee at the time—I think with Tom Coburn as my wingman—we passed the Presidential and Federal Records Act (FRA) which, among other things, certified that electronic records should be treated the same way as paper records.

As a result of that clarification, NARA has seen an increase in the volume of records that they are required to collect and to preserve. These records document the important work that our Fed-

eral workforce conducts on a daily basis and need to be properly collected and preserved. As such, NARA requires the resources to ensure that proper protocols are in place to collect and maintain both paper and electronic records.

My question. Dr. Shogan, how do you see NARA being able to adapt to advancements in recordkeeping technology to collect and preserve both paper and electronic records, and do you feel NARA has the resources to do that while responding to record requests?

Dr. SHOGAN. Thank you for that question. As I said in the previous answer, this is going to be the challenge, to be able to continue to service paper records as well as moving forward with the advancement to digital. I think the answer to that, Senator, is that the Federal agencies that are, of course, providing the records, whether they are paper or digital, need to engage earlier in the process. This will be NARA's responsibility to provide education and oversight to those agencies to get them to engage earlier in the process, so that their technologies and their data, once again, will meet the needs for users.

I do not come to this as an archivist by training, but I do come to this as a user of the National Archives, and I look forward to bringing that perspective as a user to the National Archives as we move forward into the digital future.

Senator CARPER. Thank you. All of us on this Committee and in the Senate and House receive inquiries from our constituents, and a lot of them are veterans. I am especially interested in seeing us be able to provide better responses in that regard.

Thank you so much for your willingness to serve in this role. Thank you.

Dr. SHOGAN. Thank you.

Chairman PETERS. Thank you. Senator Marshall, you are recognized for your questions, and welcome once again to the Committee. We love having you here.

OPENING STATEMENT OF SENATOR MARSHALL

Senator MARSHALL. Thank you, Senator Peters. Glad to be here, and welcome, Dr. Shogan. We are glad you are here as well.

Dr. Shogan, as you know over 1 million Americans and over 10 million people worldwide have died from COVID. Recently the Department of Energy released information that they have changed their mind and they believe that this virus originated in Wuhan, China, joining our own FBI.

Earlier you committed to Ranking Member Paul to try and declassify older records. Do you feel that America deserves to know the origins of COVID, and will you do everything possible to declassify these recent records, including why the Department of Energy changed their mind?

Dr. SHOGAN. Thank you, Senator, for that question. It is nice to meet you and welcome to the Committee. We did not have a chance to chat before.

Senator, as I understand it the agencies that classify records also hold the responsibility to declassify those records, so that would not be in the direct purview of the Archivist of the United States. But nonetheless, at the National Archives, a principal value is the value of transparency. I will be responsive to any requests that you

might have while following the law, and of course, in areas of classification finding the appropriate balance between transparency and, of course, critically protecting our national security.

Senator MARSHALL. OK. I want to talk for a moment about the storage of data done from research funded with United States dollars and how you feel your role would be in this.

In September 2019, the Wuhan Institute of Virology (WIV) terminated access to an important database that was populated with genomic sequences resulting in part or from United States-sponsored research. We still do not have access to those, to that data. Similarly, in 2020, the WIV removed genomic data stored at our own NIH genomic lab bank here in this country.

What are your plans to require hosting of data for U.S. sponsored research in the United States, and what are your plans to pursue any type of punitive actions against the Wuhan Institute of Virology for terminating access to our data paid for with U.S. dollars?

Dr. SHOGAN. Thank you, Senator, for that question. I am not familiar with some of the facts that you have just explained to me. I have not been briefed about those matters. But if I am confirmed as Archivist of the United States I promise that I will look into those matters. I am happy to meet with you or meet with your staff to follow up on those matters.

Senator MARSHALL. Do you believe that if the United States is funding that type of research that it should be transparent, it should be stored, it should be available to the public?

Dr. SHOGAN. I believe all agencies must follow the requirements and dictates in the Federal Records Act.

Senator MARSHALL. OK. In 2017, it was discovered that the NIH was deleting records. While a number of those records have been fully or partially recovered, many have not. NARA has acknowledged receipt of an NIH report about the record deletion, but to my knowledge it has not been made public.

Are you aware of this report or the subject of the deleted files, and are you willing to submit them to this Committee for further review?

Dr. SHOGAN. Senator, I have not been briefed. I am not privy to those details, but I will be responsive to you under the requirements of the law, for sure.

Senator MARSHALL. Will you make those records available to this Committee, if not publicly?

Dr. SHOGAN. If I am confirmed I will follow the dictates required in the Federal Records Act and all associated regulations, Senator.

Senator MARSHALL. Kind of change subjects here for a second. Last Congress I was shocked to find out that the National Archives had, and continues to label, our founding documents as containing trigger warnings. That is right. The National Archives, on their website, States that the Constitution, the Declaration of Independence, and the Bill of Rights contains harmful content.

I introduced legislation with Senator Risch to remove these designations and would like to understand your personal opinion on our found documents and the role of the National Archives in sharing them with our citizens. Do you believe personally that the Constitution and our founding documents are harmful?

Dr. SHOGAN. Senator, absolutely no.

Senator MARSHALL. Do you think we should remove that warning label that they are trigger warnings there?

Dr. SHOGAN. Senator, there is a harmful content warning but it is on all results when you use NARA's online catalog. It is not attached to any one record, such as the United States Constitution or the Declaration of Independence. Previously, when I testified before this Committee, I did state, I believe to Senator Lankford, that I would be willing to work with him about the language of that warning, and I stand behind my promise to do so, if I am confirmed.

Senator MARSHALL. OK. Thank you. I yield back.

Chairman PETERS. Thank you, Senator Marshall.

Ranking Member Paul had two minutes left in his time that he graciously passed to allow Members to speak. Ranking Member Paul, you are recognized for two minutes.

Senator PAUL. I was favorably inclined by your answer, particularly that your role as the Archivist is ministerial with regard to certifying amendments to the Constitution. Also on your, I think, forthright answer on whether or not you would force people to cover their T-shirts. I thought those were great responses.

I guess I am sort of torn, though, with the whole idea that your Twitter is private. We tell our kids it is not and be careful what you post on Twitter. Everybody knows that.

The problem is that, see, if I have an intern in my office, we actually do look at their Twitter, and if they say bad things about people's ethnicity or their private life, they make sort of aspersions or act as if they are bigoted in any way, we will not hire them as an intern, much less as a person. This is advice for everybody. You have to really be careful what you post.

Now, being a liberal should not disqualify you, but the one question on whether or not, the Library of Congress should take down flags does kind of go to the heart of what we would do with records and things and whether or not that shows a bias that might enter into the decisionmaking as an archivist. It does worry me, not that you are liberal. I think if we got rid of liberals we might not have a lot of librarians or archivists, frankly.

But I am worried about the idea that you would advise people at the Library of Congress about taking down religious flags in a public place. I think it goes against the law. But then in not answering the actual issue—and I know it is difficult in a cross-examination to decide—but not answering the subject about religious flags, it worries me that what we are getting is the public face as opposed to what you say in private, which may not meld together.

Do you have any comment on that?

Dr. SHOGAN. Thank you, Mr. Ranking Member, for that question. If I am confirmed as Archivist of the United States, without reservation I will welcome all Americans to the National Archives. I will welcome them enthusiastically to the National Archives. I stand 100 percent behind that sentiment. I have a record of doing so at the Library of Congress, where I oversaw visitor services for several years, and I will continue in that tradition. You have my promise and my word on that.

Chairman PETERS. Thank you, Ranking Member Paul. Senator Ossoff, you are recognized for your questions.

OPENING STATEMENT OF SENATOR OSSOFF

Senator OSSOFF. Thank you, Mr. Chairman, and Dr. Shogan, good to see you again, and I congratulate you again on your nomination.

You and I have discussed this issue previously so you will not be surprised to hear that I am eager to hear again your commitments to work with me to address the significant delays that veterans are experiencing accessing their service records. As you know, Dr. Shogan, to access their Department of Veterans Affairs (VA) benefits and other services to which they are entitled, as veterans, veterans need access to the military service records which are in the custody of the Archives.

The good news is that with Chairman Peters' support, last year I introduced and passed into law the bipartisan Access for Veterans to Records Act, in order to address the serious backlog of requests for access to military service records. In your hearing last September you committed to working with my office to address that backlog.

I want to ask you again, now that my bipartisan legislation is law, will you commit to working with me swiftly to eliminate the backlog of veterans' record requests at National Personnel Records Center (NPRC)?

Dr. SHOGAN. Senator, thank you for that question. Absolutely.

Senator OSSOFF. What is your understanding of the latest state of that backlog? What efforts are underway now to address it? What do you think will need to be done if and when you assume this office, in order to eliminate it?

Dr. SHOGAN. Senator, I think there is good news in that regard. The backlog is down to about 330,000 requests. The height of the backlog was over 600,000 requests, so that is good progress. The project timeline for completion of the backlog, or elimination of it, is in December 2023. If I am confirmed, I promise to make my first trip as Archivist of the United States to Saint Louis, to the National Personnel Records Center, to see the operations on the ground, to figure out where we can find deficiencies, to make sure that are using contractual authorities to the highest extent, to make sure that work gets done in an expeditious fashion, and also to explore any other creative solutions where we might be able to move that deadline up. Although ambitious, December 2023, I think we can all agree we would like to have that sooner, if possible.

Senator OSSOFF. Thank you, Dr. Shogan. Let us talk now about civil rights cold cases, Black Americans who, in the segregation era, were dragged from their homes, abducted, assaulted, lynched, subject to horrific abuse and murder for which there was and remains impunity. Some of the most horrific crimes in our national history, they were never prosecuted, and the descendants and survivors of those victims are still with us. They rightfully demand justice.

The good news is that we are making some progress toward security justice, and last Congress I passed into law the bipartisan Civil Rights Cold Case Investigations Support Act, to give them tasked with investigating these civil rights cold case the time they need to pursue justice.

The Archives have an important role to play in supporting those investigations. If you are confirmed, will you use your authorities to the fullest extent you can under the law to support those efforts to investigate civil rights cold cases, those unsolved lynchings, those unsolved assaults and abductions from the segregation era South?

Dr. SHOGAN. Absolutely, Senator. I think that falls under the Archives' priority of providing access, and providing access to populations that need access to those records. We talk about veterans previously. That is, of course, so the veterans can claim their benefits. In this instance it is so the people can claim justice.

Senator OSSOFF. Thank you, Dr. Shogan. I have constituents who will be relieved to hear you make that commitment. Mr. Chairman, I yield back.

Chairman PETERS. Thank you, Senator Ossoff.

I would like to thank you again, Dr. Shogan, for joining us today and for your willingness to serve in this very important position.

The nominee has filed responses to biographical and financial questionnaires,¹ and without objection this information will be made part of the hearing record, with the exception of the financial data which is on file and available for public inspection in the Committee offices.

Chairman PETERS. The hearing record will remain open until 12 p.m. tomorrow, March 1st, for the submission of statements and questions for the record.

Seeing no other Members here to ask questions, this hearing is now adjourned.

[Whereupon, at 11:07 a.m., the hearing was adjourned.]

¹ The information on Dr. Shogan appears in the Appendix on page 30.

A P P E N D I X

**Chairman Peters Opening Statement As Prepared for Delivery
Full Committee Hearing: Nominations of Colleen J. Shogan to be Archivist of the United
States, National Archives and Records Administration
February 28, 2023**

Today we are considering the nomination of Dr. Colleen Shogan to be Archivist of the National Archives and Records Administration.

The Committee is holding a second hearing on this nomination at the request of our minority colleagues, and I hope they will use this additional opportunity to ask substantive questions and evaluate Dr. Shogan's qualifications carefully and fairly.

Dr. Shogan, welcome back, congratulations on your nomination, and thank you for your willingness to serve.

You are exceedingly well-qualified to serve as the next Archivist of the United States, and I hope to see you confirmed quickly to this important role.

Throughout your career, you have served in several nonpartisan leadership positions with dedication and integrity. And during last year's nomination hearing, you demonstrated keen judgement, a deep understanding of the importance of the Archivist role, and a firm commitment to nonpartisanship and transparency.

Last Congress, some of my colleagues raised concerns about potential partisan bias. However, your extensive track record shows these claims to be unfounded.

This Committee has heard from many individuals and organizations who attest to Dr. Shogan's expertise and ability to work in a nonpartisan manner. These include the American Political Science Association, the Council of State Archivists, the American Historical Association, and other national, nonpartisan and nonpolitical organizations who have enthusiastically endorsed Dr. Shogan's nomination.

I will enter all of the letters of support into the hearing record.

The National Archives and Records Administration is the federal agency charged with maintaining and preserving presidential and federal records.

Recent events have highlighted longstanding issues with presidential records management and classification. I understand that many of my colleagues are eager for more information on these issues.

But I want to stress that, as you told us in your previous hearing, you are not able to provide details about current investigations related to presidential records because you do not currently work at NARA.

For my Committee colleagues, this is an area that this Committee has been actively engaged in, and will continue to examine this Congress.

Last Congress, I convened a hearing to examine records management challenges and potential reforms. Following that hearing, I drafted legislation that will strengthen existing laws and modernize recordkeeping processes.

I look forward to working with Ranking Member Paul and the other Members of the Committee to build on the work from last Congress to advance bipartisan legislation that will strengthen our records preservation laws.

Today, I hope to have a constructive dialog about the current challenges facing the National Archives and Dr. Shogan's plans for addressing them.

The National Archives faces large backlogs of public records requests and requests for military personnel records that are essential to ensuring veterans and servicemembers receive the benefits they have earned.

The Archivist will also be responsible for leading the transition to electronic records across the federal government. Confirming Dr. Shogan as the next Archivist will help the National Archives address these challenges.

Assuring the full and accurate preservation of our nation's history is a monumental task, and requires an independent, nonpartisan leader dedicated to serving the American public. I am confident that Dr. Shogan is the right choice to serve as the next National Archivist.

Today I look forward to hearing more from you, Dr. Shogan and about your experience and qualifications and how you plan to serve. Thank you.

Ranking Member Paul Opening Statement

February 28, 2023

Nomination of Colleen J. Shogan to be Archivist of the United States, National Archives and Records Administration

Every year, tens of thousands of Americans travel to their nation's capital to peacefully stand up for the right to life by participating in the March for Life.

It is quintessential First Amendment activity.

Just over a month ago, January 20th, was the 50th annual March.

On their way to the March that morning, dozens of Marchers stopped at the National Archives Museum to see our nation's founding documents, including the Bill of Rights that guarantees their freedom to participate in the March they were headed to.

Rather than being welcomed as more than a million other visitors are each year, these Marchers, many of whom were school-age, were met with hostility by the Archives staff and forced to cover up or remove any pro-life messages they were wearing.

In just one example of many from that day, one young woman standing mere feet from the original Bill of Rights was told to cover her shirt that read "Life is a HUMAN RIGHT".

You heard that right, the guards charged with protecting the very parchment our Bill of Rights is written on repeatedly violated the First Amendment rights of Marchers in the presence of the actual First Amendment.

It is hard to imagine a more offensive way to violate their freedom of speech.

While I understand some action has been taken, a more serious investigation is necessary.

This is especially true because similar violations occurred at the Air and Space Museum that day as well.

Nothing like this can ever happen again, and we must understand who ordered it or tolerated a culture that enabled it.

And lest anyone think I am being partisan about this, while I know of no similar violations of the speech rights of those on the political left, if there were, I would equally take offense and demand accountability.

Beyond the Museum, the Archives is responsible for preserving Executive Branch documents, and that mission has not been without controversy either. Federal records law should be a strictly nonpartisan affair.

Unfortunately, the difference in how the Archives appears to have handled the disputes over documents held by former President Trump and Vice President Pence on one hand and President Biden on the other raises serious questions about the impartiality of the agency.

Specifically, the agency seems to have aggressively publicized the search for documents at President Trump and Vice President Pence's residences, but tried to keep quiet about the documents President Biden kept in at least three locations.

While I think the larger issue here is too many things are classified when they don't need to be, we can't have a situation where a non-political agency appears to have a partisan bias.

In another document management matter, the Archives investigated allegations that NIH improperly destroyed key documents related to the origins of COVID-19.

The conclusion of that investigation seems to be that the Archives simply accepted NIH's word that no evidence exists of records being prematurely destroyed.

I have sent more than a dozen letters to NIH and its parent agency, HHS, requesting information relevant to the origins of COVID-19.

I have yet to receive the documents requested in those letters.

Determining whether any documents providing insight into the origins COVID were improperly destroyed warrants more than just a cursory review.

So today I want to hear what the Archives is going to do to ensure that records related to the origins of COVID-19 are properly preserved, as well as a commitment that they will provide us with all documents related to our investigation into the origins of COVID.

Finally, there is a partisan pressure campaign underway to bully the Archivist into unilaterally amending the Constitution.

Congress imposed a deadline of 1982 for thirty-eight states to ratify the E.R.A., a deadline that was not met.

Lately, three states have attempted to ratify the amendment notwithstanding the legal deadline.

Nevertheless, activists, who conveniently ignore the five states which have withdrawn their ratification, want the Archivist to certify adoption of the amendment.

To this point the nominee has rightly resisted such calls, but we will be looking for reaffirmation today.

The National Archives must be a resolutely nonpartisan agency, and of late it has not been. I hope we will walk out of this hearing today with a belief the next leader of the agency will be willing and able to restore the trust that has been broken.

Nomination Hearing
September 21, 2022

United States Senate Committee on Homeland Security and Governmental Affairs

TESTIMONY OF THE HONORABLE SHELLEY CAPITO, A UNITED STATES SENATOR
FROM THE STATE OF WEST VIRGINIA

Senator Capito. Yes, this is a real pleasure for me, and I want to thank the Chairman and Ranking Member Lankford for allowing me to be here to talk about somebody I have great admiration for.

The National Archives is a treasured institution because it houses so many of our nation's treasures. The Archives and the men and women there are the caretakers not just of the objects and the documents but of the ideas and the inspirations that emanate from them. The mission of the Archives is not just to preserve our history but to educate and inform our future.

So I am here today to introduce to you a friend of mine, Dr. Colleen Shogan. She is the nominee to be the Archivist of the United States, and I believe her to be a person who will honor that past while leading the institution into the future. I have known Colleen in a personal and professional way for several years, and I am here to speak of her qualifications and background to fulfill the role to which she has been nominated.

She has a long career of public service, working in the Senate, at the Congressional Research Service, at the Library of Congress, and now the White House Historical Society. In addition to her professional experience, she is a published author. I would recommend her books. She is a mystery murder author. Very, very good, and very exciting to read because they are all on Capitol Hill. But to me, her most notable accomplishment is that she is married to a West Virginian and a very good friend of mine, Rob Raffety, and that is actually how I got to meet Colleen.

I worked closely with Dr. Shogan a few years ago on an issue that is close to so many people's hearts here in Congress, and that is making reports written by the Congressional Research Service public to the American people. So transparency is something she is very dedicated to. The procedural and technological challenges of pulling this off were greater than folks really imagined, and it was the right thing to do. And now these reports that are paid for by the taxpayers are available to the taxpayers thanks to her hard work.

She has the knowledge, experience, energy, and depth of dedication to serve in this role. I believe she would serve it very well, and I am very happy today to introduce her to this Committee.

And I did not see the Ranking Member down there, Senator Portman. We have talked about this, and I certainly am planning to vote for her when I get the chance. And I thank all of you for the opportunity to have her here before you today.

Congratulations.

**Opening Statement of Dr. Colleen Shogan
Homeland Security and Government Affairs Committee**

Thank you, Chairman Peters, Ranking Member Paul, and distinguished Members of the Committee.

Good morning. My name is Dr. Colleen Shogan, and my nomination to serve as the Eleventh Archivist of the United States is indeed the honor of a lifetime. I am likewise humbled by the opportunity to serve as the first nominated woman in the role.

Before I continue, I would like to thank my husband Rob for being here today. He has consistently supported my career, and I know this will continue if I am confirmed as Archivist.

In 2021, I was diagnosed with early-stage breast cancer. I would like to take a moment to acknowledge my family, close friends, work colleagues, doctors, and nurses. They helped make today possible for me, and I am eternally grateful. I am healthy today because of their efforts.

I must admit, this committee is quite familiar to me. Over fifteen years ago, I attended meetings with this committee as a congressional staffer. I never imagined I would be sitting on this side of the dais for a confirmation hearing.

My passion for the American story started in the public high school I attended outside Pittsburgh, with engaging teachers who taught United States history and government. As a first-generation college student in my family, I was fortunate to receive a first-class education, which allowed me to explore the development and evolution of American ideas and institutions.

My reverence for democratic principles, ideals, and governance led me to a career that included positions in academia, federal government service, and nonprofit management. Following my service in the Senate, I spent over a decade directly supporting Congress as a senior leader at the Congressional Research Service and the Library of Congress. I also served as the Vice-Chair of the Women's Suffrage Centennial Commission, which commemorated the anniversary of the 19th amendment without partisanship.

These positions, including the one I hold today at the White House Historical Association, have instilled in me the tremendous value of nonpartisanship and access to trusted sources. I am confident that my years of experience in these unique roles have prepared me well to serve as the Archivist of the United States.

The National Archives and Records Administration, often known as NARA, preserves the building blocks of our nation's democracy. NARA does this by enabling access to the government records which tell our national story in the words and images of the people who made history.

This is critical for several reasons. First, it provides citizens with answers about family heritage, military service, and governmental decisions. Citizen engagement with Archives' materials online and in-person through our nationwide system of archival research rooms and Presidential

libraries is a top priority for NARA. The National Archives also provides researchers, historians, genealogists, educators, students, and other stakeholders with trusted information about our shared past.

In my own research, I have benefited from examining NARA's records. As a political scientist, I strongly believe that we cannot understand our nation's present condition without a comprehensive understanding of the paths which brought us here. Along with our other federal cultural institutions, NARA secures the repository of knowledge that enables such understanding – for scholars and citizens alike.

Additionally, the National Archives provides vital records management services and guidance to all three branches of the government and is leading the government-wide transition to electronic recordkeeping.

Most importantly, NARA safeguards government records in public trust to enable citizens - such as veterans - to claim their rights to hold their government accountable and to participate in the civic process.

If confirmed, I will have many hills to climb in this position. I do not assume these challenges lightly. To succeed, we will need to find creative ways to become more efficient, to capitalize upon public-private partnerships, and to engage previously underserved communities in meaningful ways.

Of course, NARA must do this as technologies improve at a lightning speed. Government is not always considered nimble when it comes to innovation, but the National Archives can serve as a leader in its transition to a primarily digital future. This will require investing in the Archives talented workforce and making smart business decisions that will propel NARA forward.

In a private meditation, Abraham Lincoln likened the principles of the Declaration of Independence to the "apple of gold" – a phrase contained in the Book of Proverbs. Lincoln knew it was his task to move the nation toward a "more perfect" realization of these principles. As the 250th anniversary of our country approaches, that hard work continues. If confirmed, I look forward to sharing the treasured collection of the National Archives with all Americans.

REDACTED

HSGAC BIOGRAPHICAL QUESTIONS FOR EXECUTIVE NOMINEES

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>
Archivist of the United States	August 3, 2022

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Colleen	Joy	Shogan	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 1610 H Street NW		
City: Arlington	State: VA	Zip: 22207	City: Washington	State: DC	Zip: 20006

<i>Other Names Used</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	Check if Maiden Name	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
None					Est ☐	Est ☐
					Est ☐	Est ☐

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1975	McKeesport, PA

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
☐	☒	☐	☐	☐	☐

<i>Spouse's Name (current spouse only)</i>			
<u>Spouse's First Name</u>	<u>Spouse's Middle Name</u>	<u>Spouse's Last Name</u>	<u>Spouse's Suffix</u>
Robert	Elliott	Raffety	

<i>Spouse's Other Names Used (current spouse only)</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	Check if Maiden Name	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
None					Est ☐	Est ☐
					Est ☐	Est ☐

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
None			

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)	<u>Degree</u>	<u>Date Awarded</u>
Boston College	University	9/1993 Est ☐	5/1997 Est Present ☐ ☐	BA	May 1997
Yale	University	9/1997 Est ☐	5/2002 Est Present ☐ ☐	PhD.	May 2002
		Est ☐	Est Present ☐ ☐		
		Est ☐	Est Present ☐ ☐		

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

Type of Employment (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other	Name of Your Employer/Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began (month/year) (check box if estimate)	Date Employment Ended (month/year) (check box if estimate) (check "present" box if still employed)
Non-Government	Kennywood Amusement Park	Guest Services	West Mifflin, PA	May 1993 Est ☐	August 1995 Est ☐
Non-Government/Work Study	Boston College	Library Assistant	Chestnut Hill, MA	September 1995 Est ☐	August 1997 Est ☐
Non-Government/Work Study	Boston College	Tutor for Department of Athletics	Chestnut Hill, MA	September 1996 Est ☐	May 1997 Est ☐
Non-Government	Professor Robert Faulkner, Boston College	Research Assistant	Chestnut Hill, MA	Jan 1997 Est ☐	May 1997 Est ☐
Non-Government	Professor Kay Schlozman and Professor Sidney Verba, Boston College and Harvard University	Research Assistant	Chestnut Hill, MA and Cambridge, MA	June 1996 Est ☐	1997 Est ☒
Non-Government/Work Study	Yale University	Office Assistant for Athletics Department	New Haven, CT	September 1997	May 1998
Non-Government	Professor Stephen Skowronek, Professor David Mayhew, Professor Norma Thompson	Research Assistant	New Haven, CT	September 1997	May 2002
Non-Government	Professor Stephen Skowronek and Professor Ian Shapiro	Teaching Assistant (two semesters)	New Haven, CT	September 2001	May 2002
Non-Government	George Mason University	Assistant Professor, Government	Fairfax, VA	August 2002	December 2006

Non-Government (fellowship)	American Political Science Association/Office of Senator Joseph Lieberman	Legislative Assistant/Congressional Fellow	Washington, DC	December 2005	December 2006
Federal Government	Office of Senator Joseph Lieberman	Legislative Assistant	Washington, DC	December 2006	April 2008
Federal Government	Library of Congress/Congressional Research Service	Section manager, Director of Government & Finance Division, Senior Adviser to Director, Deputy Director	Washington, DC	April 2008	2015
Federal Government	Library of Congress/National and International Outreach	Deputy Director	Washington, DC	2015	2018
Federal Government	Library of Congress/Library Collections and Services	Assistant Deputy Librarian	Washington, DC	2018	January 2020
Federal Government (non-paid position)	Women's Suffrage Centennial Commission	Commissioner and then Vice-Chair from 2019-2020	Washington, DC	2018	December 2020
Non-Government	White House Historical Association	Senior Vice President	Washington, DC	February 2020	Present
Non-Government (non-paid position)	Women's Suffrage National Monument Foundation	Chair	Washington, DC	June 2022	Present
Non-Government	Georgetown University	Adjunct Professor of Government	Washington, DC	January 2008	Present
Non-Government	Aspen Institute	Seminar Leader	Washington, DC	November 2018	Present

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
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America 250 Commission (non-paid)	History Advisory Council	2021	Est ☐	Present	Est ☐	Present ☐
U.S. Capitol Historical Society	Scholars Council	2021	Est ☐	Present	Est ☐	Present ☐
			Est ☐		Est ☐	Present ☐

4. Potential Conflict of Interest

(A) Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the National Archives and Records Administration's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the agency's Designated Agency Ethics Official and has been provided to the Committee. I am not aware of any other potential conflicts of interest.

(B) Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.

None

5. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

Workhouse Arts Center, Arts & History Award Recipient for Women's Suffrage Centennial Commission, 2020
 Librarian of Congress Special Achievement Award, 2015
 112th Congress Stennis Congressional Staff Fellowship (2011-2012)
 2011 nominee for Congressional Quarterly Award (best paper on legislative studies given at 2011 American Political Science Association meeting)

2005 Steiger American Political Science Congressional Fellow (given annually to the “most promising” fellow each year)
 Statewide runner-up for Virginia’s “Outstanding Young Faculty” award, 2006
 National Science Foundation (NSF) Graduate Fellow for Political Science, 1999-2001
 Robert M. Leylan Prize Dissertation Fellowship Award for the Social Sciences, Yale
 Phi Beta Kappa and Order of the Cross and Crown, Boston College

6. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of \$1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam’s Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate.)	<u>Position(s) Held</u>
American Political Science Association (APSA)	2001-present	Previous APSA Council (Governing body of organization)
National Capital Area Political Science Association (NCAPSA)	2010 – present	Past President; currently serves on Board
Cosmos Club	2015-2020	
Georgetown Sands Homeowner Association (Duck, NC)	2021-present	Currently serve on Board of the HOA
Friends of Mount Vernon	2002-present	
Friends of the Library of Congress	2020-present	Member of Library of Congress alumni group
Literary Society of Washington, DC	2022-present	

7. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>
NONE			

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
NONE			

(C) Itemize all individual political contributions of \$200 or more that you have made in the past five years to any individual, campaign organization, political party, political action

committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
NONE		

8. Publications and Speeches

(A) List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet. Please provide the Committee with copies of all listed publications. In lieu of hard copies, electronic copies can be provided via e-mail or other digital format.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
See Attached		

(B) List any formal speeches you have delivered during the last five years and provide the Committee with copies of those speeches relevant to the position for which you have been

nominated. Include any testimony to Congress or any other legislative or administrative body. These items can be provided electronically via e-mail or other digital format.

<u>Title/Topic</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>
Social Media and Changing Norms of Representation	I gave similar talks on this topic at the 2019 APSA Conference, at the University of Southampton in the UK, and at the United States Capitol Historical Society event.	2018 – 2019; the speech was broadcast on CSPAN in 2018. https://www.c-span.org/video/?449571-1/social-media-congress-democracy
Noteworthy Inaugural Addresses	Broadcast on CSPAN	January 19, 2021 https://www.c-span.org/video/?508285-1/noteworthy-inaugural-addresses
Women's Suffrage Centennial	Washington Journal appearance on CSPAN	August 16, 2020 https://www.c-span.org/video/?474715-3/washington-journal-colleen-shogan-discusses-ratification-19th-amendment

(C) List all speeches and testimony you have delivered in the past ten years, except for those the text of which you are providing to the Committee.

<u>Title</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>
Social Media and Interactive Representation for the United States Congress	British Library (London)	2017
No title, but it was listed as "Keynote Address"	Association for Centers for Study of Congress (Library of Congress)	2017
Lecture on Congress and current challenges	University of Pennsylvania in Washington, DC	2014
National Defense Authorization Act	Congressional Budget Office	2014
Presentation on the 113 th Congress	Government Accountability Office (GAO)	2013

9. Criminal History

Since (and including) your 18th birthday, has any of the following happened?

- Have you been issued a summons, citation, or ticket to appear in court in a criminal proceeding against you? (Exclude citations involving traffic infractions where the fine was less than \$300 and did not include alcohol or drugs.). NO.
- Have you been arrested by any police officer, sheriff, marshal or any other type of law enforcement official? NO.
- Have you been charged, convicted, or sentenced of a crime in any court? NO.
- Have you been or are you currently on probation or parole? NO.
- Are you currently on trial or awaiting a trial on criminal charges? NO.
- To your knowledge, have you ever been the subject or target of a federal, state or local criminal investigation? NO.

If the answer to any of the questions above is yes, please answer the questions below for each criminal event (citation, arrest, investigation, etc.). If the event was an investigation, where the question below asks for information about the offense, please offer information about the offense under investigation (if known).

A) Date of offense:

- a. Is this an estimate (Yes/No):

B) Description of the specific nature of the offense:

C) Did the offense involve any of the following?

- 1) Domestic violence or a crime of violence (such as battery or assault) against your child, dependent, cohabitant, spouse, former spouse, or someone with whom you share a child in common: **Yes / No**
- 2) Firearms or explosives: **Yes / No**
- 3) Alcohol or drugs: **Yes / No**

D) Location where the offense occurred (city, county, state, zip code, country):

E) Were you arrested, summoned, cited or did you receive a ticket to appear as a result of this offense by any police officer, sheriff, marshal or any other type of law enforcement official: **Yes / No**

- 1) Name of the law enforcement agency that arrested/cited/summoned you:
- 2) Location of the law enforcement agency (city, county, state, zip code, country):

- F) As a result of this offense were you charged, convicted, currently awaiting trial, and/or ordered to appear in court in a criminal proceeding against you: **Yes / No**
- 1) If yes, provide the name of the court and the location of the court (city, county, state, zip code, country):
 - 2) If yes, provide all the charges brought against you for this offense, and the outcome of each charged offense (such as found guilty, found not-guilty, charge dropped or "nolle pros," etc). If you were found guilty of or pleaded guilty to a lesser offense, list separately both the original charge and the lesser offense:
 - 3) If no, provide explanation:
- G) Were you sentenced as a result of this offense: **Yes / No**
- H) Provide a description of the sentence:
- I) Were you sentenced to imprisonment for a term exceeding one year: **Yes / No**
- J) Were you incarcerated as a result of that sentence for not less than one year: **Yes / No**
- K) If the conviction resulted in imprisonment, provide the dates that you actually were incarcerated:
- L) If conviction resulted in probation or parole, provide the dates of probation or parole:
- M) Are you currently on trial, awaiting a trial, or awaiting sentencing on criminal charges for this offense: **Yes / No**
- N) Provide explanation: N/A.

10. Civil Litigation and Administrative or Legislative Proceedings

(A) Since (and including) your 18th birthday, have you been a party to any public record civil court action or administrative or legislative proceeding of any kind that resulted in (1) a finding of wrongdoing against you, or (2) a settlement agreement for you, or some other person or entity, to make a payment to settle allegations against you, or for you to take, or refrain from taking, some action. Do NOT include small claims proceedings.

<u>Date Claim/Suit Was Filed or Legislative Proceedings Began</u>	<u>Court Name</u>	<u>Name(s) of Principal Parties Involved in Action/Proceeding</u>	<u>Nature of Action/Proceeding</u>	<u>Results of Action/Proceeding</u>
NONE				

(B) In addition to those listed above, have you or any business of which you were an officer, director or owner ever been involved as a party of interest in any administrative agency proceeding or civil litigation? Please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

<u>Date Claim/Suit Was Filed</u>	<u>Court Name</u>	<u>Name(s) of Principal Parties Involved in Action/Proceeding</u>	<u>Nature of Action/Proceeding</u>	<u>Results of Action/Proceeding</u>
NONE				

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(C) For responses to the previous question, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

11. Breach of Professional Ethics

(A) Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, professional association, disciplinary committee, or other professional group? Exclude cases and proceedings already listed.

<u>Name of Agency/Association/Committee/Group</u>	<u>Date Citation/Disciplinary Action/Complaint Issued/Initiated</u>	<u>Describe Citation/Disciplinary Action/Complaint</u>	<u>Results of Disciplinary Action/Complaint</u>
NONE			

(B) Have you ever been fired from a job, quit a job after being told you would be fired, left a job by mutual agreement following charges or allegations of misconduct, left a job by mutual agreement following notice of unsatisfactory performance, or received a written warning, been officially reprimanded, suspended, or disciplined for misconduct in the workplace, such as violation of a security policy? NO.

12. Tax Compliance

(This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

REDACTED

REDACTED

13. Lobbying

In the past ten years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State). NO.

14. Outside Positions

☐ See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

For the preceding ten calendar years and the current calendar year, report any positions held, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

<u>Name of Organization</u>	<u>Address of Organization</u>	<u>Type of Organization</u> (corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)	<u>Position Held</u>	<u>Position Held From</u> (month/year)	<u>Position Held To</u> (month/year)

15. Agreements or Arrangements

X ☐ See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3) continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits.

<u>Status and Terms of Any Agreement or Arrangement</u>	<u>Parties</u>	<u>Date</u> (month/year)

16. Additional Financial Data

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

REDACTED

REDACTED

SIGNATURE AND DATE

I hereby state that I have read the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.



This 24th day of February, 2023.

Published Material for Colleen Shogan

University Press Books

Moral Rhetoric of American Presidents, Texas A&M Press, 2006 and 2007.

<https://www.tamupress.com/book/9781585446391/the-moral-rhetoric-of-american-presidents/>

Novels – Washington Whodunit mystery series published by Camel Press and reprinted by Harlequin Worldwide Mystery

Stabbing in the Senate, Homicide in the House, Calamity at the Continental Club, K Street Killing, Gore in the Garden, Larceny at the Library, Dead as a Duck, and Lethal Legacies.

Stabbing in the Senate won “Best Mystery” for the Next Generation Indie Book Awards; *Larceny at the Library* won the Independent Publisher Book Awards (IPPY) bronze medal for “Best Mystery Ebook.”

Peer Reviewed Articles

- Co-authored with Jacob Straus, Matthew Glassman, and Raymond Williams. “Congressional Social Media: Evaluating Senate Twitter Usage.” *Online Information Review*, 40:5 (September 2016): 643-659.
- Co-authored with Jacob Straus, Matthew Glassman, and Susan Smelcer. “Communicating in 140 Characters or Less: Congressional Adoption of Twitter in the 111th Congress.” *PS*, 46: 1 (January 2013).
- “Presidential Leadership and UN Activities to End Violence Against Women.” *White House Studies*, 11, 4 (2013): 325-343.
- “Blackberries, Tweets, and YouTube: Technology and the Future of Communicating with Congress.” *PS*, 43:2 (April 2010). (Article in a symposium on Congress and the 21st century).
- “The Role of Empathy in Presidential Leadership.” *Presidential Studies Quarterly*, 39,4 (December 2009): 859-877.
- “Anti-Intellectualism in the Plebiscitary Presidency: A Republican Populism.” *Perspectives on Politics*. 2007: 295-303.
- “The Senate School of Public Policy.” *PS*. July 2006: 581-583.
- “Ideological Party Leadership: The Story of Silent Cal and the Great Communicator.” *Rhetoric & Public Affairs*, 9,2 (2006): 215-234.
- “The Contemporary Presidency: The Sixth-Year Curse.” *Presidential Studies Quarterly*, 36, 1

(March 2006): 89-101.

- Co-authored with Joyce Gelb. "Community Activism in the United States: Catholic Hospital Mergers and Reproductive Access." *Social Movement Studies*, 4,3 (December 2005): 209-229.
- Co-authored with Jerome Short and Nicole Owings. "The Influence of First Ladies on Mental Health Policy." *White House Studies*, 5,1 (2005).
- Co-authored with Daniel Galvin. "Presidential Politicization and Centralization Across the Modern-Traditional Divide." *Polity*, 36 (April 2004): 477-504.
- "Rhetorical Moralism in the Plebiscitary Presidency: New Speech Forms and Their Ideological Entailments." *Studies in American Political Development*, 17 (Fall 2003): 149-167.
- "Speaking Out: An Analysis of Democratic and Republican Woman-Invoked Rhetoric in the 105th Congress." *Women & Politics*. 23,1 (2002): 129-146.
- "Tocqueville's 'Feminism in America': A Reconsideration of Women's Equality and Dignity." *The Journal of Contemporary Thought*. 13 (2001): 55-69.
- "The Moralism and the Cavalier: The Political Rhetoric of Washington and Jefferson. *Northern Kentucky Law Review Symposium Issue on Presidential Power*. 28, 3 (2001). 573-94.

Book Chapters

- "Foreword" for *Mourning the Presidents*, University of Virginia Press, Matt Costello and Lindsay Chervinsky, editors. Forthcoming in 2023.
- "Longitudinal Analysis of One Minute Speeches in the United States House of Representatives." With Matthew Glassman. In *Party and Procedure in the United States Congress*, Second Edition. Jacob Straus and Matthew Glassman, eds. Rowman & Littlefield (2016).
- "Like Clockwork: Senate Consideration of the National Defense Authorization Act." In *The Evolving Congress*, Senate Rules and Administration Committee Print, S. Prt. 113-80 (2014).
- "Defense Authorization: The Senate's Last Best Hope?" In *Party and Procedure in the United States Congress*. First Edition. Jacob Straus, ed. Rowman & Littlefield (2012).
- Co-authored with Robert Raffety. "A Political Source of Greatness: Lincoln and the Republican Party." In *Lincoln's American Dream: Clashing Political Perspectives*. Joseph Fornieri and Kenneth Deutsch, eds. Dulles, VA: Potomac Books (2005).

- “Speaking Out: An Analysis of Democratic and Republican Woman-Invoked Rhetoric in the 105th Congress.” Reprinted in *Women and Congress: Running, Winning, and Ruling*. Karen O’Connor, ed. Binghamton, NY: Haworth Press. (2002).
- “George Washington: Can Aristotle Recapture What His Countrymen Have Forgotten?” In *George Washington: Leadership and Legacy*. E. Fishman, W. Pederson, M. Rozell, eds. Westport, CT: Praeger Press. (September 2001).

CRS Reports

Available at crsreports.congress.gov

- “The President’s State of the Union Address: Tradition, Function, and Policy Implications.”
- “Social Networking and Constituent Communications: Members’ Use of Twitter During a Two-Month in the 111th Congress.” (With Jacob Straus and Matthew Glassman.)
- “Social Networking and Constituent Communications: Members’ Use of Twitter and Facebook During a Two-Month Period in the 112th Congress.” (With Jacob Straus and Matthew Glassman).
- “Women in the United State Congress: Historical Overview, Tables, and Discussion.” (With Jennifer Manning and Ida Brudnick).

Commentaries

- “A Tale of Two First Ladies: Why Women’s History Month Matters.” *The Hill*. March 12, 2022. <https://thehill.com/opinion/white-house/597983-a-tale-of-two-first-ladies-why-womens-history-month-matters/>
- “Jill Biden Redefines Role of First Lady.” *The Hill*. March 5, 2021. <https://thehill.com/opinion/white-house/541772-jill-biden-redefines-role-of-first-lady/>
- With Matt Costello. “Women of Lafayette Park: Stories of Resistance, Equality, and Preservation.” *The Hill*. July 28, 2021. <https://thehill.com/opinion/white-house/565179-women-of-lafayette-park-stories-of-resistance-equality-and-preservation/>
- “What Makes a Great Inaugural Address?” *The Hill*. January 19, 2021. <https://thehill.com/opinion/white-house/534862-what-makes-a-great-inaugural-address/>
- “2020: A Campaign Like No Other?” *The Hill*. September 5, 2020. <https://thehill.com/opinion/campaign/515271-2020-a-campaign-like-no-other/>
- “White House Protests: It All Began with Alice Paul.” *The Hill*. August 4, 2020.

<https://thehill.com/opinion/white-house/510397-white-house-protests-it-all-began-with-alice-paul/>

- “Lessons in Perseverance From the Suffrage Movement.” *Pittsburgh Tribune Review*. May 13, 2020. <https://triblive.com/opinion/colleen-brosh-lessons-in-perseverance-from-the-suffrage-movement/>
- “The Republicans in 2004: A Cautionary Tale.” Guest Column, *The Washington Post*. November 11, 2004. (Provided as PDF – not available online)
- “On Continuity, Both Parties Need to Cooperate.” Guest op-ed in *Roll Call*, June 1, 2004. <https://rollcall.com/2004/05/28/on-continuity-both-parties-need-to-cooperate/>
- “One Term, Two Views on Va. Governorship.” Guest Column. *The Washington Post*. January 2, 2003. <https://www.washingtonpost.com/archive/local/2003/01/02/one-term-two-views-on-va-governorship/dda82a2b-82a8-4336-bdbf-48e044b55876/>
- “GESO: Empty Populist Platitudes.” With John Gehman. *Yale Daily News*. 2001. <https://yaledailynews.com/blog/2001/04/20/geso-empty-populist-platitudes/>

Web Articles

Knowledge Culture of Congress. <https://www.legbranch.org/2018-2-14-the-knowledge-culture-of-congress/>

Gender Parity and the Study of Congress. <https://www.legbranch.org/2018-3-24-epied9q5rjs3pl8ufiysq97injjxec/>

Han Solo’s Lessons on Politics. <https://www.legbranch.org/2018-6-14-han-solos-lessons-on-politics/>

Here Kitty Kitty. <https://www.whitehousehistory.org/here-kitty-kitty>

Dan Jansen. <https://www.whitehousehistory.org/dan-jansen>

Demon Cat. <https://www.whitehousehistory.org/demon-cat>

Second Spouses. <https://www.whitehousehistory.org/second-spouses>

Camp David. <https://www.whitehousehistory.org/camp-david>

The Inaugural Address. <https://www.whitehousehistory.org/the-inaugural-address>

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From Suffragists to the ERA: Women's Rights Protests in Lafayette Park.
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Things That Go Bump in the Blue Room: Why is the White House Haunted?
<https://www.whitehousehistory.org/things-that-go-bump-in-the-blue-room>

Liberty: America's Dog
<https://www.whitehousehistory.org/liberty-americas-dog>

Murder and Untimely Tragedy: The Haunting of Lafayette Square
<https://www.whitehousehistory.org/murder-and-untimely-tragedy-the-haunting-of-lafayette-square>

Podcasts

"Women's Suffrage and the White House." 1600 Sessions. 2020.
<https://www.whitehousehistory.org/1600-sessions/womens-suffrage-and-the-white-house>

"Impeachment, Bipartisanship, and Women's Suffrage." Congress: Two Beers In.
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"How did the suffrage movement win the right to vote for all women?" Politics in Question podcast. <https://podcasts.apple.com/us/podcast/how-did-suffrage-movement-win-right-to-vote-for-all/id1470607073?i=1000488625450>

Videos/Interviews

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<https://www.c-span.org/video/?474715-3/washington-journal-colleen-shogan-discusses-ratification-19th-amendment>

2021 National Book Festival with Karen Tumulty and Julia Sweig.
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Interview with Julie Mason on the “Demon Cat” legend. 2021.
<https://www.siriusxm.com/clips/social/embed/clip/65cfb29a-195e-4b44-91fb-9e855ad51e03/db55ea2a-ac4b-4b9e-8480-a96d08a54dd3>

Interview with Rep. Jackie Speier. Library of Congress. 2015.
<https://www.loc.gov/item/webcast-7265/>

Interview with David Michaelis, author of *Eleanor*. Library of Congress. 2021.
<https://www.loc.gov/item/webcast-9725>

Women and the Nixon White House. White House Historical Association. 2022.
<https://www.nixonfoundation.org/2022/05/white-house-history-live-presents-women-nixon-white-house/>

100 Years of Women Voting. Capitol Historical Society. 2020. <https://uschs.org/news-releases/100-years-of-women-voting-symposium/>

Women at the White House: Five Untold Stories. 2022.
<https://www.whitehousehistory.org/videos/women-at-the-white-house-five-untold-stories>

Impact of Women’s Suffrage Centennial. CSPAN. 2021. <https://www.c-span.org/video/?514085-1/impact-womens-suffrage-centennial>

Leadership Lessons from Lincoln and Grant. Library of Congress. With Ronald White. 2021.
<https://www.loc.gov/item/webcast-8942/>

Women Artists in the White House Collection. CSPAN. 2021. <https://www.c-span.org/video/?510800-1/women-artists-white-house-collection>

Interview with Senator Barbara Mikulski. Library of Congress. 2016.
<https://www.loc.gov/item/webcast-7604/>

Conversation with Walter Isaacson. Library of Congress. 2019.
<https://www.loc.gov/item/webcast-8779/>

Presidents and Popular Culture. CSPAN. With Tevi Troy. 2020. <https://www.c-span.org/video/?509703-1/presidents-popular-culture>

Noteworthy Inaugural Addresses. CSPAN. 2021. <https://www.c-span.org/video/?508285-1/noteworthy-inaugural-addresses>

Elaine Weiss and the Woman’s Hour. Library of Congress. 2019.
<https://www.loc.gov/item/webcast-8681/>

80th Anniversary of Pearl Harbor. With Robert Costa. 2021. The Churchill Society.
<https://www.youtube.com/watch?v=AQeRWW-qnGE>

100 Years of Women Voting. The Library of Congress. 2019.
<https://blogs.loc.gov/kluge/2022/03/the-kluge-center-celebrates-womens-history-month/>

First Ladies. CSPAN. 2020. With Betty Boyd Caroli. <https://www.c-span.org/video/?509421-1/ladies>

Presidential Vacations. CBS News. 2021. <https://www.cbsnews.com/news/biden-rehoboth-beach-delaware-presidential-retreats/>

Thomas Jefferson's White House. CSPAN. 2020. With James Conroy. <https://www.c-span.org/video/?477515-1/thomas-jeffersons-white-house#!>

The Outlier: Jimmy Carter at the White House. With Kai Bird. 2021. White House Historical Association. <https://www.whitehousehistory.org/videos/the-outlier-jimmy-carter-white-house>

The Examined Self. National Book Festival. 2020. <https://www.loc.gov/item/webcast-9415/>

National Book Festival Presents Alexander McCall Smith. 2019. Library of Congress.
<https://www.loc.gov/item/webcast-8918/>

Centennial Suffrage Commemoration. 2020. CSPAN. With Hillary Clinton, Elaine Weiss, and Carla Hayden. <https://www.c-span.org/video/?474606-1/centennial-suffrage-commemoration>

National Book Festival. 2018. With Ron Chernow. CSPAN. <https://www.c-span.org/video/?449746-17/historian-ron-chernow-discusses-grant>

Our Declaration: A Reading of the Declaration of Independence in Defense of Equality. With Danielle Allen. 2019. Library of Congress. <https://www.loc.gov/item/webcast-9000/>

Learning from Lincoln. Aspen Institute. 2020. With John Stauffer.
<https://www.aspeninstitute.org/videos/learning-from-lincoln-leadership-in-a-time-of-crisis/>

Presidential Retreats. CSPAN. 2020. <https://www.c-span.org/video/?475158-1/presidential-retreats>

With Evan Thomas on Sandra Day O'Connor. 2019. Library of Congress.
<https://www.loc.gov/item/webcast-8959/>

With Lindsay Chervinsky on "The Cabinet." 2020. CSPAN. <https://www.c-span.org/video/?471106-1/the-cabinet&playEvent#!>

Congressional Reform Roundtable Discussion. 2017. CSPAN. <https://www.c-span.org/video/?429989-3/congressional-reform-roundtable-discussion&event=429989&playEvent>

National Book Festival. American Ulysses with Ron White. 2017. CSPAN. <https://www.c-span.org/video/?432540-29/american-ulysses&event=432540&playEvent>

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UNITED STATES OFFICE OF
GOVERNMENT ETHICS



January 6, 2023

The Honorable Gary C. Peters
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Colleen Shogan, who has been nominated by President Biden for the position of Archivist of the United States, National Archives and Records Administration.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

David J. Apol
General Counsel

Enclosures

REDACTED



August 10, 2022

Emory A. Rounds, III
 Director
 U.S. Office of Government Ethics
 1201 New York Avenue, N.W., Suite 500
 Washington DC 20005-3917

Dear Mr. Rounds:

I am enclosing an amendment to Colleen Shogan's nominee public financial disclosure report, signed on July 6, 2022, and a supplement to her ethics agreement, signed on July 28, 2022. Based on my review of this additional information, I continue to believe that Ms. Shogan is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Christopher M. Runkel Digitally signed by Christopher M. Runkel
 Date: 2022.08.10 13:05:40 -04'00'

CHRISTOPHER M. RUNKEL
 Designated Agency Ethics Official

Enclosures

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August 10, 2022

Christopher M. Runkel
Designated Agency Ethics Official
National Archives and Records Administration
8601 Adelphi Road, Suite 3110
College Park, MD 20740-6001

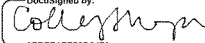
Dear Mr. Runkel:

The purpose of this letter is to supplement my ethics agreement signed on July 28, 2022. In a separate document, I am amending my financial disclosure report by correcting Part 1 of the report, Filer's Positions Held Outside United States Government, to add my position on the Council of the National Capital Area Political Science Association.

Upon confirmation, I will resign from my position with the National Capital Area Political Science Association. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know the National Capital Area Political Science Association is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I have been advised that this supplement to my ethics agreement will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

DocuSigned by:

3EDFEAF72D2476...

Colleen Shogan

July 28, 2022

Christopher M. Runkel
Designated Agency Ethics Official
National Archives and Records Administration
8601 Adelphi Road, Suite 3110
College Park, MD 20740-6001

Dear Mr. Runkel:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Archivist of the United States. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

If I rely on a *de minimis* exemption under 5 C.F.R. § 2640.201(b) with regard to any of my financial interests in sector mutual funds, I will monitor the value of those interests. If the aggregate value of my interests in sector mutual funds that concentrate in any one sector exceeds \$50,000, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of any holdings of the funds that are in the specific sector in which the funds concentrate, unless I first obtain a written waiver pursuant to 18 U.S.C. § 208(b)(1).

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In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bonds.

I will receive a live ethics briefing from a member of the ethics office after my confirmation but not later than 15 days after my appointment pursuant to the ethics program regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my Certification of Ethics Agreement Compliance which documents my compliance with this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order No. 13989) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of federal, state and local government.

I will not modify this ethics agreement without your approval and the approval of the U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – THE WHITE HOUSE HISTORICAL ASSOCIATION

Upon confirmation, I will resign from my position with the White House Historical Association. I will receive an annual bonus for fiscal year 2022, and I will receive the payment prior to assuming the duties of the position of Archivist. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know the White House Historical Association, is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 3 – RESIGNATIONS

Upon confirmation, I will resign from my positions with the following entities:

- Georgetown University
- The Women's Suffrage National Monument Foundation

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- The Aspen Institute
- The Georgetown Sands Homeowners Association

Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from each of these entities, I will not participate personally and substantially in any particular matter involving specific parties in which I know that entity is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 4 – BOOKS

Before learning of my consideration for a possible nomination to a position at the National Archives and Records Administration, I wrote a book to be published by Camel Press: *Lethal Legacies*. I understand that I may not work on this book or perform any other services for compensation during my appointment to the position of Archivist of the United States if the Senate confirms my nomination. In addition, I receive royalties from Camel Press for sales of the following books: *Stabbing in the Senate*; *Homicide in the House*; *Calamity at the Continental Club*; *K Street Killing*; *Gore in the Garden*; *Larceny at the Library*; and *Dead as a Duck*. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, I will not participate personally and substantially in any particular matter involving specific parties in which I know Camel Press is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I may receive royalties from Texas A&M University Press for sales of my book, *The Moral Rhetoric of American Presidents*. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, I will not participate personally and substantially in any particular matter involving specific parties in which I know Texas A&M University Press is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 5 – SPOUSE EMPLOYMENT

My spouse is employed by Stand Together, in a position for which he receives a fixed annual salary and a bonus tied to his performance. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as my spouse continues to work for Stand Together, I will not participate personally and substantially in any particular matter involving specific parties in which I know Stand Together is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 6 – PUBLIC POSTING

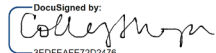
I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C.

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§ 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

DocuSigned by:

3EDFEAF72D2AF6...
Colleen Shogan

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-Hearing Questionnaire
For the Nomination of Colleen Joy Shogan to be
Archivist of the United States**

I. Nomination Process and Conflicts of Interest

1. Did the President give you specific reasons why he nominated you to serve as Archivist of the United States?

No.
2. Were any conditions, expressed or implied, attached to your nomination? If so, please explain.

No.
3. Have you made any commitments with respect to the policies and principles you will attempt to implement as Archivist? If so, what are they, and to whom were the commitments made?

No.
4. Are you aware of any business relationship, dealing, or financial transaction that could result in a possible conflict of interest for you or the appearance of a conflict of interest? If so, please explain what procedures you will use to recuse yourself or otherwise address the conflict. And if you will recuse yourself, explain how you will ensure your responsibilities are not affected by your recusal.

No.
5. Have you ever represented a party in a matter before or involving the National Archives and Records Administration (NARA)? If so, please describe the matter(s) and the nature of the representation.

No.
6. Please provide the name of any individual, law firm, consulting firm, lobbying firm, public relations firm, or other entity you have formally retained or contracted with regarding this nomination, including any amounts paid in fees or otherwise.

None.

II. Background of the Nominee

7. What specific background and experience affirmatively qualify you to be Archivist?

Highlights of my qualifications are as follows:

Leadership and management of information driven organizations: I have held senior leadership positions for almost fifteen years in the federal government and a non-profit organization. These responsibilities include budgetary planning, management and execution, direct supervision of other senior leaders, and complex programmatic oversight.

Educational background: I have a doctorate in Political Science and have taught American government at the university level, including a graduate seminar at Georgetown University since 2008. I have bridged the divide between academia and government service throughout my career. Two areas of research expertise include the American presidency and Congress.

Nonpartisanship: Throughout my career, I have established a trustworthy reputation as a nonpartisan leader, even when faced with the challenge of providing trusted information and analysis in politicized environments.

Partnerships: I have established lasting and noteworthy partnerships in all positions I have held. Such partnerships have expanded outreach and access for users. I believe in the strength of large-scale collaborations to solve problems and achieve goals.

Knowledge of government processes: As a federal leader, I have gained critical knowledge of how government operations and processes work. For example, I led the Appropriations Team at the Congressional Research Service (CRS) for several years, which increased my knowledge of the federal budget process. I also understand the importance of strictly navigating the rules and regulations of government processes.

Communications: I have served as a spokesperson for various organizations during my career, and I have moderated many programs and discussions about complex policy and historical topics.

Customer Experience: I have improved client and customer experiences in many of the senior executive positions I have held. Improvements were implemented after appropriate research was completed and feedback was considered.

8. What experience, if any, do you have in records management, library and information sciences, leading large organizations, or performing the other duties required in serving as Archivist?

I worked for over a decade at the Library of Congress and Congressional Research Service, which afforded me the extraordinary opportunity to work alongside librarians and other information professionals. My last position was as the Assistant Deputy Librarian for Collections and Services, and in that role specifically, I collaborated frequently with senior leaders in collections management and library functions.

9. Please describe:

- a. Your leadership and management style.

I often describe my management style as “approachable.” I enjoy speaking with staff, identifying problems and concerns, and then figuring out ways to address them. The most important activity of a leader is listening. I’m a good listener and I remember details, which enables me to connect the dots when solving problems across a complex organization.

- b. Your experience managing personnel.

I have been a supervisor and manager since 2008. At the Library of Congress, I was the youngest person ever elevated to a Senior Level position. I have taken numerous management training courses and benefited from 360-degree performance reviews.

- c. What is the largest number of people that have worked under your supervision?

At the Congressional Research Service, I was responsible, along with the Director, for over 600 staff members. Due to the variety of positions I held, I had directly supervised approximately half of the Library of Congress’s 3,000 staff members at one time or the other during my tenure there.

10. What would you consider your greatest successes as a leader?

I was part of the Library of Congress team that helped to transition the organization from a primarily insular, scholarly organization to a predominantly public, user-focused agency. This was not an easy process, and it did not happen overnight. Small wins led to bigger wins, and over time, the culture and ethos changed of the organization. An important part of this process was the drafting and implementation of the Library’s strategic plan; I was part of the small strategic planning executive team and the Digital Strategy team.

11. What would you consider your greatest failure as a leader? What lessons did you take away from that experience?

When I first became the Deputy Director at CRS, a controversial report about the economic impact of President Bush’s tax cuts was published. I learned a great deal from that experience. I made sure that for the remainder of my tenure, there were procedures in place to prevent an incident like this from happening again. I was successful in this regard.

12. Please give examples of times in your career when you disagreed with your superiors and advocated your position. Were you ever successful?

When I was the head of the Government and Finance Division at CRS, the Director at the time was wary of social media, which was in its infancy at that time. However, I strongly believed it was the future of communication. I advocated strongly for CRS to publish

empirical reports about congressional use of Twitter, and I also advocated strongly for CRS to create a private Twitter account to communicate announcements about new reports and briefings to congressional staff, Members, and Senators. I was successful in this respect, and I believe it helped CRS modernize at a time when it needed to remain relevant to its congressional clientele.

In a previous Library of Congress position as Assistant Deputy Librarian, I advocated for a programmatic name change for the National Library Service for the Blind and Physically Handicapped (NLS) to the National Library Service for the Blind and Print Disabled. This was a direct result of listening to user feedback amongst the blind and sight-challenged community. Name changes are very rare in government for federally authorized programs like NLS, but alongside the Director of NLS, I was able to move this decision through the top echelons of Library of Congress leadership and through our oversight committees and appropriations subcommittees in both the House and Senate.

13. Do you seek out dissenting views and encourage constructive critical dialogue with subordinates? Please provide examples of times in your career when you have done so.

Yes. I pride myself on engaging in productive conversations with those whom I supervise. Several years ago, I chaired the committee at the Library of Congress which selected the Kluge Prize, the top award given to a scholar of the humanities or social sciences. Along with the Kluge Center Director, we altered the process so we could receive more input from Library employees. Although nothing required us to do so, we created a representative committee at the Library, met diligently for months to consider candidates, and then presented candidates to the Librarian of Congress for her decision. Hours and hours of constructive dialogue resulted in excellent options for the Librarian.

For three years, I was the senior management leader primarily responsible for the National Book Festival. There are numerous decisions every year that need to be made to ensure the execution of a successful festival. As you might imagine, there were competing, complex demands from staff and other stakeholders as planning transpired throughout a given year. I always listened to the feedback we received, and I secured private funding to survey festival attendees using a professional survey firm. The results of that survey proved incredibly important for the planning of future festivals.

14. Please list and describe examples of when you made politically difficult choices that you thought were in the best interest of the country or your organization.

As a civil servant, when I was the Vice Chair of the bipartisan Women's Suffrage Centennial Commission, we were faced with the task of supporting legislation to build the first federal monument to commemorate the suffragists. For unknown reasons, the legislation hit a snag in the Senate, resulting in a hold. Around that time, members of the Commission were welcomed to the White House to meet with President Trump and Mrs. Trump. I made the decision to engage with the President when the ceremony was over, in the hope that he could help us with the hold in the Senate. He listened to my concern, immediately agreed to help, and assigned a staff member to assist. I returned to the White

House a few months later when President Trump signed the bill into law. I thanked him publicly at that time for his support, which was critical to the legislation's eventual success.

15. Please describe how you build credibility and trust among staff as a leader.

It is important to meet with staff and listen to their concerns. It's necessary to meet with senior leaders in an agency, but there is no substitute for meeting staff on their terms and having valuable interactions. I believe in this process and plan to interact with as many employees as possible. It's also important to be honest with staff. If it will be difficult or impossible to address a problem in the near term, then it's essential to let them know about the reality of the situation.

16. During your career, has your conduct as a government employee ever been subject to an investigation or audit by the Office of Special Counsel, Department of Justice, agency Equal Opportunity office or investigator, agency Inspector General, or any other similar federal, state, or local investigative entity? If so, please describe the nature of the allegations or conduct and the outcome(s) of the investigation(s) or audit(s).

No.

17. Have you ever represented a whistleblower or other employee in an adversarial dispute against the federal government?

No.

18. Do you have experience addressing instances of prohibited personnel practices (PPPs)? If so, please generally describe your experience.

Because the Library of Congress is a legislative branch agency, it is not subject to 5 USC 2302, which describes the prohibited personnel practices. However, the Library of Congress does adopt similar regulations with regards to hiring practices, promotional opportunities, and employment-related prohibited activities. I followed all Library of Congress regulations and practices in employment-related matters as a senior executive leader. I worked closely with the General Counsel's office to ensure that such critical standards were upheld in the divisions I supervised. I understand and support the merit system principles that underpin the civil service.

19. Please describe any previous experience—in the public or private sector—with handling whistleblower complaints, and what steps you took to ensure those individuals did not face retaliation and that their claims were thoroughly investigated?

I have always cooperated openly and honestly with the Inspector General when inquiries were presented to me, and if confirmed, I look forward to doing so at NARA.

III. Role of the Archivist

18. In your opinion, what is the role of the Archivist? What is the role of the Archivist in carrying out the statutory objectives of NARA?

The Archivist leads the National Archives in its mission to preserve, protect, and share the nation's government records. The Archivist must fulfill her role as a non-political leader, following the statutes, regulations, and executive orders that govern the administration of such records.

19. How do you envision fulfilling NARA's mission both day-to-day, and long-term?

If confirmed, I will work tirelessly to fulfill NARA's mission, making sure that the laws are executed without prejudice or political influence. Short-term successes will lead to long-term transformation, so it is important to have tangible, operational goals that track progress. The strategic vision of NARA is sound, and I look forward, if confirmed, to examining the detailed goals that will enable longer term success.

20. What do you anticipate being the greatest challenge you would face as Archivist, and how do you plan to address those challenges if confirmed?

One of the biggest challenges will be the transition of NARA from a predominantly analog (paper) archive to a predominantly digital archive. This will require significant investment, both from a technology and staff perspective. Because resources are often tight, it will likewise require prioritization and making sure that large investments will yield high-return results.

21. What role will you play, as Archivist, in enforcing requirements of the Presidential Records Act and the Federal Records Act to ensure all agencies and covered persons in the Executive Branch are effectively preserving, archiving, and managing applicable records?

If confirmed, I will follow the duties and responsibilities outlined by law, federal regulation, and executive orders. I will execute those duties without prior prejudice or any degree of partisanship.

IV. Policy Questions

Policy Priorities

22. If confirmed, what will be the highest priority issues you will begin addressing and how will you address them?

Increased Access. The mission of NARA is public access to high-value government records. Public access means everyone from the famous historian working on a new book to the citizen from Pennsylvania engaged in genealogical research about her family's history. I want to figure out ways in which we can increase use of these records – so that every American feels a tangible connection to the National Archives. It is particularly

important to engage with underserved and underrepresented communities and remove barriers to access for them. This will mean investing in new technologies, making decisions about priorities, and also engaging with partners so we can increase access.

My biggest immediate challenge on access is the veterans records that are housed in St. Louis at the National Personnel Records Center. I understand the reasons for the backlog and how it arose, but it is unacceptable to our nation's veterans. It will be my first and foremost priority concerning access if I am confirmed as Archivist. I am committed to exploring creative solutions to eliminate this backlog.

Transition to Digital Records. NARA is transforming from a predominantly analog to a predominantly digital environment. The biggest technology and management challenge at NARA will be adjusting policies, processes, services and resources to properly manage electronic records and digital copies, and to meet customer expectations for digital delivery of holdings and services. The continued deployment and enhancement of NARA's electronic records system (ERA 2.0) is critical for this success. Finally, we will need to consider Web3 developments. How will blockchain technology impact archives and records? Consultation with technologists can help assist NARA navigate these important changes. We will need to work with federal agencies concerning this impact, as well.

Education. Related to access is education. I'm a political scientist, so understanding how the American government works and operates is a premium interest for me. I know NARA has been active in the area of civics education and I want to double down on it with a combination of in-person and virtual experiences, primarily focused on teachers. Furthermore, I want to focus on teachers from underserved areas, because they need our resources most critically.

Investment in Staff. The last priority I'd like to identify is investing in NARA staff. We are asking NARA staff to perform at very high levels to maintain record preservation and promote access. If we're going to do that, we need to give them the tools and training to excel. I know there has been work done by the previous Archivist in this regard, and if confirmed one of my priorities will be reviewing what is underway and what more we need to accomplish. This includes recruiting a diverse workforce from a competitive applicant pool. It also includes making sure our hiring panels are diverse and representative. Employees are our most precious resource, and I look forward to engaging with NARA's Human Capital Office and achieving this vision.

23. What are the long-term goals you hope to achieve as Archivist?

My vision is that all citizens use the resources of the National Archives to learn about their shared history as Americans.

24. Do you believe that NARA has the resources it needs to fulfill its roles and responsibilities?

NARA's resources are a challenge. All government agencies must operate efficiently and effectively with the public resources provided to them. However, NARA has witnessed exponential growth in the volume of records in its custody and the scope of its functions, but has not benefited from an exponential increase in appropriated funding or staff. If I am confirmed as the Archivist, I look forward to developing a reasonable, commonsense prioritization of budgetary requests that will maximize NARA's ability to fulfill its statutory obligations and the accessibility of its records.

25. Do you believe the Archivist has the authority to certify the Equal Rights Amendment?

Following ratification by three-fourths of the states, the Archivist of the United States, pursuant to statute, is to identify the ratifying states, publish the amendment, and certify that the amendment has become part of the United States Constitution.

As I understand it, the Equal Rights Amendment (ERA) has been ratified by 38 states. However, three ratifications occurred after the June 30, 1982 congressionally-imposed deadline. The question is whether Congress has the power to impose a deadline on the ratification of a constitutional amendment. The Constitution is silent on this issue. However, Congress has established such deadlines since the Prohibition amendments, and its power to do so has been supported by the Supreme Court.

Two legal memoranda, written by the Office of Legal Counsel (OLC) of the Department of Justice from the previous Administration and current Administration, support this interpretation. Additionally, the 2022 OLC memorandum states, "[T]he 2020 OLC Opinion does not preclude the House or the Senate from taking further action regarding ratification of the ERA. As a co-equal branch of government, Congress is entitled to take a different view on these complex and unsettled questions."

I also understand that this issue is being litigated in *Virginia v. Ferriero*, a case which is currently on appeal. Ultimately, this is an issue that will be resolved by Congress and the courts.

Records Management

26. In your view, what are the greatest challenges to effective federal recordkeeping across the Executive Branch, and what would you do as Archivist to address those challenges?

The transition to digital recordkeeping is the biggest challenge due to the need for agencies to transform their long-standing, analog business practices. At the same time, agencies will need to adjust their policies and procedures, particularly regarding metadata, so that after transfer NARA can work with and make born-digital records accessible to the public in a timely manner. The transition will also be a challenge for NARA as it needs the infrastructure and people to maintain the analog records from the beginning of the republic until today while otherwise preparing for the onslaught of permanently valuable digital records headed its way. NARA needs to be transparent

about these challenges and changes and assist agencies by providing clear and timely regulations, guidance, and support.

27. NARA's traditional approach has been to advise agencies on how to effectively manage their records management programs, rather than to audit and oversee agency compliance with NARA regulations and agency records management policies. Do you believe that NARA should have a greater oversight role over agency records management policies, programs, and practices? Please explain.

If confirmed, I plan to increase NARA's oversight of federal agency compliance with records management laws, regulations, and policies. In particular, I will focus on oversight related to electronic records, seeking to ensure agencies consider records management implications earlier in the records lifecycle and align compliance with investments in information technology and oversight mechanisms.

28. As Archivist, you will be responsible for records center management policies, including the ability of individuals to visit records centers in person for authorized purposes. How will you evaluate the needs of individuals to use NARA's records centers for authorized purposes versus other considerations, such as employee staffing and health and safety concerns at certain facilities?

As stated above, accessibility is a priority for me. However, the health and safety of NARA staff is also a paramount concern. I will encourage the creation of detailed plans to return research rooms to levels nearing pre-pandemic capacity, and we will explore how to do so without jeopardizing the health and safety of dedicated staff.

29. It is the Committee's understanding that the Administration is considering pushing back the deadlines currently required for digitization of agency records under M-19-21 *Transition to Electronic Records*. Do you have an opinion on extending the deadline and, if so, what is it? What more can NARA or agencies do to ensure an expeditious, complete, effective transition to electronic recordkeeping?

I am not privy to the Administration's plans in this regard. However, the pandemic likely has had an impact on the preparations by agencies for the onset of the December 2022 deadline. The deadline was set to drive change, but that needs to happen in a deliberate and intentional manner. As such, I would support a reasonable extension of the deadline, but agree that a deadline remains necessary to achieve the intended transition.

NARA and the rest of the Executive branch need to not only make the transition to electronic record keeping, but they also need to transition their records management programs so that they keep pace with how agencies are creating and using records. Truly transitioning to electronic record keeping requires that records management be integrated with information technology system planning, acquisition, and development. In addition, records management needs to be elevated and made visible to leadership. Records management needs to be incorporated into business processes, not treated as a stand-alone program or as an afterthought. If I am confirmed as Archivist of the United States, I will work to support the transition by ensuring that NARA is providing agencies with

the guidance and policies needed to support them and I will be open and transparent about progress and challenges.

Access to and Classification of Records

30. In your opinion, what is NARA's role in ensuring public access to government records?

NARA should be the federal government leader in ensuring public access to government records. This can be done with in-person visits to NARA facilities, with digital access to 200 million copies of digitized records online, and through creative third-party providers such as ancestry websites, social media, or Wikipedia.

31. As Archivist, what actions would you take to further the goal of modernizing the classification system and combatting overclassification? Please address both controlled unclassified information and classified information in your response.

Just as records management programs need to change to accommodate the shift to electronic records, so too do the programs that classify, safeguard, and declassify national security information. Such change is important for NARA as it is responsible for oversight of these programs through its Information Security Oversight Office and as NARA is responsible for the safeguarding and eventual declassification processing of large volumes of classified Federal and Presidential records. However, the underlying authorities rest not with the Archivist but with the President for classified national security information and with the Congress for information classified under the Atomic Energy Act. If I were confirmed as the Archivist, I would be a vocal advocate for striking the right balance between openness and secrecy and I would otherwise seek to be certain that NARA carried out its responsibilities in compliance with the established requirements in an efficient and effective manner.

- a. How would you advance the Public Interest Declassification Board's 2020 recommendations to modernize the classification system?

The Public Interest Declassification Board serves an important role by promoting the fullest possible public access to a thorough, accurate, and reliable documentary record of significant U.S. national security decisions and activities. It also advises the President and other executive branch officials on the identification, collection, review for declassification, and release of declassified records and materials of archival value and advises the President and other executive branch officials on policies regarding the classification and declassification of national security information. I am aware that the Public Interest Declassification Board has made a number of recommendations to modernize the classification system since their first written report in 2008. Many of their recommendations are outside of the scope of the authority of the Archivist to implement. However, if I were confirmed as Archivist of the United States, I would review all of the recommendations made by the Board, from their earliest

to their most recent, and look for opportunities to improve the work of NARA and to otherwise advocate for the modernization of the classification system.

32. In your view, what is the role of the Office of Government Information Services, and how would you further empower this office?

OGIS serves the role as the federal government's FOIA ombudsman. The office reviews FOIA policies and procedures, and also attempts to resolve disputes between agencies and FOIA requestors. OGIS advocates for the FOIA process itself rather than individual FOIA stakeholders. If confirmed, I look forward to learning more about OGIS and its unique role in ensuring access to government records. Since OGIS is an educator for citizens about FOIA and its sometimes complex processes, I would like to review the communications strategy for OGIS. Where is OGIS sharing its information and are those mechanisms maximizing reach? What is the outreach strategy for OGIS? I would pay careful attention to the recommendations of the FOIA Advisory Committee, which in its most recent term produced seven recommendations designed to "reimagine" and restructure OGIS along with recommendations for the FOIA process itself.

33. As Archivist, how would you work to reduce the backlog of veterans' records requests at the National Personnel Records Center, and otherwise improve veterans' access to records?

This issue is a top priority for me. I come from a family of veterans; my father, sister-in-law, uncles, and cousins have served in the military. We owe our life, continued liberty, and security to our nation's veterans and as Americans, we must live up to the contractual obligations we have made to them in exchange for their selfless service to our country.

If confirmed, my first trip as Archivist will be to visit the St. Louis facility to understand the challenges ahead, and I vow to work with the Veterans Affairs Department to solve this issue and come up with strategies to prevent it from happening again.

The backlog is currently about 443,000 requests, down from over 600,000 earlier this year. The NPRC has made good progress, but eliminating this backlog has to be a top priority for NARA. As I understand it, NARA has aggressively attempted to hire workers for the facility in St. Louis, but it does remain a challenge to onboard federal employees in an expedited fashion.

I believe NARA will need to explore the use of contract labor to eliminate this backlog in a time-efficient manner. I look forward to exploring all creative solutions to this problem if I am confirmed as Archivist of the United States. No other discrete problem will receive more attention from me than this critical matter.

Presidential Records Act

34. What is your understanding of the current role of the Archivist of the United States and NARA with regard to enforcement of the Presidential Records Act?

The Presidential Records Act (PRA) establishes that the President is responsible for managing the Presidential records during his term of office, and provides a very limited, formal role for the Archivist. The President must obtain the written views of the Archivist before he may dispose of records that no longer have administrative, historical, informational, or evidentiary value. Every Presidential administration has informally sought NARA's institutional knowledge and advice regarding implementation of the PRA, on a confidential basis.

35. Do you believe there is a need to update the Presidential Records Act? If so, how?

Congress has the authority to amend the Presidential Records Act, or any other legislation related to the National Archives. If confirmed, I will work with Congress and the Administration to consider any such changes, whether raised by them or surfaced through NARA's work under the PRA.

36. Do you believe enforcement of the Presidential Records Act should change? If so how, and who should be responsible for its enforcement?

If confirmed as the Archivist, I will respect the role as defined under the Act. Congress has the authority to amend the Presidential Records Act, or any other legislation related to the National Archives. I will work with Congress and the Administration to consider any such changes, whether raised by them or surfaced through NARA's work under the PRA.

37. Under what authorities may NARA report potential records-related violations by White House personnel to the Department of Justice for investigation and recovery?

As I understand it, NARA first seeks the voluntary return of any records removed by former officials and engages the Department of Justice to seek assistance in recovering such records only when previous overtures have not resulted in the return of records. In addition, NARA, like any other federal agency, might contact the Department of Justice if there is reason to believe that a violation of law may have occurred.

- a. What kind of criteria would you apply when considering such reporting if confirmed?

If I am confirmed as the Archivist, I would apply the established criteria in the pertinent laws and regulations.

- b. Do you believe current reporting requirements extend to Presidential records and the White House? Do you believe it applies to the President? Please explain.

The PRA establishes circumstances when the Archivist shall request the advice of Congress with respect to the disposal of Presidential records.

- c. Do you believe the Presidential Records Act should be amended to explicitly provide for a requirement for NARA to report to the DOJ on potential records-related violations by the White House, similar to the process in place for records-related violations by agency personnel? If so, do you believe that Congress should be similarly notified of such reporting?

If confirmed as the Archivist, I will respect the role as defined under the Act. Congress has the authority to amend the Presidential Records Act. I will work with Congress and the Administration to consider any such changes, whether raised by them or surfaced through NARA's work under the PRA.

- 38. All Presidential records are considered permanent unless the President obtains the written views of the Archivist to dispose of particular records.

- a. If confirmed, what principles would you apply if the President seeks your views on disposing of particular records?

If I am confirmed as the Archivist, I would apply the standard established in the PRA, which is to determine whether or not the records proposed for disposal have administrative, historical, informational, or evidentiary value. It is my understanding that prior Archivists have assessed this very issue for commonly created types of records and such past decisions will also inform my views.

- b. Do you believe permanent retention of all Presidential records strikes the right balance between preserving important historical records and allowing unfettered communication between the President and the President's advisors? Please explain.

Absolutely. The core purpose of the National Archives is to preserve and provide access to the most important records of our government, so that the American people can hold their government accountable. That is the underlying reason that the PRA established the permanent retention of nearly all Presidential records. The Presidential Records Act is a carefully constructed statute that balances the need to protect the confidential communications of the President and his advisors with the historical interest in how the government functions. If confirmed as the Archivist, I will work to ensure that the PRA is properly implemented.

- 39. What is the appropriate function of the presidential libraries, and what is NARA's role in ensuring the appropriate preservation of and public access to presidential records?

Presidential libraries are an incredibly important component of NARA's mission. Presidential libraries provide access to the valuable records of a presidential

administration, for scholars and interested citizens alike. They also share these records through educational programs and exhibits.

The presidential library model is changing. Instead of building a presidential library that is operated by NARA, presidential foundations are now moving towards building presidential centers independent of NARA. The advantage of this approach is that more NARA resources can be spent on the digitization and accessibility of presidential records in the future, perhaps relying upon new staffing models that can maximize the management of records across administrations.

In previous iterations of presidential libraries that were built by private funding and then transferred to NARA for operation, NARA must be careful to ensure that the use of such records in exhibits and education is done so with an attention to accuracy, transparency, objectivity, and nonpartisanship.

Times of transition can be challenging and difficult. If confirmed, I look forward to engaging with the respective presidential foundations and advocacy groups representing users of presidential libraries to hear their concerns. I am confident that we will be able to come to a resolution that will ensure an appropriate presentation of presidential records while also maximizing NARA's desire to improve the accessibility of such records for all Americans.

40. What is your understanding of how NARA reviews and acts upon reports of potential violations by White House personnel, and do you have proposals on how to improve the process?

It is my understanding that NARA provides guidance to the White House Counsel's Office to help ensure that the PRA is properly implemented. If I am confirmed as the Archivist, I would assess past practices and seek to ensure that NARA has a clear and consistent means to review and act on potential violations in accordance with the pertinent law, regulation, or policy.

- a. Do you believe the Presidential Records Act should be amended to outline such a process?

At this point in time, I am not in a position to make an informed decision. If I am confirmed as the Archivist, I will assess the situation, consult with key stakeholders, and if a potential need to amend the Act arises, I will coordinate with Congress and the Administration as appropriate.

41. What would your approach be to working with outgoing Presidential administrations on the transition of Presidential records to NARA?

If I am confirmed as the Archivist, I will work to ensure that NARA carries out its responsibilities related to Presidential transitions in an efficient and effective manner, based upon the lessons-learned and best practices identified in the past. It will be

important to engage with outgoing administrations as early in the process as possible and to establish regular means to communicate about our mutual responsibilities and to confirm that NARA will receive the records in accordance with the law in order to ensure the most complete historical record.

Federal Records Act

42. Do you believe there is a need to update the Federal Records Act? If so, how?

Congress has the authority to change the Federal Records Act, or any other legislation related to the National Archives. If confirmed, I will work with Congress and the Administration to consider any such changes. To the extent that NARA identifies changes that might be needed to the Federal Records Act, if I am confirmed, I will surface those with Congress and the Administration as appropriate.

43. What is your understanding of how NARA reviews and acts upon reports of potential records-related violations by agency personnel under the Federal Records Act, and do you have proposals on how to improve the process?

The Federal Records Act (FRA) requires agencies to "notify the Archivist of any actual, impending, or threatened unlawful removal, defacing, alteration, corruption, deletion, erasure, or other destruction of records in the custody of the agency." NARA also receives notifications from the media and private citizens. NARA makes its unauthorized disposition cases available online to provide transparency about such situations. NARA's regulation requires the agency to provide a written response within 30 days, and NARA then reviews and assesses the allegation as founded, unfounded, or pending review or follow-up. If I am confirmed as the Archivist, I will review this process and consult with stakeholders and assess how NARA might improve this process.

- a. Do you believe the Federal Records Act should outline such a process in more detail?

If I am confirmed as the Archivist, I will carefully assess the actions by NARA in this regard. To the extent that steps can be taken to make improvements absent a change in the law, I will make them. To the extent that I identify changes that might be needed to the Federal Records Act, if I am confirmed, I will surface those with Congress and the Administration as appropriate.

V. Relations with Congress

44. Do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Yes.

45. Do you agree without reservation to make any subordinate official or employee available to appear and testify before, or provide information to, any duly constituted committee of Congress if you are confirmed?

Yes.

46. Do you agree without reservation to comply fully, completely, and promptly to any request for documents, communications, or any other agency material or information from any duly constituted committee of the Congress if you are confirmed?

Yes.

47. If confirmed, how will you make certain that you will respond in a timely manner to Member requests for information?

I will work closely with the Congressional relations team at the National Archives and will make sure that such requests are prioritized.

48. If confirmed, will you direct your staff to adopt a presumption of openness where practical, including identifying documents that can and should be proactively released to the public, without requiring a Freedom of Information Act request?

Yes.

49. If confirmed, will you ensure that your staff will fully and promptly provide information and access to appropriate documents and officials in response to requests made by the Government Accountability Office (GAO) and the Congressional Research Service?

Yes.

50. If confirmed, will you agree to work with representatives from this Committee and the GAO to promptly implement recommendations for improving NARA's operations and effectiveness?

Yes.

VI. Assistance

51. Are these answers completely your own? If not, who has provided you with assistance?

These answers are my own and include technical assistance provided by NARA staff.

52. Have you consulted with NARA, or any other interested parties? If so, please indicate which entities.

Yes, NARA staff provided technical assistance in responding to these questions.

I, Dr. Colleen J. Shogan, hereby state that I have read the foregoing Pre-Hearing Questionnaire and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

Colleen J. Shogan

(Signature)

This 13 day of September, 2022

**Senator James Lankford
Post-Hearing Questions for the Record
Submitted to Colleen J. Shogan**

**Nomination of Colleen J. Shogan to be Archivist of the United States, National Archives
and Records Administration**

February 28, 2023

On the Equal Rights Amendment:

You have previously stated that you agree with former Archivist David Ferriero that “NARA defers to DOJ on this issue [publication of the ERA] and will abide by the OLC opinion, unless otherwise directed by a final court order.”

1. Is that still your position?

YES

2. What do you understand as the role of NARA, and the Archivist in particular, in the constitutional amendment process?

I understand it as a ministerial function.

On March for Life Participants at the Archives:

On January 20, 2023, some participants in the annual March for Life visited the National Archives Museum where they were harassed and told to remove some of their pro-life attire.

1. I understand an investigation into this incident is underway, if confirmed, will you provide the committee the full results of that investigation?

If confirmed, I will brief the committee on this matter when I have the pertinent information.

2. If confirmed, what steps will you take to prevent any similar instance from happening again?

If confirmed, I plan to review visitor services protocols at NARA facilities and speak directly with security contractors who provide services onsite. I will also ensure that all NARA employees understand the procedures and protocols concerning public visitors.

3. Do you believe there are any circumstances where a visitor to the Archives should be asked to remove apparel that displayed a pro-life message or any other type of speech?

NO

On the Veterans Records Backlog:

1. I am aware that NARA has created a link and online portal for veterans to receive their records. Who maintains the digital records, is it NARA or the VA?

Should I be confirmed, ensuring that veterans and their families have easy, secure and timely access to their records is one of my highest priorities. NARA has an online tool known as [eVetRecs](#) that provides a user-friendly portal to make a request for records, and to check the status of an existing request; however, I believe there is much more that can, and should, be done to improve access to military service records, and it must be done in partnership with the military service branches that are the legal custodians of the vast majority of analog and electronic files for living veterans, and the Department of Veterans Affairs (VA), which relies on these records to provide services and benefits to vets and their families. I know that the NPRC has been working with the VA to scan the personnel files of living veterans, and that they have access to the electronic personnel records maintained by the military service branches for veterans who separated over the past 20 years. I am looking forward to developing innovative solutions within these partnerships so that backlogs in answering requests for military personnel records are no more.

2. How does NARA intend to improve coordination with DOD and VA for veterans records?

If confirmed, I will reach out to the Secretary of Defense and the Secretary of Veterans Affairs to explore ways to remove any barriers that unnecessarily complicate records access for veterans, and share my vision for a single portal for veterans to obtain prompt access to any records they require from their military service.

As I understand it, NARA leadership meets regularly with VA leadership at both the local and national levels to ensure VA records access needs are consistently satisfied and to explore ways in which the agencies can better support each other. These meetings have led to partnerships between the two agencies involving the large-scale digitization of NPRC holdings and the sharing of electronic records and data between agencies. These partnerships are enabling both agencies to better serve veterans. I look forward to building on these successes if confirmed as Archivist.

3. How does NARA plan on improving veterans digital access to their records?

If I am confirmed, I will focus on ways in which NPRC can fully transform from paper-based processes for fulfilling customer requests for paper records into fully electronic processes that rapidly deliver digitized copies to customers through secure, accessible web portals. As answered above, this has to be done in partnership with the military service branches and the Department of Veterans Affairs.

To advance access, NARA must continue to invest in upgrades to its information technology infrastructure to support the increase in digitized records and the electronic and remote processing of requests. Replacing end-of-life hardware to improve operations will be critical. As I understand it, NARA is already demonstrating some success;

electronic responses to NPRC reference requests have increased from zero in FY 2019 to more than 440,000 in FY 2022.

4. How would the full digitization of records impact the maintenance and navigation of personnel records?

The full digitization of records would significantly improve access to military personnel records. It would require significant, recurring investments in operations and maintenance, future systems replacement, data migration, and security. It would greatly improve access not only for veterans and their families, but to numerous other stakeholders with an interest in these important records of permanent historical value.

If confirmed as Archivist of the United States, I will work with Department of Defense, the VA, and Congress to pursue the digitization of the military service records of all living veterans as quickly as possible and to then explore the digitization of the service records of those veterans who are no longer alive, but whose service is nonetheless worthy of digitization to support their families, and for NARA to permanently preserve and provide ready access to the history of their service to the United States.

5. What are the challenges which limit the federal government's ability to fully digitize personnel records?

The greatest challenges are the resource requirements to properly and securely digitize such a large collection of records (over 45 million analog Official Military Personnel Folders are stored at NPRC) and to build secure systems and networks to manage such a significant increase in digital information. If I am confirmed as Archivist of the United States, I will seek to overcome these challenges. I grew up in a family of veterans, and I believe veterans deserve our best efforts to complete this important work.

On FOIA:

I have been told FOIA requests to NARA are excessively slow with a completion time of 18 months to three years.

1. Are you aware of this issue? Is NARA sufficient allotting resources to provide timely answer to FOIA requests?

Since I was nominated to be Archivist, I have become aware of the challenges NARA is facing with FOIA backlogs. I am aware that NARA receives an [extraordinary number of requests for access](#) to its holdings each year. Many requests for access to records are handled as reference requests and researchers receive the information they need without filing a FOIA request. However, when archival records contain sensitive information that requires a line by line review prior to release, a FOIA request is necessary. FOIA requests are also required for NARA operational records. Because of the nature of the records sought under FOIA, even simple requests often require extensive review.

NARA recently released [its FY 22 annual FOIA report](#), which contains the most current information available on the timeframe for FOIA responses. In addition, [NARA's 2022 Chief FOIA Officer's report](#) notes the majority of NARA's FOIA backlog is attributable to COVID.

2. What steps will you take to ensure the public has timely access to documents requested through FOIA?

[NARA's current strategic plan](#) in Goal 3.2 states NARA will reduce the time it takes to start complex FOIA requests for unclassified records by FY 2026. I look forward to finding solutions that do not necessarily require additional resources to improve NARA's ability to meet its challenges with FOIA requests. For example, NARA must modernize its business processes and workflows and deploy new technologies to increase the volume of records reviewed to reduce the cycle time for responding to complex FOIA requests.

**Senator Rick Scott
Post-Hearing Questions for the Record
Submitted to Colleen J. Shogan**

**Nomination of Colleen J. Shogan to be Archivist of the United States, National Archives
and Records Administration**

February 28, 2023

- *In June of 2021, the National Archives released a report with recommendations from its Internal Task Force on Racism.*

- *Do you think America's founding documents are racist?*

NO

- *I believe that we should teach kids to love America. This is the greatest nation on Earth. It is not without its flaws, but it remains the most powerful and richest country, not just in wealth but in opportunity. That should be celebrated. Do you agree?*

YES

- *Do you think that putting warnings on our founding documents teaches our children who learn about them to love America and see it as a great nation that has evolved and overcome adversity? Or as a nation rooted in evil?*

I do not believe that NARA should label any individual document as potentially harmful; and I do not believe it is reasonable or possible for NARA to determine what is offensive for any individual user. It does seem reasonable to alert users – including the many young students who use the Catalog – that they may come across difficult material. The National Archives should, and does, make its records available in its online Catalog to all users equally, and does not censor those records.

Senator Josh Hawley

Post-Hearing Questions for the Records

Submitted to Colleen Shogan

1. Please provide copies of all posts you have ever made public on Twitter.

My social media accounts are done in my personal capacity.

2. During your testimony on February 28, 2023, I asked you about your previous responses to my Questions for the Record. I had asked you to provide copies of all posts you have ever made public on Twitter and you responded: “My personal Twitter account is comprised of posts about my mystery novels, events at the White House Historical Association, Pittsburgh sports teams, travels, and my dog. It was made private months ago, before I was nominated as Archivist.”¹ Do you stand by this characterization of the contents of your Twitter profile?

I was characterizing tweets I wrote after I made my account private, as I understood the question to reference the period in time after I made my accounts private.

3. In your article entitled *Anti-Intellectualism in the Modern Presidency: A Republican Populism*, you wrote that “the rise of the religious right” was one reason why “Republicans tend to exhibit anti-intellectual qualities, and [why] Democrats coalesce on the intellectual tail of the continuum.” Do you think that religious Americans are “anti-intellectual”?

NO

¹ Dr. Colleen J. Shogan, Post-Hearing Questions for the Record Submitted to Colleen J. Shogan From Senator Josh Hawley, “Nomination Hearing,” September 22, 2022

September 12, 2022

Senate Committee on Homeland Security and
Government Affairs
United States Senate
Washington, DC 20510-6250
Via email: david_weinberg@hsgac.senate.gov

Dear Members of the Committee:

The American Historical Association (AHA) enthusiastically supports the nomination of Dr. Colleen Shogan as the eleventh Archivist of the United States. Chartered by Congress in 1889 “for the promotion of historical studies, the collection and preservation of historical manuscripts, and for kindred purposes in the interest of American history and of history in America,” the AHA has a deep interest in the role of the National Archives and Records Administration (NARA) as a pillar of the nation’s history and heritage. We are confident that Dr. Shogan can both provide the vision and leadership necessary to guide the Archives in its task of preserving federal records held in trust for the public, and act with dedication and integrity in continuing to ensure public access to those records.

NARA has a dual charge to preserve the official documentation of the nation’s past, and to ensure that public records serve the purposes of evidence, accountability, and authenticity in protecting the rights of all citizens. It is essential that the Archivist of the United States fulfills the duties of the office in a nonpartisan manner to ensure that NARA performs its critical role in the documentation of the Federal government’s actions and decisions. At the same time, as NARA faces the growing challenge of preserving, processing, and making accessible increasing numbers of electronic and paper records, the Archivist must possess the diplomatic and rhetorical skills necessary to advocate for the agency’s programs on Capitol Hill, within the Administration, and with its varied stakeholders. Dr. Shogan’s senior-level positions in Washington institutions have spanned multiple presidential administrations and Congresses, and she has demonstrated her commitment to serving the public with nonpartisan integrity.

While Dr. Shogan is not a historian, she has worked effectively and productively with our members in such important settings as the Library of Congress, the White House Historical Society, and the America250 Commission. She has been especially effective as a collaborator across disciplines, drawing on her political science background to complement the work of archivists, librarians, and historians. Her long experience at the Library of Congress anchors her impressive resume. Consider especially her careful nonpartisan scholarship at the Congressional Research Service and subsequent management position there, which drew upon and nurtured her deep appreciation for the imperative of careful documentation and responsible nonpartisan leadership.

Beginning with the “Congress and History” conference in 2017 and into our current collaboration as members of the History Education Advisory Council of the America250 Commission, I have developed a deep respect for Dr. Shogan’s professionalism, expertise, and integrity. The Archivist of the United States

must have these characteristics to combine the roles of visionary and hands-on manager that this position requires. The American people would be fortunate to have Dr. Colleen Shogan as the steward of our nation's documentary record.

Sincerely,

A handwritten signature in black ink, appearing to read "James Grossman". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

James Grossman
Executive Director



September 21, 2022

The Honorable Gary C. Peters
Chairman
Committee on Homeland Security and
Governmental Affairs
340 Dirksen Senate Office Building
United States Senate
Washington, DC 20510

The Honorable Rob Portman
Ranking Member
Committee on Homeland Security and
Governmental Affairs
340 Dirksen Senate Office Building
United States Senate
Washington, DC 20510

Email to: David Weinberg, Pam Thiessen, Caitlyn Stephenson, and Kevin Smith

Re: Letter in Support of Dr. Colleen J. Shogan, Nominee for Archivist of the United States

Dear Chairman Peters and Ranking Member Portman:

On behalf of the American members of the Association of Professional Genealogists (APG), I write to you in strong support of the pending nomination of Dr. Colleen J. Shogan to become the eleventh Archivist of the United States (AOTUS).

APG is the world's largest association for professional genealogists, and we advocate and educate on professional issues affecting genealogists, family historians, researchers, educators, and others. Our members have a deep knowledge of American history and rely on the programs and activities of the National Archives and Records Administration (NARA) for our day-to-day work.

We strongly believe that Dr. Shogan exhibits the requisite experience and key qualities needed to meet the challenges of the position of AOTUS. Her previous senior leadership positions at the Library of Congress and Congressional Research Service are strong indications of her commitment to government service. Her work at the White House Historical Association is another example of her experience of working with professionals of many disciplines, including genealogists, historians, archivists, and others who are regular users of NARA.

The confirmation of Dr. Shogan as archivist would be a significant step forwards in addressing two issues of concern to APG members—the backlog of records behind the scenes at NARA, and the management of the annual exponential growth of new records.

NARA's role as the keeper of America's historical records is essential to the work of APG members and the larger genealogy community. We thank you for your consideration of our views, and we urge a swift confirmation process for Dr. Shogan, to ensure the important work of NARA continues uninterrupted.

Respectfully,

Annette Burke Lyttle, President



September 12, 2022

Chairman Gary C. Peters
 Ranking Member Rob Portman
 U.S. Senate Committee on Homeland Security & Governmental Affairs
 340 Dirksen Senate Office Building
 Washington, DC, 20510
Transmitted to staff via email

Dear Chairman Peters and Ranking Member Portman,

On behalf of the American Political Science Association, I am writing today in support of Dr. Colleen Joy Shogan, who will appear before your committee as the nominee for the position of Archivist of the United States. Dr. Shogan has held several senior positions at the Library of Congress and Congressional Research Service, including serving as the Assistant Deputy Librarian for Collections and Services, the Deputy Director of the Congressional Research Service, and the Deputy Director of National and International Outreach. Her extensive public service has spanned Congresses and presidential administrations. She has a stellar record of leadership in government and would be an excellent steward of the National Archives and Records Administration.

In addition to her work in government, Dr. Shogan has published numerous books and scholarly research articles on the presidency, Congress, and women in politics. She has a deep understanding of the importance of the National Archives to our democracy as it supports an informed citizenry today and maintains critical documents that will tell the story of this country tomorrow. Her experience at the Library of Congress and Congressional Research Service has illustrated her ability to serve the public in institutions with renowned legacies of integrity and non-partisanship.

The National Archives and its leadership are grappling with the monumental task of maintaining and preserving paper and electronic records throughout the government. NARA's mission is critical to the public's knowledge and understanding of our government, and especially to current and future researchers who rely on those documents. I urge you to support Dr. Shogan's nomination in your committee and thank you for your consideration.

Sincerely,

Steven Rathgeb Smith
 Executive Director

SUSAN COMBS
4608 Eagle Feather Drive
Austin, Texas 78735
susan@susancombs.com
512/970-5599

February 23, 2023

Chairman Gary Peters and Ranking Member Rand Paul
Senate Homeland Security and Governmental Affairs Committee
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Peters and Ranking Member Paul:

I am writing to add my very strong recommendation in support of the nomination of Colleen Shogan as Archivist of the United States. I worked with Ms. Shogan for over two years when she and I were both Commissioners on the Women's Suffrage Centennial Commission. I was the Chair and she was the Vice Chair when we completed the major tasks done by the Commission. This commission was created by Congress to celebrate the passage of the 19th Amendment with a very clear purpose: to provide apolitical, unbiased recital of facts leading up to the passage of the women's right to vote. She and I were both equally determined to adhere strictly to the terms of the statute, and did so. We were also determined to have a legacy of commemorative items that could be used in the decades going forward.

To this day I do not have any knowledge of her political views. She knew I was a Republican because I was selected by the Secretary of the Interior, a Trump appointee. I was also a Republican statewide elected officeholder in Texas for sixteen years. However, she and I never aired any political views.

We continued our work during the hotly contested national election cycle of 2020 with no attention paid to politics or partisanship. We took our responsibilities seriously. Her attention to detail, to scrupulously following the law, and tirelessly ensuring that no bias was injected into that effort was extraordinary.

She is an outstanding scholar, thinker, public servant and I recommend her without reservation.

Sincerely,


Susan Combs



September 15, 2022

The Hon. Gary Peters
Chairman
Senate Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

The Hon. Rob Portman
Ranking Member
Senate Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Re: Support for Confirmation of the Nominee for 11th Archivist of the United States

Chairman Peters, Ranking Member Portman, and Members of the Committee:

The Council of State Archivists (CoSA) respectfully submits the following comments for consideration by the Committee as it takes up the confirmation of the next Archivist of the United States.

CoSA is a professional nonprofit organization of the official government repositories of the fifty states, five territories, and the District of Columbia. CoSA members are the state-level counterparts of the National Archives and Records Administration (NARA). State archives perform parallel functions for preservation of and access to government records documenting the rights of citizens, assuring government accountability, and connecting all Americans with our individual and shared histories.

CoSA leadership has reviewed Dr. Colleen Shogan's professional qualifications and has had the occasion to have purposeful interaction with her since the nomination announcement. Her diverse professional experience in libraries, academia, and government and nonprofit institutions is an asset for leading NARA by strengthening its core functions as the nation's administrator of government records law and contributing to public dialogue on our constitutional democracy.

CoSA heartily supports Dr. Shogan's confirmation and is optimistic about the future of NARA under her leadership.

CoSA's membership believes that there are three key areas that should weigh heavily in the Committee's consideration of Dr. Shogan: the relationship of NARA to the state archives for advancing archival innovation and best practices in the 21st century; the importance of

maintaining and properly administering strong government records laws; and the essential role of NARA and other repositories in supporting the 250th anniversary of the nation in 2026.

Under our nation's system of federalism, states retain distinctive responsibility for archival and records functions. State agencies routinely interact with federal programs such as national defense, veterans' affairs, interstate commerce, education, and emergency preparedness. The state-federal relationship requires collaboration between NARA and the state archives to ensure best practices in records management and records preservation.

Government archival programs share significant challenges in the development of standards for the preservation of digital records. NARA must be the leader in making important advances in the preservation and management of digital records. A stronger federal-state partnership through CoSA will facilitate the persistence of reliable historical records through technological advances in records management. Dr. Shogan recognizes this need and is ready to initiate a culture of greater collaboration with reciprocal benefits to the American people.

NARA is responsible for implementing the records laws enacted by Congress. Federal records laws are clearly established to protect public interests. Records that document government functions belong to the American people, and records laws should be implemented without regard to party or politics. NARA's highest calling is to ensure the integrity of government records and the proper administration of confidentiality and access. Dr. Shogan has indicated her commitment to upholding the duty of the Archivist of the United States to apply records laws with integrity.

In 2026, the United States will mark the 250th anniversary of the Declaration of Independence and the founding of the nation. As we begin the nation's next 250 years, the historical records preserved by NARA and the state and territorial archives are essential to understanding the American experience. NARA and its holdings play an essential role in the national conversation about who we are as a people, what we value, and how our young people should be equipped to inherit the responsibility of citizenship. Dr. Shogan shares these priorities and will lead NARA in its relevance in American life by promoting engagement with the general public and the K-12 community.

Thank you for the opportunity to share perspectives from the state and territorial government archives in support of Dr. Colleen Shogan as the 11th Archivist of the United States.

Most sincerely,



Joy M. Banks
Executive Director
Council of State Archivists

www.statearchivists.org

info@statearchivists.org

Dr. Jane McAuliffe
4038 Chancery Court, NW
Washington, DC 20007

24 February 2023

Chairman Gary Peters
Homeland Security and Governmental Affairs Committee

Dear Senator Peters:

Please allow me to urge your full support for the nomination of Dr. Colleen Shogan as the next Archivist of the United States. I write with some urgency because the confirmation hearing for Dr. Shogan is scheduled for next Tuesday, February 28.

I introduce myself to you as an academic and an educator. I have been a faculty member at several universities, the Dean of the College of Arts and Sciences at Georgetown University, and the President of Bryn Mawr College. In the final years of my career, I held senior positions at the Library of Congress.

Dr. Shogan was my deputy for several years during the period that I was the Director of National and International Outreach at the Library of Congress and she was outstanding in that position. As you know, the Library of Congress operates as a non-partisan, non-political service to the Congress of the United States. As this country's national library, it serves the entire American population, regardless of political preference or affiliation. In her leadership role at the Library of Congress, Dr. Shogan frequently took action to structure outreach programs and initiatives that were free of political partiality and embrace of the highest ideals of our constitutional democracy. Her skill in doing so is grounded in a deep knowledge of American political history and, consequently, the ability to contextualize current considerations within a much more expansive temporal horizon. Not infrequently, Dr. Shogan's was the voice in the room that guided our planning efforts to achieve the balance among competing visions that could best serve the Library's mission and mandate.

I am quite certain that she will bring these abilities and achievements to a position of national importance, will fulfill the requirements of that position in an exemplary manner, and will be a national archivist of which this country can be proud.

Yours sincerely,

A handwritten signature in cursive script that reads "Jane McAuliffe".

Dr. Jane McAuliffe
Senior Scholar, The Berkley Center

for

Religion, Peace & World Affairs
Georgetown University
and
President Emerita
Bryn Mawr College



September 16, 2022

The Honorable Gary C. Peters
Chairman
Committee on Homeland Security and
Governmental Affairs
340 Dirksen Senate Office Building
United States Senate
Washington, DC 20510

The Honorable Rob Portman
Ranking Member
Committee on Homeland Security and
Governmental Affairs
442 Hart Senate Office Building
United States Senate
Washington, DC 20510

Dear Chairman Peters and Ranking Member Portman,

We are writing to enthusiastically endorse the pending nomination of Dr. Colleen J. Shogan to become the eleventh Archivist of the United States (AOTUS). The National Coalition for History (NCH) is a consortium of 43 organizations that advocates and educates on federal legislative and regulatory issues affecting historians, archivists, researchers, educators, students, documentary editors, preservationists, genealogists, political scientists, museum professionals and others. As historians and conservators of American history and culture we care deeply about the programs and activities of the National Archives and Records Administration (NARA) and the National Historical Publications and Records Commission (NHPRC). Given the breadth of our membership, we represent nearly all of NARA's major constituencies.

The National Archives is at a critical point in its history. NARA faces major challenges including the transition at the end of this year to only accepting electronic records from federal agencies, backlogs in fulfilling requests for veterans' records, declassification, and Freedom of Information Act inquiries and the pending addition of two presidential libraries. Added to this is the reality over the last decade of having more responsibilities placed upon the agency without a commensurate increase in funding.

The new Archivist should possess a skill set that allows the individual to deal with many dichotomies. The Archivist must be non-partisan, but also possess the political skills needed to serve as an aggressive advocate for NARA's programs on Capitol Hill and within the Administration. The Archivist must be both a visionary and a hands-on manager, committed to providing the maximum amount of public access to NARA's holdings allowed by law yet make difficult resource allocation decisions that may result in delays in the processing and release of records. The individual must address a logjam of records on the back end, while addressing the exponential growth of new records generated every year on the front end. No one person can be expected to do this alone, but she or he must have the management skills needed to build a strong team of archival professionals, historians, and support staff.

Dr. Shogan has the requisite experience and management background to meet these challenges. We believe her senior leadership positions at the Library of Congress and Congressional Research Service (CRS) exemplify a commitment to government service. As you know,

Congress relies on the CRS to provide it with unbiased non-partisan advice on a host of topics. Throughout her career Dr. Shogan has exemplified those qualities.

Although Dr. Shogan holds a doctorate in political science, she has spent her career working across disciplines with historians, educators, librarians, archivists, students, preservationists, museum professionals and many others who represent NARA's "customer base." Her breadth of knowledge and experience make her uniquely qualified to manage an organization with so many stakeholders. Her work at the White House Historical Association also included development of public education programs, an important part of NARA's portfolio.

The Archivist of the United States serves a vital, if not always well understood or appreciated, role in our democracy. The Archives has a responsibility to ensure that the records of the federal government are collected, processed, maintained, and made available to the public. Without this documentary record, our citizens lack the ability to hold our leaders accountable, and for future citizens to understand our history. In a time where some have questioned the ability of our democracy to function, the role of the Archivist becomes even more critical. They must preserve NARA's reputation for openness and impartiality. We are confident Dr. Shogan will serve with distinction and always hold paramount the public trust being placed in her by your confirmation of her nomination.

Sincerely,



Lee White
Executive Director
National Coalition for History

**Robert Randolph Newlen
1300 Crystal Drive
Penthouse 5
Arlington, Virginia 22202**

Chairman Gary Peters
Homeland Security and Governmental Affairs Committee

Dear Senator Peters:

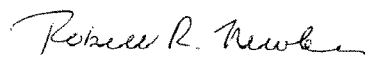
I am writing in support of Dr. Colleen Shogan for the next Archivist of the United States. Without question, Dr. Shogan is one of the most talented and dedicated public servants I had the pleasure to work with in my 43 year career at the Library of Congress.

Dr. Shogan was first a colleague in the Congressional Research Service (CRS) and later reported to me in my capacity as Chief of Staff and Deputy Librarian of Congress. She maintained the highest level of non-partisanship in all of these positions, most notably as an Assistant and later Deputy Director of CRS, where she was highly respected for her expertise by Members on both sides of the aisle.

As Deputy Director of National and International Outreach, Dr. Shogan led over 400 employees in a wide range of programmatic activities including outreach and public programs, IT and communications, budget and strategic planning. Her outreach to a wide range of stakeholders resulted in key partnerships, both national and international. Her budgetary skills are superb and she is well-known for her ability to cut costs without sacrificing service.

I can think of no one better suited to become the next Archivist and I urge to fully support Dr. Shogan.

Kind regards,


Robert R. Newlen



September 12, 2022

The Honorable Gary C. Peters, Chairman
Senate Committee on Homeland Security
& Government Affairs
Room SD-340, Senate Dirksen Office Building
United States Senate
Washington, DC 20510-6250

The Honorable Rob Portman, Ranking Member
Senate Committee on Homeland Security
& Government Affairs
Room SH-442, Senate Hart Office Building
United State Senate
Washington, DC 20510-6250

Dear Chairman Peters and Ranking Member Portman:

The National Trust for Historic Preservation is pleased to support President Biden's nomination of Dr. Colleen J. Shogan to be the next Archivist of the United States at the U.S. National Archives and Records Administration (NARA). As you know, the Archivist plays a central and critical role as a steward of the nation's public records and overseer of historic documents that shape our nation.

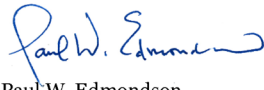
The National Trust has worked closely with Dr. Shogan in her capacity as senior vice president and director of the David M. Rubenstein Center for White House History at the White House Historical Association. The Rubenstein Center is located at Decatur House, a National Trust Historic Site, and we work closely with the White House Historical Association in the stewardship of this important place and its stories, as well as on public programming. Most recently, in May 2022, our organization partnered with the White House Historical Association to present, "The Presidency and Historic Preservation Symposium," which featured prominent scholars, historians, preservationists, and professionals who discussed preserving presidential sites; women in historic preservation; presidential sites of enslavement; and preservation of the White House.

The experience of the National Trust is that Dr. Shogan brings an exemplary record of executive leadership and nonpartisan government service. She performs her role capably with dedication and integrity. Moreover, Dr. Shogan's qualifications to serve as Archivist of the United States are firmly established. Her educational background includes a doctorate in political science from Yale University and service as an adjunct professor of political science at Georgetown University. Dr. Shogan has also published numerous books and scholarly research articles on the presidency, congress, and women in politics. Before joining the White House Historical Association in 2020, she held several senior positions at the Library of Congress and Congressional Research Service. Dr. Shogan's extensive resume also includes working with several heritage and educational organizations such as the Women's Suffrage Centennial Commission, the Aspen Institute, the America at 250 Commission, and the Women's Suffrage National Monument Foundation.

Given her accomplished record and experience, we have every confidence that Dr. Shogan will perform exceptionally well as the nation's Archivist and will adeptly carry out NARA's apolitical mission which includes ensuring adequate documentation of the government's actions and decisions as well as preserving the cultural heritage and historical memory of government for the best interests of all citizens. We urge the Committee on Homeland Security and Government Affairs to approve Dr. Shogan's nomination and confirm her as the next Archivist of the United States.

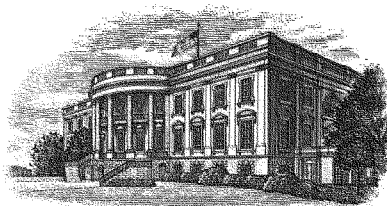
Thank you for considering our views in support of Dr. Shogan's nomination for this critical governmental role.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul W. Edmondson", with a stylized flourish at the end.

Paul W. Edmondson
President & CEO

740 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006
ESTABLISHED 1961



TEL 202.737.8292
FAX 202.789.0440
WHITEHOUSEHISTORY.ORG

**THE WHITE HOUSE
HISTORICAL ASSOCIATION**

February 23, 2023

Senator Gary C. Peters
724 Hart Senate Office Building
Washington, DC 20510

Dear Senator Peters,

Today I am writing today specifically to encourage your full consideration and support for Dr. Colleen Shogun, nominated to be the Archivist of the United States, and whose confirmation hearing is scheduled for next Thursday, February 28.

Colleen currently reports directly to me as the Senior Vice President of the White House Historical Association, and the Director of our David M. Rubenstein National Center for White House History. In the years that she has worked for us she has been an excellent leader, scholar, administrator, manager, and colleague and perfectly executes our mandate of being a non-partisan organization.

The White House Historical Association, as you know, was founded by Mrs. Kennedy as the private partner to the White House to provide non-taxpayer funding to maintain the museum standard of the White House interiors and also to undertake a robust education and publishing program.

We have been privileged now to work with 12 presidents and first ladies and I have personally been honored to work closely and collaboratively with the Obama, Trump, and now the Biden, in a manner that is completely disassociated from anything political, partisan, or policy oriented, that is the space in which Colleen operates and excels.

Her past roles leading to her time with us have equipped her with experience, skills, sensitivities, experience, and balance to execute this extraordinary important role as Archivist of the United States. The White House Historical Association works closely and collaboratively with presidential sites and presidential libraries who are part of the National Archives. We have the highest respect and regard for the integrity of those systems and the vital need to have a non-political, non-partisan leader in this capacity.

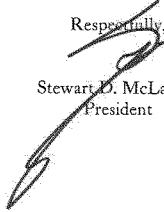


Thank you for giving Colleen careful and thoughtful consideration, I have every confidence that she will serve this role honorably and above reproach, that she will have the highest regard and respect for the oversight of the Congress and will be ever vigilant to maintain the historic integrity of the National Archives.

Thank you, Senator Peters.

Respectfully,

Stewart D. McLaurin
President

A handwritten signature in dark ink, appearing to read 'Stewart D. McLaurin', is written over the printed name. The signature is stylized with a large, sweeping initial 'S'.

United States Senate

WASHINGTON, DC 20510

January 23, 2023

VIA ELECTRONIC TRANSMISSION

Ms. Debra Steidel Wall
Acting Archivist
U.S. National Archives and Records Administration
700 Pennsylvania Ave, NW
Washington, DC 20408

Dear Ms. Wall:

We write today relating to the discovery of “documents marked classified from Joe Biden’s vice presidency” that have been found at multiple locations.¹ Since July 30, 2021, we have raised concerns about whether then-Vice President Joe Biden stored and archived government records in compliance with federal records laws. We request that NARA provide full transparency regarding its involvement, knowledge and role with respect to the existence of these classified and unclassified documents.

By way of background, on June 7, 2021, we requested that NARA provide documents in furtherance of our investigation into the Biden family’s financial dealings and potential conflicts of interest.² NARA declined to provide those records. On July 30, 2021, and June 28, 2022, we asked the White House about then-Vice President Joe Biden’s use of non-government email for government business, the transmission of government information to his son, Hunter Biden, and compliance with federal records laws.³ To date, the White House has failed to respond to those requests.

¹ Adriana Diaz, Andres Triay, Arden Farhi, More Biden documents marked classified found in at least one other location, Jan. 11, 2023, CBS News, <https://www.cbsnews.com/news/more-biden-documents-marked-classified-two-other-locations/>.

² Letter from Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, and Ranking Member Charles Grassley, S. Comm. on the Judiciary, to David S. Ferriero, Archivist of the United States, U.S. National Archives and Records Administration, (June 7, 2021).

³ Letter from Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, and Ranking Member Charles Grassley, S. Comm. on the Judiciary, to Dana Ann Remus, Counsel to the President, White House (July 30, 2021), https://www.grassley.senate.gov/imo/media/doc/grassley_johnson_to_white_house_counsel_-_biden_email.pdf; Letter from Ranking Member Ron Johnson, Permanent Subcomm. on Investigations, and Ranking Member Charles Grassley, S. Comm. on the Judiciary, to Richard Sauber, Special Counsel to the President, White House (June 28, 2022), <https://www.ronjohnson.senate.gov/2022/6/sens-johnson-and-grassley-the-whitehouse-has-failed-to-explain-whether-joe-biden-continues-to-use-non-government-email-for-official-business>; Miranda Devine, Veep Joe Biden skirted ‘no see’ mail law with private accounts, The New York Post (July 23, 2021), <https://nypost.com/2021/07/23/vp-joe-biden-skirted-no-see-mail-law-with-privateaccountsdevine/>.

See also, Senate Judiciary Committee Hearing: Oversight of the Federal Bureau of Investigation,

Ms. Debra Steidel Wall
Jan. 23, 2023
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In order for Congress to perform an independent and objective review of NARA's involvement in this matter and whether other federal agencies have properly involved NARA, please answer the following questions relating to NARA's process and procedure to ensure that its federal responsibilities have been met no later than February 2, 2023:

1. A timeline of NARA's interactions relating to the discovery of records, including those marked classified, from Joe Biden's vice presidency with the White House, Department of Justice, Federal Bureau of Investigation, Department of Homeland Security, NARA Office of Inspector General, Penn Biden Center for Diplomacy and Global Engagement, Joe Biden's attorneys, and any other federal or private entity involved.
2. How many documents were stored at the Penn Biden Center? Has NARA requested to review all of the other documents at this location or at any other? If not, why not?
3. Are there other locations where President Joe Biden has stored records from his time as vice president? If so, has NARA requested to review those records? If not, why not?
4. Has there been any other instance in which NARA was apprised of or discovered that records marked classified from Joe Biden's vice presidency were located outside a government facility? If so, please provide all details.
5. Has NARA requested the White House to provide all documents that include the pseudonyms and email addresses listed below that then-Vice President Biden used?
 - a) "RobinWare456@gmail.com";
 - b) "Robert.L.Peters@pci.gov";
 - c) "JRB Ware"; and
 - d) "67stingray".

Sincerely,



Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations



Charles E. Grassley
Ranking Member
Committee on the Judiciary

Questions for the Record from Ranking Member Charles Grassley (August 11, 2022) [asking questions relating to the FBI raid on former President Trump's residence and requesting related predating documents to publicly show the basis of the criminal investigation including any alleged federal records violations].

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Jan. 23, 2023
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cc: The Honorable Jon Ossoff
Chairman
Permanent Subcommittee on Investigations

The Honorable Richard Durbin
Chairman
Committee on the Judiciary

Dr. Brett M. Baker
Inspector General

United States Senate

WASHINGTON, DC 20510

February 24, 2023

VIA ELECTRONIC TRANSMISSION

Ms. Debra Steidel Wall
Acting Archivist
U.S. National Archives and Records Administration
700 Pennsylvania Ave, NW
Washington, DC 20408

Dear Ms. Wall:

On January 23, 2023, we wrote to you requesting information relating to the National Archives and Records Administration's (Archives) involvement, knowledge and role with respect to the existence of classified and unclassified documents at multiple locations from Joe Biden's vice presidency.¹ In that letter, we demanded that the Archives provide full transparency to Congress and the American people, and specifically requested that the agency disclose other locations where President Joe Biden stored records from his time as vice president.

Rather than provide our offices with an answer, on February 2, 2023, you wrote that we should "contact the Department of Justice with respect to their ongoing investigation of this matter."² Eight days after your response, the Associated Press published an article referencing now-public internal Archives emails indicating that your office knew in early November 2022 that Biden records were transported from the Penn Center to a law office in Boston.³ Based on the information contained in this article, it is now clear that despite knowing since early November 2022 that Biden records were in Boston, you appear to have intentionally withheld that specific information from Congress in your February 2, 2023, response.

This is unacceptable and it illustrates obstructive conduct.

In an effort to understand why you withheld this information, our offices spoke with Gary Stern, the Archives General Counsel. In short, it appears that the Department of Justice is dictating to the Archives what information can be shared with Congress and is therefore participating in the intentional withholding of information.⁴

¹ Letter from Ron Johnson, Ranking Member, Permanent Subcommittee on Investigations and Charles E. Grassley, Ranking Member, Committee on the Judiciary, Jan. 23, 2023, <https://www.ronjohnson.senate.gov/2023/1/sens-johnson-grassley-national-archives-must-provide-transparency-about-joe-biden-s-classified-documents>.

² Letter from Debra Steidel Wall, Acting Archivist of the United States to Senator Ron Johnson, Ranking Member, Permanent Subcommittee on Investigations and Charles E. Grassley, Ranking Member, Committee on the Judiciary, Feb. 2, 2023 (enclosed).

³ Colleen Long and Seung Min Kim, *Archives wanted Boston Biden docs, not believed classified*, The Associated Press, Feb. 10, 2023, <https://apnews.com/article/biden-united-states-government-district-of-columbia-boston-c451c47d9d15d47e9d28af42a95df76f>.

⁴ Feb. 21, 2023 Phone call between Sen. Johnson and Grassley's office and Gary Stern, General Counsel for the National Archives and Records Administration.

Ms. Debra Steidel Wall
Feb. 24, 2023
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Due to your failure to provide all the facts related to the Archives' knowledge with respect to the discovery of Biden records in Boston, please answer and provide the following no later than February 28, 2023:

1. Provide all records⁵ between the Archives and the Department of Justice relating to your response to our January 23, 2023, letter.
2. How and when did the Archives learn Biden records were transported from the Penn Center to Pat Moore's Boston office?⁶
3. Did the Archives notify the Archives Inspector General or the Department of Justice relating to the discovery of Biden records at Pat Moore's Boston office? If so, when?
4. How many Biden records were transported from the Penn Center to Pat Moore's Boston office?
5. On what date(s) were Biden records from the Penn Center transported to Pat Moore's Boston office?
6. Why did the Archives request the Biden records at Pat Moore's Boston office be transported to the JFK Library?⁷
 - a. Did these Biden records get transported to the JFK Library? If so, when and how many boxes/records?
7. Has the Archives reviewed the Biden records from Pat Moore's Boston office? If so, did the Archives discover classified material in the Biden records from Pat Moore's Boston office?
8. Are there other locations where President Joe Biden has stored records from his time as vice president? If so, has NARA requested to review those records? If not, why not?

⁵ "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

⁶ Colleen Long and Seung Min Kim, *Archives wanted Boston Biden docs, not believed classified*, The Associated Press, Feb. 10, 2023, <https://apnews.com/article/biden-united-states-government-district-of-columbia-boston-c451c47d9d15d47e9d28af42a95df76f>. Pat Moore is one of Joe Biden's lawyers handling the preservation of documents.

⁷ *Id.*

Ms. Debra Steidel Wall
Feb. 24, 2023
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9. Did any of the Biden records discovered at Pat Moore's Boston office include the pseudonyms and email addresses listed below that then-Vice President Biden used?
- a. "RobinWare456@gmail.com";
 - b. "Robert.L.Peters@pci.gov";
 - c. "JRB Ware"; and
 - d. "67stingray".

Sincerely,



Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations



Charles E. Grassley
Ranking Member
Committee on the Budget

cc: The Honorable Richard Blumenthal
Chairman
Permanent Subcommittee on Investigations

The Honorable Sheldon Whitehouse
Chairman
Committee on the Budget

Dr. Brett M. Baker
Inspector General
U.S. National Archives and Records Administration

Enclosure

Enclosure



Archivist of the
United States

February 2, 2023

The Honorable Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary

Dear Senators Johnson and Grassley:

I write in response to your letter of January 23, 2023, requesting information about the National Archives and Records Administration's "involvement, knowledge and role with respect to the existence of [Biden Vice Presidential] classified and unclassified documents." As a general matter, NARA treats all of its communications with the White House, DOJ, and the representatives of the former Presidents (and Vice Presidents) as presumptively confidential. Within that general limitation, please see our responses to each of your questions:

1. A timeline of NARA's interactions relating to the discovery of records, including those marked classified, from Joe Biden's vice presidency with the White House, Department of Justice, Federal Bureau of Investigation, Department of Homeland Security, NARA Office of Inspector General, Penn Biden Center for Diplomacy and Global Engagement, Joe Biden's attorneys, and any other federal or private entity involved.

Answer: NARA was contacted on November 2, 2022, and informed that some boxes in the Penn Biden center might contain classified information. NARA picked up the identified boxes on November 3, 2022. When NARA confirmed that the boxes contained classified information, NARA referred the matter to our OIG, who referred the matter to DOJ on November 4. Since then, DOJ has been in control of this issue. On January 12, 2023, the Attorney General appointed a Special Counsel to conduct the investigation of this issue. NARA has had no involvement in the subsequent searches of President Biden's residence.

2. How many documents were stored at the Penn Biden Center? Has NARA requested to review all of the other documents at this location or at any other? If not, why not?

Answer: Please contact the Department of Justice with respect to their ongoing investigation of this matter.

3. Are there other locations where President Joe Biden has stored records from his time as vice president? If so, has NARA requested to review those records? If not, why not?

Answer: Please contact the Department of Justice with respect to their ongoing investigation of this matter.

4. Has there been any other instance in which NARA was apprised of or discovered that records marked classified from Joe Biden's vice presidency were located outside a government facility? If so, please provide all details.

Answer: No.

5. Has NARA requested the White House to provide all documents that include the pseudonyms and email addresses listed below that then-Vice President Biden used?

- a) "RobinWare456@gmail.com";
- b) "Robert.L.Peters@pci.gov";
- c) "JRB Ware"; and
- d) "67stingray".

Answer: NARA has requested that the representatives of former Presidents and Vice Presidents assess whether any materials previously assumed to be personal might contain Presidential or Vice Presidential records subject to the PRA, whether classified or unclassified.

Sincerely,



Debra Steidel Wall
Acting Archivist of the United States

cc:

The Honorable Jon Ossoff
Chairman
Permanent Subcommittee on Investigations, Committee
on Homeland Security and Governmental Affairs

The Honorable Richard Durbin
Chairman
Committee on the Judiciary

Dr. Brett M. Baker
Inspector General
National Archives and Records Administration