



REPORT OF INVESTIGATION

Title (Name and address): WNRC – Classified Material Unaccounted For		Type of Investigation: Criminal	Type of Report: ☒ Final ☐ Supplemental
Social Security Number: N/A		☐ Employee ☐ Non-employee ☐ Former Employee	
Date of Birth: N/A	Date Entered on Duty: N/A	Position and Grade: N/A	
Post of Duty: N/A		Organization and Office: N/A	
Period of Investigation: November 2007 - December 2010			

BASIS FOR INVESTIGATION

Continuing security violations at the Washington National Records Center (WNRC) prompted the National Archives and Records Administration (NARA) Office of Inspector General (OIG) to initiate an investigation in the interest of National Security. This report focuses on the missing boxes of materials identified at WNRC that were classified as TOP SECRET and Restricted Data. These are not permanent records of the National Archives and Records Administration. These boxes were being stored at WNRC at the request of other government agencies.

ALLEGED VIOLATIONS

Classified Information Security Program Handbook – NARA 202
Executive Order 12958 -Classified National Security Information, as Amended
Title 18 United States Code (U.S.C.) § 793: Gathering, transmitting or losing defense information
Title 18 U.S.C. § 798: Disclosure of classified information
Title 18 U.S.C. § 1924: Unauthorized removal and retention of classified documents or material

Distribution	No.	Case Number:	Signature of Special Agent Making Report:
Office of Inspector General	1	08-026-I	
National Archives and Records Administration	3	Signature of Person Examining Report:	
Assistant U.S. Attorney			
Other (Specify):		Title: Assistant Inspector General for Investigations	Office(City): College Park, MD
		Division Office: Headquarters	Date of Report: 3/22/11

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RESULTS OF INVESTIGATION

WNRC holds approximately 328,000 cubic feet of National Security Classified Records for multiple government agencies. Between the summer and fall of 2007, WNRC conducted an inventory of boxes in the TOP SECRET (TS) and Restricted Data (RD) cages within WNRC's vault. 94,416 locations (entries) for the TS/RD cage were entered in the inventory database, resulting in the identification of 1,479 problems. This number was subsequently reduced to 199 problems. Of these 199 problems, 81 reflect missing boxes (or boxes "not on shelf"). The Office of Records Services – Washington, DC (NW), has concluded internal searches for these boxes; however, boxes are still occasionally being located. NW has notified the agencies whose classified materials cannot be located. The 81 boxes* are broken down as follows:

AGENCY NAME	Record Group	Top Secret Restricted Data	Secret Restricted Data	Confidential Restricted Data	Secret	RD/FRD
Office of the Secretary of Defense	RG 330	4	2			
Army Chief of Staff	RG 319				6**	
Bureau of Export Administration (Commerce)	RG 476		1			
Atomic Energy Commission (DOE)	RG 326			16		
Department of Energy	RG 434			1		
National Imagery and Mapping Agency	RG 537				3**	
Naval Operating Forces (Navy)	RG 313		5			
BUSHIPS (Navy)	RG 19			15		
Naval Sea Systems Command	RG 344			26		1
Naval District and Shore Establishments (Navy)	RG 181			1		

*While not all record boxes are uniform, the standard box at WNRC holds approximately 1.1 cubic feet, and can hold approximately somewhere between 2000 to 2500 letter-sized sheets of paper.

** WNRC explained that the 9 boxes of SECRET were most likely shelved in the RD cage before it was the RD cage and remained there.

The OIG will close this investigation concerning the inventory of boxes in the TS/RD cages within the vault for reporting purposes. However, the OIG will continue to monitor the status of the 81 missing boxes of classified material. This report also captured security incidents at WNRC and security incidents involving storage of classified records at WNRC during the period of this investigation: November 2007 through December 2010.

The inventory of the remaining boxes in the vault (outside of the TS/RD cages) began in February 2008. A separate investigation (10-004-I) was opened to report on this inventory of SECRET, CONFIDENTIAL and unclassified missing boxes from the vault. As of March 2011, there were approximately 2,757 boxes missing, of which 1,540 are reported as classified. Additionally, the

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separate investigation will continue to capture security incidents at WNRC and security incidents involving storage of classified records at WNRC. These are reported sporadically and are indicative of problems that need to be addressed.

The Federal Bureau of Investigation has been notified of the missing classified materials per Department of Justice requirements.

INVESTIGATIVE SUMMARY

EXHIBIT

In November 2007, NARA's OIG was notified that approximately 700 boxes of classified records assumed to be stored at WNRC were missing. WNRC had already initiated an inventory. The OIG monitored the progress of this inventory. In addition, WNRC established a resolution team to locate the missing boxes.

In December 2007 and January 2008 additional security breaches at WNRC were reported to the OIG. (See sectioned labeled: *ADDITIONAL SECURITY VIOLATIONS AT WNRC THAT ELEVATED SECURITY CONCERNS*) As a result of these incidents, in January 2008, the Inspector General briefed then Assistant Archivist for Records Services-Washington, DC, [REDACTED] concerning security issues at WNRC.

In March 2008, WNRC sent a letter to the Records Officers of agencies whose classified records were identified as missing notifying them of security improvements at WNRC. WNRC wrote that they realized there were a number of unresolved issues associated with classified boxes. WNRC stated they were investigating and would work with the agencies to resolve those issues. WNRC hosted three Customer Focus Group meetings in April 2008 to demonstrate the new security procedures and receive feedback. The OIG was told there were no reports or notes available from those meetings.

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In May and October 2008 additional security breaches at WNRC were reported to the OIG. (See sectioned labeled: *ADDITIONAL SECURITY VIOLATIONS AT WNRC THAT ELEVATED SECURITY CONCERNS*) In January 2009, the Inspector General issued a management letter to Adrienne Thomas, then Acting Archivist of the United States, to which she responded in February 2009.

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PRIOR INVENTORIES AND ASSESSMENTS:

The OIG was told that previous inventories of classified materials at WNRC were conducted in 1998 and 2004. WNRC found boxes of classified records missing during both inventories. According to those staffers that can recall, minimal corrective

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actions were taken. The inventory results were never finalized in a report. WNRC did not report to the affected agencies or any cognizant entity including the Information Security Oversight Office (ISOO).

An ISOO Assessment conducted in June 2006 reported that in "January and February 2006, during preparations for transport of records from WNRC to the National Archives at College Park facility (NW), WNRC discovered that 187 boxes of CONFIDENTIAL and SECRET records and 2 boxes classified TOP SECRET could not be located and were considered NOS [not on shelf]. No documentation was available to indicate that an inquiry into the possible loss of classified material was conducted to include notification of the affected agencies in order to permit a determination as to the degree of damage to national security."

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In addition, a 2006 WNRC internal report (NARA 01 Report) revealed that 1,857 boxes of classified records, including 30 classified TOP SECRET, were missing. WNRC responded that an inventory was underway and they would experiment with a barcode system.

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Security self-inspection checklists were not implemented at WNRC until 2008. The security self-inspections have not been consistently administered. In 2009, WNRC did not conduct a self-inspection as ISOO and NASS conducted a "Security Assistance Visit" instead. The last security self-inspection was conducted in September 2010.

Other areas of concern were identified by ISOO in their assessment, which WNRC is addressing or has already addressed. In addition, since the OIG briefed NW in January 2008, several changes have been implemented at WNRC to increase security and control to include Standard Operating Procedures for the vault.

ADDITIONAL SECURITY VIOLATIONS AT WNRC THAT ELEVATED SECURITY CONCERNS:

- December 2007 - Approximately 12 boxes of SECRET records were left in an unsecured hallway at WNRC. (*OIG Investigation 08-001-I*)
- January 2008 - Classified records were shipped improperly to the wrong federal office. (*OIG Investigation 08-051-C*)
- February 2008 - WNRC reported that SECRET records had been mailed to the Department of the Navy through unclassified mail channels. The records

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had recently been identified as classified; however, the proper classification level had not been changed in the WNRC database. (OIG Investigation 08-060-C)

- March 2008 - SECRET records were found in a box at Archives II located in an unsecured area. The box was stored at WNRC until 2000 when it was transferred to Archives II. It was determined that these records were Air Force Records and it is unknown how they were in a box of unrelated Law Enforcement Assistance Administration records. (OIG Investigation 08-065-C)
- May 2008 - SECRET records were found on an employee's desk in an unsecured area at WNRC. (OIG Investigation 08-089-C)
- October 2008 - Documents from a classified system of records were found in the trash at WNRC in a secure vault by OIG staff while doing a walk-through at the request of the Director of NW. (OIG Investigation 08-026-I)
- April 2009 - WNRC received four transfers identified as CONFIDENTIAL. Upon review of the SF 135, it was learned that three of the four transfers were TS/SCI (Sensitive Compartmented Information). WNRC staff improperly stored the TS/SCI material until it was retrieved by the equity holder. Staff was not disciplined or reprimanded. [Note: OIG was not notified of this incident as NASS did not consider it NARA's fault.] (OIG Investigation 08-026-I) 5
- September/October 2009 - Staff at Archives II, in reviewing boxes in an unclassified accession, found classified documents; however, this was not reported until January 2010. These records had been stored at WNRC. WNRC blamed the security violation on procedural weaknesses. (OIG Investigation 10-033-C / NASS ROI 2010-01)
- April 2010 - WNRC opened a box of Navy materials classified as Confidential in an unsecured area. [Note: The OIG was not notified of this incident as NASS did not consider it NARA's fault.] (OIG Investigation 08-026-I) 6
- August 2010 - There were two incidents at WRNC where a file/box was delivered to the unclassified re-file section when both were identified in the database as classified. (Both turned out to be unclassified) WNRC recommend a complete review of the incoming mail delivery and processing procedures and a revision to the SOP. (OIG Investigation 08-026-I) 7

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- August 2010 – WNRC sampled the Bilateral Trade Commission Files of the U.S. Trade Representative, part of the Executive Office of the President, in anticipation of an upcoming transfer to NARA. Paperwork indicated the records were unclassified and the records were stored in an unclassified area. Out of 18 transfers sampled, 9 contained classified information. WNRC immediately safeguarded the classified information and notified EOP. NASS noted that EOP is at fault for its failure to identify properly the classification level of the records on the paperwork. (OIG Investigation 08-026-I/NASS ROI 2010-08)
- September 2010 - SCI was found in materials classified at the SECRET level. A WNRC staff member who holds an SCI clearance and the Information Security Program Manager (ISPM) – who was not SCI indoctrinated – improperly stored the SCI material until it was retrieved by the equity holder. Staff was not disciplined or reprimanded. NASS reported that the staff member and ISPM were remiss but no administrative action was taken. (OIG Investigation 08-026-I/NASS ROI 2010-11)
- November 2010 - WNRC reported that they previously provided storage for a Senator's papers which currently reside at a university. The university recently found classified documents in this material. An inquiry by NASS revealed that some of these documents were not properly reported as classified by the Senator and were treated as unclassified while others were assumed to have been misfiled into the Senator's papers from another agency's records. (OIG Investigation 11-011-C/NASS ROI 2010-15)
- December 2010 - WNRC reported a security incident involving three boxes of State Department records that were documented as unclassified and stored in Stack 9; retrieved by State Department for review earlier this year; and returned to WNRC in December 2010. WNRC sent them to the unclassified re-file section where they sat for several days. During re-file, staff noticed that one box was marked SECRET. (OIG Investigation 11-014-C/NASS ROI 2010-16)

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OUTSTANDING SECURITY ISSUES REPORTED IN APRIL 2008 THAT STILL NEED TO BE ADDRESSED :

- There is no coordination or consistency among NARA records centers holding classified material.

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- The former and current Information Security Program Manager at WNRC continue to argue that co-mingling of classified records is not acceptable. WNRC management said that segregating classified and unclassified material is not an affordable option. 9, 10
- In September 2008, classified records from St. Louis began arriving at WNRC. WNRC expected to receive some 5,000 boxes of classified records from St. Louis. This will supplement the current inventory with classified materials that already have issues with missing boxes. [REDACTED] WNRC, expressed concern about missing boxes from the St. Louis shipments as well as missing boxes from when the material was stored in St Louis. 3, 11
- The barcoding system will be used to barcode classified holdings as they come in and go out of WNRC. There is no plan to barcode all classified boxes nor is there a plan to barcode any other boxes. 3, 12
- WNRC Director [REDACTED] (since retired) stated that all of the classified material from NARA's defunct Bayonne facility had been moved from Stack 6 into the vault. This material has not been inventoried and [REDACTED] [REDACTED], stated NARA has no trusted inventory of this material. Apparently Bayonne did not keep adequate records and there is no way to ensure all of the classified material entrusted to NARA is still in NARA's possession. WNRC does not intend to address any of this material in the current inventory/resolution program. Many of these boxes also have water damage and it is difficult to read the markings on the boxes. 13
- There is no intention to inventory unclassified records at WNRC. However, classified boxes may be misfiled in the unclassified areas of WNRC. 3

THE 81 MISSING BOXES CONTAINING CLASSIFIED MATERIALS:

A follow-up letter was sent to those agency heads whose boxes were still missing on March 2009. The six agencies missing boxes are the Department of the Navy, Department of the Army, Office of Secretary of Defense, Department of Defense National Geospatial-Intelligence Agency, Department of Commerce, and the Department of Energy. Three additional boxes have been located since the letters went out. At some point, the originating agency will have to make a determination on the effect the missing materials (from the missing 81 boxes) have on national security. 14

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Conclusion

WNRC had relied on an automated database called NARS-5. This database included information about the holdings of all NARA records centers. This database was updated each time a transfer was retired to a NARA records center and each time a transfer was removed from a NARA records center (for disposal, permanent withdrawal by the customer agency, or legal transfer to NARA). The NARS-5 master database was not updated to reflect temporary withdrawals of agency records, or permanent withdrawals of less than one cubic foot of agency records.

Archives and Records Centers Information System (ARCIS) replaced the legacy NARS-5 database. In April 2009, WNRC transitioned to ARCIS. ARCIS was designed to be a uniform system used across all NARA regional facilities, but WNRC personnel found it lacking features to handle classified records. An additional system was developed at WNRC, and changes were requested for ARCIS.

Standard Operating Procedures for the vault at WNRC were approved in November 2010. *[Note: The ISPM did not include re-file procedures but intends to add these procedures in a revised SOP.]* 15

The OIG will close this investigation concerning the inventory of boxes in the TS/RD cages within the vault. However, the OIG will continue to monitor the status of the 81 missing boxes of classified material. *[Note: The OIG has not confirmed or reviewed WNRC's methods or documentation for reconciliation of problem boxes removed from the missing boxes list.]* ██████ stated he believed WNRC will probably need to re-inventory the RD area as there were multiple problems with it. 11

The inventory of the remaining boxes in the vault (outside of the TS/RD cages) began in February 2008. A separate investigation (10-004-I) was opened to report on this inventory of SECRET, CONFIDENTIAL and unclassified missing boxes from the vault. As of March 2011, there were approximately 2,757 boxes missing, of which 1,540 are reported as classified. Additionally, the separate investigation will continue to capture security incidents at WNRC and security incidents involving storage of classified records at WNRC. These are reported sporadically and are indicative of problems that need to be addressed. 16

The Federal Bureau of Investigation has been notified of the missing classified materials per Department of Justice requirements.

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National Archives and Records Administration

Office of the Inspector General

8601 Adelphi Road, Room 1300
College Park, Maryland 20740-6001

Date : January 9, 2009

Reply to

Attn of : Office of Inspector General (OIG)

Subject : Management Letter OI 09-01: Management of Classified Information at the Washington National Records Center

To : Adrienne Thomas, Acting Archivist of the United States

The purpose of this Management Letter is to formally advise you of the unacceptable and potentially dangerous status of classified records management and storage at the Washington National Records Center (WNRC) in Suitland, Maryland. Based on NARA's wide-variety of classified holdings, it has been the position of NARA, as well as the OIG, that the National Archives is a national security agency. As such, issues outlined in this letter describe an ongoing failure at WNRC to protect some of the most sensitive information produced by the Federal Government.

This office applauds and supports recent efforts initiated by NARA to resolve existing issues at WNRC. However, there exists a need for this agency to take appropriate measures beyond those presently in place. The success of NARA's mission demands creative, thoughtful, and systemic change at Suitland paired with a long-term goal of operational relocation to a more suitable facility.

The following timeline illustrates the systemic nature of the issues facing WNRC:

- In 1998 and 2004, WNRC conducted inventories of its classified holdings. Both inventories revealed missing classified records. According to what WNRC staff can recall, only minimal if any corrective measures were taken. These findings, and the responsive actions taken, were not reported to NARA entities outside of WNRC or to the affected agencies.
- In June 2006, an Information Security Oversight Office (ISOO) Assessment reported that in early 2006, 187 boxes of CONFIDENTIAL and SECRET records, and 2 boxes of TOP SECRET records held at WNRC were unaccounted for. No documentation was available to indicate that an inquiry into the potential loss of classified material was done. Additionally, no records have been found to indicate the equity holders were so informed.
- A 2006 WNRC internal report — *b(2)* — revealed 1,857 boxes of classified records, including 30 TOP SECRET were missing.

- In 2007, more than 6,000 boxes of classified material stored by NARA were reported to the OIG as missing. After a lengthy internal inventory, many of these materials were accounted for, but a remaining 180 boxes of TOP SECRET and/or Restricted Data (TS/RD) materials have not been found. An OIG investigation was opened to determine the status of this TS/RD material. This investigation remains ongoing.
- In December 2007, approximately 12 boxes of SECRET records were left in an unsecured hallway at WNRC.
- In January 2008, WNRC shipped classified records to the wrong Federal office.
- In March 2008, a box of SECRET records from WNRC was found at AII in an unsecured area. It was neither known nor documented as to how those records got there.
- In May 2008, SECRET records were found on an employee's desk in an unsecured area at WNRC.
- In October 2008, documents from a classified system of records were found in the trash in a secure vault at WNRC.
- In December 2008, an inventory of WNRC's vault, excluding TS/RD material, was completed. This inventory could not account for 2,759 boxes of material. Whereas the vault co-mingles classified with unclassified material, it is not known as of this writing how many of these boxes contain classified material.

Based on preliminary findings in our ongoing investigation into missing classified material at WNRC, a number of security issues become apparent. During the course of our investigation, we have learned that:

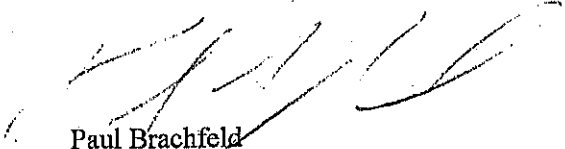
- 1) A comprehensive and thorough Standard Operating Procedures manual for the vault at WNRC does not exist;
- 2) There is no coordination or consistency among all NARA records centers holding classified material;
- 3) There is co-mingling of classified with unclassified records, the segregation of which is viewed as unaffordable; and
- 4) The aforementioned issues, as well as others not detailed herein, will likely be exacerbated with the ongoing arrival of some 5,000 boxes of classified material from ~~b(2)~~, which began in September 2008.

The multitude of issues and incidents described above illustrate an unacceptable stature for any national security agency. NARA is the custodian of the nation's most sensitive materials. The status quo at WNRC fails to adequately serve NARA's customers, the taxpayers, or national security.

While recent efforts to resolve WNRC's ongoing issues are and should be applauded, a fundamental and paradigm shift in how WNRC operates is necessary. Such a shift should incorporate new policy, new personnel, new facilities, and a new mindset. Necessary resources and related funding should be quantified and both short- and long-term strategies defined and presented to appropriate entities to include the Congress and the Executive Branch. The challenges faced at WNRC present no small obstacle. However, if NARA is to truly be a "national security agency" and provide the Federal Government with safe, secure, and accessible classified storage facilities, then this challenge must be met with an aggressive and overarching approach.

Please advise me within 30 days whether you concur with this interpretation, and if so, what action has been or will be taken.

Should you have any questions after you have had an opportunity to review this management letter, please e-mail me or Ross Weiland, AIGI, or call us at (301) 837-3000.



Paul Brachfeld
Inspector General