Congress of the United States
Washington, DC 20515

January 24, 2020

Mr. Russ Vought
Acting Director
Office of Management and Budget
725 17th Street, NW
Washington, D.C. 20503
Via Facsimile: 202-395-3729

Dear Mr. Vought:

We write to express our concerns about the pending approval of the recommendations made by the Public Buildings Reform Board (PBRB) to close the National Archives and Records Administration (NARA) Federal Archives and Records Center in Seattle, Washington. This facility houses records, both archival and in storage, that are vital to a variety of stakeholders in our states, including state agencies, universities, researchers, scientists, tribal members, and students. We are concerned about the process the PBRB used to develop their recommendations and the negative impact the facility's closure will have on our constituents and our states, and so we ask OMB to immediately reject the PBRB's recommendations.

While it appears that the PBRB attempted to notify members of the Washington State Congressional delegation, no notification or request for comments was sent to members of the delegations representing states that have an interest in the contents of the facility. Nor were Native American tribes or Alaska Natives consulted about the proposed relocation of records so important to their sovereignty and history. We also note that the "Methodology for Identifying Properties for Disposal and Implementing the PBRB Recommendations" chart on page 6 of PBRB's December 27 submission to OMB states, "Step 5: Solicit Input from Stakeholders and Public." The respective state archivists should have been identified as important stakeholders in the decision impacting a federal archive and records center that holds records from a number of states. Yet, the State Archivists of Alaska, Idaho, Washington, and Oregon were not made aware of the recommendation until Wednesday, January 15, 2020—after the PBRB sent its final recommendations to OMB. In addition, the notification came from NARA, not the PBRB. To our knowledge, neither state historical societies nor tribal leaders were notified at all.

It is also not clear from the report what the net financial benefit will be if the facility is closed, sold, and re-developed. The PBRB states that the facility has a maintenance backlog of $2,399,302 and ongoing operating and maintenance costs of $356,763. Nor does the report explain how much funding NARA will need to transport the records to the California and Missouri facilities. There is also no explanation of how much it will cost for NARA to renovate its facility in Riverside, California to house the records from the Seattle facility. The PBRB also does not estimate how much the short-term occupancy agreement will cost as NARA prepares the alternative facilities to receive the records, pack them, and relocate them.

The proposal also did not take into consideration the negative impacts the closure will have on our constituents and state agencies as required by section 11(b)(3) of the Federal Assets Sale and Transfer Act (FASTA). The PBRB's report notes on page 9 that this section directed the PBRB to consider a number of factors, including, "the extent to which public access to agency services is

maintained or enhanced." Although the report states, "A portion of the property is open to the public for research purposes" and "NARA has determined that it can fulfill its mission needs at the target relocation facilities," it is quite clear that if NARA's Archives and Records Center in Seattle is closed, public access to agency services will be severely degraded for those using the facility's materials absent additional investment in digitization and the indexing necessary to post the records online.

This facility is not simply a "warehouse." The facility's Textual Research and Public Access Research Rooms, open from 9:00 a.m. to 4:00 p.m., Monday through Friday, provide in-person access to records of importance on a broad range of issues and topics including current litigation, tribal membership and land claims, Forest Service timber sales, land claims and disputes, the navigability of federally-owned waters, ongoing scientific research, and much more. From Fiscal Year (FY) 2013 to FY 2019, in-person use of the original records in the Textual Research Room has consistently increased. Despite the Federal furlough in FY19 that closed the facility, over 700 textual researchers examined 2,622 boxes of materials. In addition, 343 visitors used the Public Access Computers and examined microfilm. While NARA has attempted to digitize some of the archival records, very few are accessible online. NARA's partnership with FamilySearch to digitize records has also not resulted in actual online access to records that have been prioritized by stakeholders.

NARA's mission statement reads: "Our mission is to provide public access to Federal Government records in our custody and control. Public access to government records strengthens democracy by allowing Americans to claim their rights of citizenship, hold their government accountable, and understand their history so they can participate more effectively in their government." We agree with our concerned constituents that the proposed move will not allow NARA to meet the requirements of their mission. In fact, as the president of the Alaska Historical Society stated, "the proposal to further divide the collection between locations in Southern California and Missouri would make research a logistic nightmare and far more financially burdensome than it already is currently."

The proposal to close this facility and to move the archival records to the NARA facility in Riverside, California and the records in storage to Kansas City, Missouri elicits many questions and would create a significant hardship for state agencies, Indian tribes, researchers, students, and other individuals in Alaska, Washington, Idaho, and Oregon who would have to travel farther and at greater expense to access these records.

Finally, we have not received information regarding the impacts the facility's closure would have upon its current employees who have ably served constituents from each of our states in accessing and assembling key historical materials. While the statutory mission of the PBRB may be confined to maximizing revenue from the sale of real property, we are unaware of any prohibition of public disclosure of the human impacts of this proposal, and PBRB should also take into account and publicly quantify the impacts on the facility's staff. It has not done so in its recommendations.

It is now OMB's role to either approve or disapprove the PBRB's recommendations presented *in toto*. Should OMB reject the recommendations, the entire PBRB process will come to a halt. While we recognize that the normal statutory process imposed upon the General Services Administration for disposal of federal properties can sometimes be onerous, we believe that the process used by the PBRB to identify and recommend properties for expedited disposal was flawed

and, in the case of NARA's Seattle facility, will have detrimental impacts in our states. For those reasons, we respectfully ask you to reject the PBRB's recommendations and work with us and other Members of Congress to re-authorize the PBRB with clearer requirements to identify the properties that would benefit from expedited sale and redevelopment, increase transparency of the process for stakeholders, and invite wider input before the recommendations become final.

Sincerely,

Lisa Murkowski
United States Senator

Maria Cantwell
United States Senator

Patty Murray
United States Senator

Dan Sullivan
United States Senator

Ron Wyden
United States Senator

Jeffrey A. Merkley
United States Senator

James E. Risch
United States Senator

Mike Crapo
United States Senator

Representative Derek Kilmer

Representative Suzan DelBene

Representative Adam Smith

Representative Denny Heck

Representative Kim Schrier, M.D.

Representative Pramila Jayapal

Representative Jaime Herrera Beutler

Representative Rick Larsen