

U.S. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Transcript of National Archives History Office Oral History Interview
Subject: Mark A. Bradley
Interviewer: Stephanie Reynolds
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Stephanie Reynolds: Okay, I have the recording started now. Thank you again for participating in the National Archives Oral History Project. We're documenting the history of the agency by preserving firsthand accounts of events. My name is Stephanie Reynolds, and I'm based out of our National Archives facility in Denver, Colorado. I'm assisting the agency historian, Jessie Kratz, with this important project. Today is January 22nd, 2024. And I'm speaking with Mark A. Bradley, the former Director of the Information Security Oversight Office, or ISOO. Okay, Mark. Just to get us started, could you tell me a little bit about your background and your education?

Mark A. Bradley: Sure. I am a graduate of Washington & Lee University here in Lexington, Virginia. After that, I was a Rhodes Scholar at Oxford and graduated with a master's degree in modern history. I then went to the University of Virginia and got a law degree. I'm a lawyer. I'm a member of the District of Columbia bar.

Stephanie: Wow! So you've got quite the background there. I know it's not easy to become a Rhodes Scholar, so congratulations on that. Wow. I know before you started with NARA [National Archives and Records Administration], you held positions at a few other agencies, other places. Could you give a brief summary of what you were doing before coming to NARA?

Mark: Sure. I started my federal service with the CIA [Central Intelligence Agency] and was an intelligence officer. I served both in Langley—in McLean, Virginia—and also overseas in Pakistan. After I left the CIA, I became a public defender in Washington, DC, for almost eight years, defending everything from indecent exposure on the Metro to first-degree murder. After that, I had had enough. I went up to Capitol Hill and became Senator Daniel Patrick Moynihan's Judicial Advisor. We went through the Clinton impeachment trial together. Then I became his Foreign Affairs and Intelligence Advisor, and then I became his last Legislative Director. After he retired in 2000, I went to the United States Department of Justice and joined a small office called the Office of Intelligence Policy and Review. We primarily practiced in front of the United States Foreign Intelligence Surveillance Court, i.e., the secret court—the one who signs off on surreptitious searches and electronic surveillances. I went through 9/11, all that. I became an

SESer [Senior Executive Service] in 2003 and the Deputy Counsel for Intelligence Policy. After that, I held a host of positions at the department.

I did everything from being their first Acting Chief of Intelligence Oversight, and the first head of the National Security Division's Freedom of Information Pre-Publication Review. And I ended it by being a voting member of what was called the Periodic Review Board, which determined which detainees could be released from Guantanamo Bay.

So anyway, in 2016, I got a phone call from John Fitzpatrick. Fitzpatrick had been the Director of ISOO before me. John asked me if I would consider applying for the job of being the Director. I said no, I wasn't interested. I had enough on my hands, enough on my plate at the DOJ [Department of Justice]. It was fascinating work—again, the Guantanamo Bay cases, deciding who could be released safely from detention. Anyway, I said no. And then a couple weeks later, John called back and said, "Look, we really would like for you to apply." So I thought to myself, "You know, all right. It's one thing I haven't done, and perhaps it's time for a change of scenery." And so anyway, I applied and—you know, I had been the Department of Justice's representative on the Interagency Security Classification Appeals Panel and had also sat on plenty of intelligence policy committees with people from NARA on them. I knew Jay Bosanko. I knew Bill Leary, who then was at the NSC [National Security Council]. I knew Bill Carpenter from my work on the ISCAP [Interagency Security Classification Appeals Panel]. So, you know, I was familiar enough with the agency. And also, too, I was familiar enough with some of the executive orders that ISOO was charged with, because I helped co-draft several of them as a Department of Justice representative on some of these intelligence policy committees.

Stephanie: Okay.

Mark: And so anyway, I applied and was selected and came over. I think my EOD [Entrance-on-Duty] date, strangely enough, is Christmas Day 2016. I was, I think, the very last national security appointment President Barack Obama approved. The ISOO Director has to be nominated by the Archivist of the United States—that was David Ferriero at the time—and then approved by the President of the United States, who was Barack Obama at the time. And so I became Director of ISOO and served in that until June 30th, 2023. I then retired and moved to Lexington [Virginia].

Stephanie: What was that nomination and the appointment process like?

Mark: It took a while. It took a long while. You know, you think to yourself, "Look, I've been vetted by the CIA, the FBI [Federal Bureau of Investigation], the Department of Justice, the

Department of Defense." I mean, you know, every possible alphabet agency has looked into my background and past. It was interesting to go through the White House Office of Personnel to be vetted. I know my ex-wife had written a biography of [Former First Lady] Michelle Obama, and my guess is that it probably took a little while for them to read that and make sure [there was] nothing incendiary in that thing—and there wasn't. But anyway, it took a while to finally get the magic touch on the shoulders, to be approved as the Director of ISOO.

Stephanie: When he approved that appointment, did you actually meet him [the President] at any point in time?

Mark: No.

Stephanie: No.

Mark: In fact, I asked my staff when I was leaving . . . I said, "Look, the one thing I would like as a parting gift would be whatever President Obama signed to make me the ISOO Director." And apparently, what they found was a checkbox of some sort, just a [LAUGHS] . . . So I'm still waiting to get a copy of that checkbox. But no. I was expecting at least a letter or some type of something.

Stephanie: Yeah.

Mark: It's a checkbox, you know [LAUGHS]. So it's funny sometimes the way that works. I mean, the bigger the appointment, the less the recognition for it!

Stephanie: Yeah. Very little fanfare. Yeah [LAUGHS]. Interesting. Did you have to go to the White House when you became an SESer?

Mark: No, I was an SESer at the DOJ. That career appointment travels with you from agency to agency.

Stephanie: Okay. Interesting. Yeah, that's too bad. I would have liked that also, to have something from the President saying that you were approved.

Mark: Checkbox. [LAUGHING]

Stephanie: Interesting.

Mark: Yeah. Right.

Stephanie: So when you first started at the National Archives, what were your first impressions?

Mark: Well, it was the smallest agency I'd ever worked for. And I have to admit, I was stunned by just looking at ISOO—this was the insider's view—of how little technology we had and how stretched we were. I mean, we were a relatively small office and all the responsibilities It was funny, too. And I don't mean this to sound snarky at all, but when I got over there, we had to take a lot of training. And it's like, "Look, most of this training is not germane to ISOO and what we do." But I understand the need to get assimilated and understand what the agency does. But I'm trying to figure out how an archivist double wraps something. It's like, you know, I don't [LAUGHS]

Stephanie: Mhm.

Mark: "Okay. All right. Fine, fine." [LAUGHS] So yeah. It was a bit of a culture shock. I mean, at DOJ, I had three computers on my desk that were classified. I had my own classified phone. At ISOO, we had one classified terminal up in the SCIF [sensitive compartmented information facility] for the whole staff and one classified phone for the entire staff. So I went from living in a Manhattan penthouse to more of, I guess, a regular government place. But yeah, I think the biggest adjustment was just like, whoa. I mean, we are a small agency, and our budget reflects that.

Stephanie: Mhm. It must have been quite a shock.

Mark: Quite, yeah. Another thing, too . . . I mean, at the DOJ, we had secure video conferencing in 2000. And after 9/11, we were using it extensively. We still don't have it at AI. We still don't have it at ISOO. Yeah. [THROWS HANDS UP] It's 2024 now! You know, I mean

Stephanie: Do you think [it's] because there's just not enough resources? Not enough . . .

Mark: Yeah.

Stephanie: . . . money or something? Yeah.

Mark: Exactly.

Stephanie: Okay. Well, before we get too far down the road, can you talk about what ISOO's mission is and why it's important?

Mark: It's a fascinating office. Its origins go back to the Church Committee of the 1970s. The Church Committee, among other things, looked into all the abuses of the intelligence community, especially the way it had spied on American citizens without any legal authority at all. And so the genesis of the office was the idea that there should be an independent monitor of some kind of this activity. And interestingly enough, the office starts out in the White House.

We had our 40th anniversary when I was at ISOO. It must be now close to 45 years old, maybe just slightly older than that. It started out in the White House, and then somebody said, "You know what? This isn't probably such a good idea that it's in the White House, because what happens if the President does something?" Well, we're not going to fast forward to now, but you can see the issues that can happen. And so anyway, it got moved to GSA [General Services Administration]. And then when NARA got taken out of GSA and moved into its own building, ISOO went with it. And so ISOO has been an integral part of NARA since, I guess, the mid-1980s.

And so, anyway, it's got several basic functions. The most important, I think, is to oversee the executive order, which governs how the Executive Branch of the United States Government classifies and declassifies national security information. That was always kind of its crux. That's what it had oversight of. That mission grew over time. I became, or the ISOO Director became, the executive agent of what became the Controlled Unclassified Information [CUI] Program. It plays an integral role in the State, Local, Tribal, Private Sector Executive Order [Executive Order 13549-Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities]. It plays an important role in the executive order governing national security [Executive Order 13526-Classified National Security Information]. And so it was always an office that was looked upon to do a lot. And part of it is because, again, people respected the office as a neutral umpire. The downside, though, was the more we got on our plates or the heavier the bar got, the fewer people we had to lift it, and the fewer resources we had to lift it with. There was always a tension and okay, yeah, it's great to be well-respected. It's great to be sought after, but we were stretched beyond being stretched.

Stephanie: Hmm. So how many people were working there when you started?

Mark: It must have been . . . I want to say probably in the mid-20s. And we dipped as low as probably in the mid-teens. Yeah.

Stephanie: Wow.

Mark: Yeah.

Stephanie: Okay. And this is after the mission has been expanded to include these other things, and then your staffing has gone down.

Mark: Right. It was always a challenge. Now, again, I always thought when I got to ISOO, it was an interesting place. We had a small, small staff, but it was balkanized in a very unusual way. It was balkanized by the way it was set up. For instance, . . . the controlled unclassified information people had very little to do with the classified people or had anything to do with the Public Interest Declassification Board. So ISOO was a small office that was almost three or four offices in one. And that created some friction among people, like, "My work's more important than yours," or "I need more resources than you do."

And then, frankly, we had some people, I thought, who had been there too long. They were disgruntled. I would say, "Well, okay, this is a big government. Why don't you go look for another job?"

"Well, I'm too comfortable."

"But I mean, if you're going to chronically complain and not help to fix things, please go work somewhere else. We are too busy to constantly deal with your complaints. We can help you find something else."

So it was necessary in a way, to have some attrition to get some people out. I always said I'd rather have 10 really good ones than I would 20 who are going to be a problem.

Stephanie: Right.

Mark: And in 2020, we finally got 100 percent on the EVS, 100-percent job satisfaction.

Stephanie: Oh.

Mark: Yeah. It worked [CROSS-TALKING].

Stephanie: That's extremely hard to do.

Mark: Yeah, but I don't miss that part of the job at all.

Stephanie: Yeah. Always a fun time of year, right? [LAUGHS]

Mark: Yeah.

Stephanie: So you said that the office was part of NARA beginning somewhere probably around the mid-1980s. Today, do you think that NARA is the appropriate agency for this office?

Mark: That's a really tough question, and I know that question—at least it was when I left—was being discussed by the National Security Council as to where ISOO should be. And it's a mixed bag. On the one hand, it is extremely important to be neutral and not be seen as somebody who has a vested interest in the outcome beyond what's best for the United States and the American people, and being in a place like NARA allows for that. Even geographically, NARA is halfway in between the Capitol and the White House. So it's got that kind of neutrality.

But the downside is the lack of resources and the lack of, frankly, muscle. Because you say, "Okay, I am from the National Archives." I remember attending various national security courses and people would say, "What in the hell are you doing here? I mean, you're from the National Archives." It's like, "Look. Read the executive order, and you'll see how important we are." [LAUGHS] . . . We had a low profile because of being in the National Archives. And when you sit down with people from the DNI [Director of National Intelligence] or the CIA or the FBI or wherever it is, when you say you're from the National Archives, I mean—but the Archives' profile has been raised a lot since I came over, and it's mixed, you know. [LAUGHS] Let's face it.

Stephanie: Mhm.

Mark: We've gotten a lot of political blowback from things that, I think, we did because we had to do them. We did the right thing. But if it's going to be moved, it's got to be moved into a place that's got enough muscle behind it and enough firepower where it's listened to. But I think the White House doesn't make any sense. I mean, God knows the ISOO Director would have been fired multiple times under the administration before this one. I mean, I wouldn't have lasted five minutes. "Mr. President, that classified document is not yours."

"All right. You're fired."

Right? So, I think the place it seems to make sense—again, I don't know all the ins and outs—would be somewhere like OMB [Office of Management and Budget] or somewhere where you

had some clout and some, like, "Look, your budget's going to depend on your following these rules," or "You better write this up, or there's going to be some ramifications."

I mean, the ISOO Director could write a letter; nobody liked to receive a letter from the ISOO Director. But my power was, you know, "Okay, so I'm going to bark at you for a while, but, I mean, seriously, what do you think I'm going to do to you, right?"

Stephanie: Right.

Mark: The biggest stick I had was my annual report to the President on the health of the classification/declassification system, and we could call people out in that report and say, "Look, 25 of these agencies are doing the right thing. This one over here refuses even to pick up the phone." You know, so you're called out publicly. And that report actually was cited by the *Washington Post*, the *LA [Los Angeles] Times*. I mean, it could get traction. But, you know, I think it would be better to have a more direct impact than having to go through reports cited by the press where you're publicly embarrassed. There should be an easier way to do that.

Stephanie: Do you think that the office doesn't have enough authority, that it's not been given enough authority to really act upon these things?

Mark: It's got authority. But the authority, again, it's mostly . . . how can I put it? I had to go to the National Security Advisor or the President to actually get things if I really had an issue. That's the route I had to go. And the problem with that is just the bandwidth. If the National Security Advisor is over in Israel or somewhere else, is he really going to care that the DoD [Department of Defense], for instance, hypothetically, is not marking its documents correctly? I mean, it's too high up for me to have to go to.

Stephanie: That's a very good point. Yeah. If they've got so many other things on their plate, then what does this one agency not doing something right, where does that fall within their priorities?

Mark: Right.

Stephanie: You almost need that middle man.

Mark: I could write a letter to the Secretary of Defense and hope he or she or they does what they're supposed to do. But again, I mean, I'm mostly left to the goodwill of people to do what they should do. As I think if we've seen anything over the last few years, it's that this system

that we have here in the classified, declassified, and all the rest, relies a lot on people following the rules and doing the right thing. That doesn't mean that they necessarily will, you know. And if they don't, then where are we? . . . I know when I left in June, the NSC was just getting back to beginning to reworking 13526, the executive order that governs classification and declassification. And among the topics were going to be exactly what we're talking about: where ISOO should be, what its authority should be, should some of its duties be scaled back? I mean, do you really need it to be in charge of this, or should it really focus on a few things that it can do really well? There are all sorts of philosophical, even existential questions in a way, about what this office should be. What happened over time was its responsibilities grew by accretion, like, "We have a new program. Okay. Who are we going to put in charge of it? Oh, okay. ISOO!" I mean, there wasn't a whole lot of thought sometimes given to what that meant in terms of resourcing and staffing.

Stephanie: Mhm.

Mark: And that's the government. It's the nature of it. Things have to be done, and some of them are great, and some of them are like, "Oh Christ."

Stephanie: So it's just these new teams or councils or whatever. They create it, and they just throw it on ISOO's plate.

Mark: That's right. And the worst thing you can have in the government is an unfunded mandate, where you get more responsibilities, but you're not given the money by Congress to carry it out.

Stephanie: Mhm.

Mark: And that was a classic case. We were constantly afflicted by that where we'd get some congressman, you know . . . God almighty! I mean, after having worked on the Hill and seen how legislation is done, I realized how dangerous it can be sometimes when some staffer does this. And it's like, "Wait a minute. You just gave us this, and you didn't give us any funding at all to be able to implement this. And that means that we've got to rob Peter to pay Paul, or just not do some things that we're supposed to be doing, because now we have to do this." And so it's fascinating, really. I mean, now that I'm six, seven months away from it, you get more of a perspective on this stuff. And I have a hell of a lot of respect for ISOO and its people and also the National Archives for having all this stuff to do, and it's so poorly funded and, just, it's ridiculous. It's really absurd.

Stephanie: So what would you see as your primary responsibility that should be kept as ISOO's mission? And what else would you get rid of, I guess, in an ideal world?

Mark: Well, gosh. If I were the czar for a day, I think I would concentrate mostly on making sure the classified information system and declassification were working. Most importantly, I think that that goes to the very heart of who we are as a people. I mean, the worst thing that can happen, and we're beginning to see that now, is so many people have lost trust in their government, rightly or wrongly. All these damn conspiracy theories, and this is happening and this is happening. And the government, many times, is its own worst enemy by keeping things classified when it shouldn't be. It's like, "Look. There are 25 books on this. I mean, this is over. This is over. We need to get the truth out."

I remember working for Senator Moynihan, and he said, "We have a hell of a problem if a majority of Americans believe the federal government put a bullet in John F. Kennedy's head. I mean, right from the get-go, we're done." And that was, again, this idea that we had to get all this information declassified and out. And, of course, the agencies fought it tooth and nail. And there's still, I think, 3,000 or so documents on Kennedy's assassination that are classified. And again, many of them for good reasons—sources and methods and the like. But just the appearance of it undermines credibility. And so I would have ISOO concentrate mostly on classification and declassification.

I also do not think ISOO should be the executive agent of the Controlled Unclassified Information Program. That was a role we never should have taken on. ISOO has oversight. It doesn't build programs, especially ones that are as large and complex as the CUI program. We don't administer programs. We oversee them. That function is in our name.

I would take the ISCAP, the Interagency Security Classification Appeals Panel, and make that what we used to call in the CIA an "Office of Common Concern" and have it run by everybody who sits on it—DoD, DOJ, [Department of] State, NSC, ODNI [Office of the Director of National Intelligence]—and make them responsible for staffing and funding it instead of having NARA and ISOO fund it. I mean, it's crazy. We don't have the technology for it anyway, and to do some of the stuff we could do over secure video conferencing or things like that . . . We tried to reform that. And Bill Carpenter, who used to work for me, has done a brilliant job trying to innovate. But it's still, I mean, it's when you have agencies who have so much money and so much technology that the ISCAP could take full advantage of . . .

The Public Interest Declassification Board, which I actually co-wrote the legislation for when I worked for Senator Moynihan . . . I would get it out of ISOO. Again, we staff and pay for it, and

it takes a lot of our people and money to do that. The PIDB needs its own staff and its own budget.

Stephanie: Mhm.

Mark: I mean, quite frankly, I would strip away a lot of the responsibilities ISOO has and just focus on one or two and try to do them at the highest level we can. Just realize the facts of life are this, and this is what we have and this is what we have the people to staff, and that's it. I mean, this idea of trying to do a little bit of everything is not good—not good for the country, not good for us, not good for our people, not good for the agency.

Stephanie: In terms of the classification and declassification, I know agencies are supposed to follow a process in doing those things. Can you talk about that a little bit? Was ISOO creating the policies on what agencies are supposed to do?

Mark: It did. You have the executive order, and you have the implementing directives, and we have ISOO Notices which I would sign off on, which help to implement the directives. And, quite frankly, given ISOO's small staff, we had oversight over oversight, which meant you're relying a lot on agencies themselves to do the oversight, and then we check their oversight. I would have loved to have been able to send more teams out to X agency and Y agency and spend time out there or, you know, to have better technology where we could receive their classified information into our systems and be able to review it without going out. But because we were so hamstrung by the lack of resources—again, oversight was pretty much oversight over oversight—and so you're relying on the CIA, DoD, State, whatever, to do the right thing. And then they report to us, and I would report to the President in my annual report citing the statistics that they gave us.

I think it was in 2017, 2018, I decided basically to blow up our annual report, because so much of the data was not right. It wasn't confirmed. We couldn't verify it. We're just taking things on the word of the agencies. And what was odd about it was it kept repeating itself and it's like, "Wait a minute. You said that two years ago. How the hell can that still be the same?" Right? It doesn't make any sense. And so we put a moratorium on a lot of the data we were collecting to be able to sort out what questions we needed to ask better, or why was this information coming in that way. And so we made a decision—I made a decision consciously that our collection was going to be organic, that it could never, ever be static again. We had to constantly be revising what we were asking or looking at what the data was telling us . . .

Stephanie: Okay.

Mark: . . . what we were getting in. I also made our annual report much more like a CIA assessment, where we would make key findings and key judgments. So if a policymaker only read one page of it, the first page, he or she or they would get the gist of the rest of the report. Some people, especially some of these openness groups, would read every word in the damn thing. But, you know, high-ranking [officials] like the National Security Advisor may only have five minutes to look at it. So you want him/she/they to be able to rip out one page. And so I think that was an innovation I'm the most proud of to try to get that report more accurate and make it much more readable and useful.

Stephanie: So you were sending agencies kind of like a survey where they were doing a self-assessment on where they stood?

Mark: Right. Exactly. And again, trying to tweak what we found. For instance, the executive order encourages classification challenges from agencies and/or from agency employees—meaning if I have a clearance and I have the right to have the information, then I also have the right to challenge this classification. If I think it's too high or even too low, I can question that. Well, it was fascinating to see. Well, some agencies, such as the CIA, would have no challenges at all. How's that possible? So the question would go back: What informal processes do you have to challenge information? How much is documented? How much is not documented? [We would ask] things trying to get to the actual truth of what was going on inside these places, because it looked bizarre. You've got this provision, yet it doesn't seem to be used at all. But that can't be true, because I worked at the CIA myself. I know the arguments you'd have because you'd say, "Look, I want to send this to the British. Why is it classified this way when we could lower it down a bit?" And so, constantly, those types of discussion would go on. So, yeah.

Stephanie: Do you think that's a common problem—agencies over-classifying documents?

Mark: I think it's not as much a problem as people think. I think the bigger problem is just the volume of classified information people have to contend with. It's just coming through so many different sources. And when I was writing assessments in the CIA, you didn't have a hell of a lot of time to write these things. And so I'm more concerned about getting the product out than I am arguing about whether or not this is over-classified or not. So there's a tension inside this stuff.

But during my entire career—and I'll go back to the CIA up until NARA—I saw very little that I thought was over-classified. I mean, it wasn't the issue. The issue was just the sheer volume of

the material we had to deal with. I think most original classification authorities act in good faith and try to do the right thing. It's not an easy job.

Stephanie: Okay. And then is there a—I don't know if it's in an executive order or where it's at—but something where it's an automatic declassification after maybe a certain time period or something?

Mark: Yeah, 25 years. That was one of the issues or one of the things we wanted to reform in the executive order. Automatic declassification was anything but. There were way too many exemptions to it. And again, because of staffing [issues], agencies and the National Declassification Center would apply what's called the "pass-fail system." That means if I have this document here [HOLDS UP PIECE OF PAPER], and I've got 200 words on it, if one word is classified, the entire document [is] withheld. It is a pass-fail system. Back in the box it goes.

Stephanie: Okay.

Mark: And so it didn't take much to fail because of all the exemptions that were written into the executive order. I always thought they should be much more circumscribed. And also, too, there was a big argument that was going on when I left—and it's one that has to be held—is, okay, if we've got X number of people and X number of dollars devoted to this stuff, and that's all we're going to get, shouldn't we have prioritization? Shouldn't we prioritize which documents we think should be declassified first because they are the most important, whatever that is? The automatic declassification system is expensive, and it was also declassifying a lot of stuff that no one wants or certainly the public at large isn't interested in.

But then the question became: If we're going to have a prioritization system, who should be the one prioritizing? Should it be the agencies? Should it be the public interest groups? Should it be the National Archives? The American Historical Society? So that was a question that, to my knowledge, is still left hanging. I don't know exactly what this administration, if any, is going to come up with. But I think the two ways out of this morass, it seems to me, is prioritization and then the application eventually of some type of artificial intelligence which can go through this stuff a lot faster than we can by hand. But I don't know given how much all this is likely going to cost whether applying AI [artificial intelligence] to this is realistic or not.

Stephanie: Some people think it's going to fix everything. [LAUGHS]

Mark: We'll see. Right?

Stephanie: Right. Exactly. That's going to take a while. [LAUGHS]

Mark: Yes it will.

Stephanie: So in terms of the executive order with the automatic declassification and some of these other executive orders, does ISOO work on these orders, on the language? Do they have input on the language?

Mark: Oh, yes. We have a lot of impact on it. In fact, when I was the Director—and I assume it's still going on now—we were invited to all the NSC's meetings that were drafting these, redrafting these orders or reconsidering them. Ellen Knight, who I guess is still running the NSC's reformation processes, is an ISOO veteran. She worked for me for a while, and long before I got there, she worked at ISOO. So there's a very close working relationship between ISOO and the National Security Council on this.

Stephanie: Now, I know you said that ISOO doesn't really have a stick in terms of when you are trying to force agencies to implement some of these things.

Mark: Right.

Stephanie: In an executive order, do you see that there's room for improvement there? Or is there something that would make that better, that would improve that process so that you would have a stick?

Mark: Sure. I mean, you could do it any number of ways. The first way, of course, would be to move it out and give it a completely different standing or status. The other way would be to give the ISOO Director more authority to be able to do what needs to be done. Now, exactly what that would be, whether you could refer agencies to the congressional committees or have some type of like, "Look, I'm not going to argue with you. I'm telling you what you need to do. You're not going to do it. I'm done with it. I'm going to let X know about it, and then that's going to be the way it's going to be handled."

Stephanie: Okay.

Mark: Well, I mean there are different ways to go about it. When I left, there were a lot of bills circulating on the Hill. And one of them, again, had the ISOO Director being moved into the White House. I don't know. Again, that sounds like, "Oh, what a great thing!" And then the next thing you know, you're fired or you're out on the street because you disagree with the

President about it, and then you are done. So, of all the things that the government does, meaning national security and especially classification/declassification, should be pretty much nonpolitical. It shouldn't be politicized at all. That's what these orders say. And I don't care whether you're a Democrat, Republican, neutral, no labels, whatever, whatever it is, you have to follow the rules.

It's interesting to me—and I guess we're going to see some of this in the coming months in some of these legal things that are going on—I would like to see these executive orders written to be crystal clear that they apply to everyone who has access to classified information. I mean, there's an issue now about whether or not the President himself is bound by an executive order. Can he cede his Article II authority [in the Constitution]? This is an issue that needs to be settled once and for all. I believe, whether you're a GS-4 or President of the United States, you have to follow the order just like you do the speed limits on the highway. You can't go 100 miles an hour on Route 11 here in Rockbridge County, Virginia, no matter who you are. Right? But we need to make all this more explicit. And we can't rely anymore, I think, on the system that we had where we just expect people to do the right thing. I think they need to be told to do the right thing.

Stephanie: Right.

Mark: So we'll see. Yeah.

Stephanie: Okay. Yeah. I've learned just through doing our records management inspections of agency record management programs [that] they can say many things, but until you actually see what they're doing, you know . . .

Mark: Sure.

Stephanie: And it's hard to make them do something. Right? So . . . very difficult to get that stick, I guess, in our field [too].

Mark: Especially if you are from an underfunded agency. Yeah.

Stephanie: Yes, exactly.

Mark: Yeah.

Stephanie: So, let's see here. What was your role in the Public Interest Declassification Board? Can you talk about that a little bit?

Mark: The ISOO Director is the Executive Secretary, and ISOO staffs the board. The unfortunate thing is the Board's budget comes out of ISOO's budget. So that was always an issue about, well, "Wait a minute. How many meetings a month can I have? How many meetings a year can we have? How much travel do we have to pay for? How much lodging do we have to pay for?" All that stuff. The idea of the Board when I co-wrote the legislation back when I was with Moynihan was to have the Board weigh in, in an advisory capacity, on what records should be prioritized for us to be declassified. Over time, the mission morphed into much bigger things where it can now advise the President on declassification policy. It can take requests from Congress and try to implement those. And so you had, again, the original idea was this and then all of a sudden it becomes this and that. There was no money given to ISOO beyond our budget to be able to staff and take care of this Board. In principle, I think the Board is a very good thing. I think it's made some very good recommendations about technology and about documents that should be prioritized and the like. But it's also frustrating. We just don't have the resources to do what really needs to be done to make the Board a really listened-to institution. Now, again, the Board often depends on who's on it, how active they want to be. Some boards have been very active. Some of them have not been so much. I dedicated at one point, I think, I had four or five people working on the Board's business, and some of that was full time. And again, with the staff of 15 to 20, what about the executive order? What about the Control Unclassified Information Program? What about the State, Local, Tribal [and Private Sector Policy Advisory Committee]? Who's working on those things?

Stephanie: Were the Board members always in NARA or were they in other agencies as well?

Mark: Oh, no. They're in the private sector. You've got some people who had served in the government who now are with private industry. You've got academics. We had the Dean of NYU's [New York University] Law School [who] was a chair for a while. We had . . . a person who was very high up in Google. We had former Congress people, I mean actual Congressmen and - women. So, no. The idea was these people had to have some type of standing outside but who were familiar enough with the intelligence community and the way that the U.S. Government handles and declassifies classified information, so you weren't putting somebody on training wheels. They were familiar with the way this works.

Stephanie: Right. Yeah. You weren't coming in completely new to that whole area.

Mark: Yeah. So the Senate's majority and minority leaders got to appoint X number. The Speaker of the House got to appoint X number. The minority leader got to appoint X number. And the President got to appoint X number. So the idea was a bipartisan, across-the-aisle board who put the interests of the United States first.

Stephanie: Okay. So, I know that you're very aware—and probably everyone is aware—that classified records were found at Trump's Mar-a-Lago and then President Biden's house. I think [at] Vice President Pence's [house also]. So, you know, there were classified records that were taken out [of the White House]. So I was just wondering . . . did [ISOO] have a reaction, like a public or formal reaction, to these instances? Were there changes that were made in policy? Or what kind of reaction did you have?

Mark: We, or the ISOO Director, oversees a program, whose goal or its mission is to retrieve classified documents from places. And I'm embarrassed to say I actually forgot the name of the program. I actually testified about it in front of Congress. But, you know, retirement being what it is, I mean, one forgets things. But anyway, it's in the implementing regulations of Executive Order 13526. And what would happen is—and this happened several times while I was Director—we would get a call from . . . for instance, we got a call from Bates College in Maine and its librarian, and they had gotten in a bunch of papers from Ed Muskie, the former [Democratic Party's nominee for] Vice President of the United States, also former Secretary of State. Muskie graduated from Bates, and he had given his papers to Bates College. Well, lo and behold, in those papers were, I think, 70-some classified documents he just took. And so Bates called us. We retrieved the classified documents and brought them back to Washington and kept them. And then Bates College made a declassification request to see whether or not they could be declassified. So we got—I forgot how many instances that there were—probably somewhere up in the 80s, that we had 80-some different instances, such as this, where we have gone out and brought classified material back.

And so, frankly, I wasn't that surprised to hear that classified information was taken. Part of the issue is training. And a lot of people, especially at a very high level, aren't trained on "This is your stuff. This is the government's stuff, and you can't take the government's stuff." When I left NARA, I took my teacup. That was it. Gone. Right? And so it's a training issue. It's also an oversight issue. I mean, I remember trying to get more oversight into some of these White Houses and being told, "No," that the White House will do its own oversight." And that's the dumbest and worst kind of response. I mean, we're here to make sure they don't get into trouble. We're not here—I'm not the *Washington Post* or the *New York Times*—to blast them. Part of our job is to save them from themselves.

But there's just inherent resistance sometimes to oversight, especially if you're sitting in the White House, no matter what you are: Republican, Democrat, whatever.

Stephanie: Mhm.

Mark: I don't want to speak about President Trump's legal case. But we are aware that this has been a problem in the government where high-ranking officials take government records they shouldn't. And, again, I think most of this could be solved by a robust training program, and also when people leave, going in and reminding them that "you signed a non-disclosure agreement and that this stuff that's not yours stays here." But that's resources. You know, that's people going out and actually sitting down with these folks and going through it with them, and it's hands-on stuff.

Stephanie: Right. That's one thing that we always stress, too, in our records management inspections, doing 1: the training so everyone knows what their responsibilities are, and then 2: those exit briefings. So I wonder then if those aren't being conducted, say at the White House level, the EOP [Executive Office of the President] level, or what?

Mark: I'd be damned surprised, but some White Houses are better at this than others. I mean, you get the sense of having junior staffers packing up a lot of stuff and this and that, and whether they know what they're doing or One gets the sense it's kind of chaotic at the end of an administration.

Stephanie: Right.

Mark: You know, but it's something that should be formalized, and it's something that should be stressed. And when people come in and go to something like the White House to work, no matter whether you're sitting in the Oval Office itself or whether you're a staffer far removed from the circles of power, as long as you have access to classified information, it comes with rules and with regulations. And, again, it goes back to what I was saying earlier about the executive orders. I mean, they apply to everybody, you know, or they don't apply at all.

Stephanie: Yeah. So when these things happen, when you get word that classified records were found in somebody's papers . . . so that's not about necessarily changing policy that ISOO is putting out, because [the requirements are] already in policy. It's just they're not implementing them.

Mark: Well, the good news is we have had a robust training program in ISOO with librarians and archivists in various places, for instance, the Hoover Institution, Yale, places like that. They're very much aware of the implementing regulations and what they're supposed to do if they get things they shouldn't have. I mean, our best defense right now, until we can get a wider training program in place and people are going to actually attend the training and abide by it, is to alert the other side that, "Hey, if classified material comes your way . . ." we can handle this. I mean, it's not the end of the world. We just want it back.

Stephanie: Right. Yeah. Just give it back to us.

Mark: Right.

Stephanie: ISOO does have some sort of training out there?

Mark: Yeah.

Stephanie: Okay. Yeah. You said you just needed more robust training that people could attend?

Mark: That would certainly be one important step. I don't know whether that's the only step.

Stephanie: Okay.

Mark: I mean, for instance, you know, when you're an original classification authority, you're supposed to have annual training. . . . I mean, you go back to the things like the Clinton emails and stuff. Did she have—I mean, that was before my time. But I mean, look, how many times have you heard somebody say, "I'm either too important for the training or I don't have time for it? What are they going to do to me? I'm Secretary of X." So yeah.

Stephanie: Or it could be something where, you know, they just have to keep hitting the next button through the training until they hit the [end] or something.

Mark: Yeah. "You're done." And that's the end of it. I mean, I suppose hope springs eternal. But if one good thing comes out of all the stuff that we've been through the last year or even two years, it's more of a spotlight on this issue. And perhaps there'll be a movement to take all this much more seriously than it has been heretofore, that new administrations coming in, that this type of responsibility and training will be integral to their operation. We can get away from some of this ambiguity—"This doesn't apply to me," or "I'm not going to get to this." No, no,

you are going to do it. And it's just the way it is. So we'll see. I mean, you know, often the history lesson in all this is it's a big issue for a year or two, and then that's the end of it. You don't hear about it. It just drops off. Right?

Stephanie: Mhm.

Mark: So we shall see.

Stephanie: Yeah, because there were three instances that were very high profile, right, with the Presidents, and the Vice President, having all three of them come out at once [indicating] essentially that this was an issue, I think people really understood that this was more widespread than they had thought. It wasn't just one person or one office or something like that. It was a bigger issue. So, we'll see if the training helps or . . . yeah.

Mark: We'll see. And, of course, the worry is that the people who've done this will try to minimize it and say, "Well, it's over-classified or it never should've been classified in the first place." And again, you get back to one of the root problems of this system is how do you make it more credible where people will believe in it, that the government says something's classified and it truly is supposed to be? It will [cause] exceptionally grave damage to the United States if it's released. . . . I don't know.

It's interesting to me now that I'm away from all this, how many people don't trust the government. I mean, even something like a COVID shot, for God's sakes, will turn you into a three-headed whatever, you know, and people believe that stuff! And especially down in these more rural areas, it's where the Colorado Supreme Court is [believed by some to be] a Democratic tool seeking to undermine the entire election. And this is the gospel. . . . You know, we really need to do a better job educating and trying to be more credible ourselves. But it's a difficult mission. It really is. I joke sometimes that if Senator Moynihan were to come back, it would probably take me about five minutes, maybe 10, to brief him on the progress we've made since 1990 on all this. I mean, it's glacial. It's glacial.

Stephanie: Hmm. Do you think there's really a fine line between maybe secrecy [USES AIR QUOTES]—keeping things classified—and transparency?

Mark: Sure, sure. There absolutely is. The thing is, we need both. And they both should be treated with the same deference and respect. And sometimes, you know, they aren't. And again, it just takes one or two examples to undermine people's beliefs in this stuff. It's difficult. I mean, the distrust of the government is so high just in basic things, like a vaccine, much less

one [in which] 3,000 documents are still classified on X or Y even though it was 55 years ago or 60 years ago, whatever the time period is. "Now, what are they hiding from me? What didn't you want me to know?" And I don't even have a LinkedIn account. I don't have Facebook or any of that stuff, but the dark web and God knows what people are saying out there on different platforms about conspiracies that the government is supposed to be ginning up against them. I mean, something has gone off the rails, and we're going to have to try really hard to get it back on the tracks. And I'm not quite sure, beyond trying to be as transparent as we can about what we're doing and why we're doing it, whether it's going to make any difference or not. I hate to be so cynical.

Stephanie: Right. And like you said, it can just take one or two instances for everyone to just disbelieve everything you've ever said. Right?

Mark: Exactly right. Yeah. So it's frustrating. Sometimes I think that the intelligence services, in particular, don't understand it's in their own best interest to be more transparent. Why do you want to fight about something that took place in Italy in 1948, when every Italian citizen knows the CIA was interfering in the elections out there. Why do you still want to keep some of this information classified? What's wrong with you? I mean, some of it's cultural. Occasionally, with records that old, you still have sources and methods and questions, and there still could be a source alive that we don't want to identify—legitimate reasons to keep information classified. But beyond examples such as that, I mean, I would get rid of this stuff and just get it out and be done with it. It's too damn expensive to try to keep it classified anyway, just to keep it secure.

Stephanie: Yeah. And it sounds like ISOO doesn't really have much of a say. You can't really force any of these agencies to do these things to declassify.

Mark: No. . . . If you read the order closely, there's some things where the ISOO Director can be appealed to, and then he can decide when something should be declassified. But the agency itself can contest it and [then] it goes to the National Security Advisor. . . . I wish the authority lines were a little stronger and a little clearer, but [CROSS-TALKING].

Stephanie: In terms of its oversight role, it sounds like there were on-site inspections being conducted at times.

Mark: There were. COVID ended those, but we had already cut back because of our lack of staffing. We still tried to do a few in the DC area that we could do in a day or so, not having to pay for lodging or travel or anything like that. And luckily for us, there are plenty of them in the DC area. But we still did a few others. For instance, we sent a person down to inspect the

Tennessee Valley Authority. They had never been inspected before. I am glad we went. Some parts of it had developed their own classification system. It's like, what is this? What does this mean, this marking? And so it was imperative to send people out to some of these places. The problem is when you have a very small staff, and we have a travel budget that's \$30,000 a year, and half of that goes to the PIDB, then what are you left with? Right?

Stephanie: And did you feel that when you were able to do the on-site inspections, were those beneficial?

Mark: Sometimes. It was good, if nothing else, to fly the flag and let people know that ISOO is out there, and this is what we do and how we do it. What we were trying to do, though, frankly, was to automate more of this stuff, too, to have them be able to send responses to us. We started out using SurveyMonkey, because we couldn't afford a more elaborate or secure tool. And, you know, agencies don't want to deal with SurveyMonkey. It looks like it's not—I don't want to say it's not professional—but it doesn't exactly give people confidence in the tool you're using. And so again, in an ideal world, we'd have several classified terminals and be able to have agencies send us stuff all the time, just data or their inspection reports, or whatever they're doing. And then we could sit there and say, "Wait a minute. This answer doesn't make any sense at all. It's what you said 10 years ago. It's the same number. How's that possible?"

But yeah, I hate to keep harping on it. . . . And ISOO is really no different than other offices, probably including yours. It is frustrating. ISOO performs a really critical mission that continues to be undercut by too many members of Congress who do not want to properly fund what we do and who often want to keep slashing agency budgets or even shutting down the government. I had to contend with a couple of those. It's like, Christ. I mean, you put us out of business for 30 days. Do you know what you just did to our programs? I don't blame NARA. I blame its funders. That said, I do think that it would be of value for NARA to be a little more visible up on the Hill, especially with Maryland and Virginia delegations in Congress, because so many of our employees work and live there. For example, in Maryland, you've got Suitland and you've got All. It would be useful to have the Virginia Senators and the Virginia House members and Maryland Senators and House members to be able to advocate for the agency and to be able to stand up for it and say, "Their mission is a critical thing here. You can't slash this agency's budget." But, again, part of the pushback is that you always want to become nonpolitical as an agency. The problem is, this is Washington. I don't think you can really be nonpolitical all the time. You need to lobby a bit and push for things or you are forgotten.

Stephanie: Right. Getting in front of their face, telling them why it's important that we have to do these things, and you have to give us the resources. Yeah.

Mark: Right. I mean, you wonder why bad things happen. Because you didn't pay for it. That's why it happened. But, I mean, you go up to the Hill and their oversight people will say, "Well now, what is it you all do? I don't really understand." And here we go. We have to educate people from the ground up. Right. You'll be in front of an oversight committee, and the chair will say, "I don't really understand what you all do." And it's like, wow. I mean, not only do we have to start from ground zero just on the basic mission, but just wait till we start asking for more money. And this may sound, I guess, rather elitist in a way, but we don't have the Pat Moynihans anymore on the Hill who really understand classification and declassification or who even care about it. And we need people who really understand the value of national security in a republic, which means that we've got the dual mission of protecting the United States, but also making sure the people believe what their government is telling them. And that requires a lot of effort and a lot of resources. . . .

We were looking, oh, three or four years ago to overhaul and modernize the executive order. We looked into how agencies were staffing this classification and declassification. And what we found out is that the same person doing intelligence oversight was also answering all the FOIA [Freedom of Information Act] requests, and was also answering FOIA court orders. So you had a very limited staff in each agency who were tasked with so many different responsibilities. And that staff was, you know, you'd get the same old answer, especially from something like the CIA: "What do you want us to spend our money on, fighting the next terrorist attack or declassifying these documents?" There was always a zero-sum game. There was no, like, "Well, wait a minute. Time out." You know, if this guy over here believes that this is a huge conspiracy, then perhaps national security is being threatened by people believing that as much as they are about this, that there's no real difference in some of these threats. It may be more existential, but it's still a real threat. And, you know, I think it's coming home to roost now. Fake news [LAUGHS]. Stop.

Stephanie: I think sometimes it's how we turn it around and get them to realize that it's just as important. You know, when we're doing our inspections and we're talking to DoD agencies, and they say, "Well, we don't have time for this inspection. We're too busy trying to keep our soldiers alive" and whatever. But we're saying if they don't have the information that they need when they need it, you know, they could be in trouble as well. Right? So trying to make them understand in words that they understand.

Mark: Well said. It's not an easy task. I look back on my career, and I wouldn't change much of it, but I do leave with a sense of frustration and just kind of . . . I'm not sure how this fight is going to end in terms of whether or not we can recapture some of the trust and faith that's

been lost in the government and especially by trying to better educate our citizens and get this stuff out and just kind of, what they say, "Sunlight is the best disinfectant," right? And so I don't know whether we're going to get there or not, especially the way so much classified information is being generated now. There is already so much out there. And I really worry that if the fight isn't already over, it's getting close to it, because we've neglected this system for so long.

Stephanie: Yeah, it's kind of scary to think about how far it's gone the other way.

Mark: Yeah. Right. And so, again, there may be a magic bullet of some sort with AI or maybe things that we can't even think of now that we're going to use to revolutionize how we classify and declassify national security information. I hope so. But until it becomes part of these agencies' missions to educate people, I don't think we're going to reach it. I think a lot of it's just you need to have the will to do it. You need to even have a strong stomach for it, too. Some of this stuff may be quite unpleasant, quite embarrassing, things that you wish hadn't happened, but here it is. We did this. We did that, and shouldn't have done that, but we did this. This went really well. This one was awful. Let's just deal with it.

Stephanie: Yeah. I mean, it's not going away. So the sooner that you deal with it, you can move on, but . . .

Mark: Right, right. Yeah.

Stephanie: I have a question about, and I know that you've mentioned this already, but just being the chair of the National Industrial Security Program Policy Advisory Committee.

Mark: Right. The NISPPAC.

Stephanie: I was wondering . . . I'm sorry?

Mark: Yeah. The NISPPAC.

Stephanie: Okay.

Mark: That's the acronym for it.

Stephanie: Okay. So I'm wondering, what is the national industrial base? What does that even mean?

Mark: Well, it means that the United States relies on core industries out there to provide for our defense needs. Think about building an aircraft carrier or building a fighter jet or a helicopter. The United States Government doesn't build these itself, but it pays people to build things for us. And that requires a lot of contractors out there. And in the private industry, they have security clearances to handle classified information.

Stephanie: Okay.

Mark: And so . . . that order, by the way, that governs this goes back to 1994, I think. And one of the things that I constantly tried to harp on in my annual report was the need to reform that order, because it was written in a different time, a completely different time. And we have adversaries out there who have a very voracious appetite for our technology, i.e., they steal it, steal it with abandon. And so we were constantly trying to update the authorities. Again, I was the chair of the board that would meet about this and try to not only get the order rewritten, but to talk about security clearances, whether we were doing them in the right way. I mean, there was a big move afoot—in fact, I think I may have been the first person in NARA enrolled in it—what was called continuous vetting if you have a TS/SCI [Top Secret/Sensitive Compartmented Information] clearance. You know, in the old days, you still had to fill out the SF-86 every five years. That's the original "by my 18th birthday" all the way up, and then you were reinvestigated every five years. The investigator would come to your office, and we would start over again. And that's now gone.

But you're constantly being run through databases now. . . . And you know, part of the reason that came about was industry was putting a lot of pressure on Congress, because it was taking too long for them to get clearances for their key people to work on these projects. And if you think about it, that kind of cuts both ways. I mean, if we need a really sophisticated fighter jet with all sorts of technology on it, and we need somebody who can build that thing, a company can't afford to have that person tied up in a security clearance background check, taking a year for him/her/they to do it. On the other hand, I can't afford to cut corners, because if this person gives these plans to the Chinese or to the Iranians or the Russians or whomever else, we're done. Right? So you've got this constant tension in that, too, in how to protect the supply chain.

Stephanie: Okay. So the executive orders and any policy that ISOO might put out, it's not referring just to the government.

Mark: Right.

Stephanie: It's also covering these private companies that are also doing business with the government?

Mark: What it does is, it mostly is trying to help the Department of Defense, who was the executive agent, administer that Industrial Security Program. We were in an advisory capacity. And so we would say, "Look, you need this, this, and this," or "We think this could help you." They would come to us and say, "Okay, we need you to issue an ISOO Notice on what kind of SCIFs or what kind of containers or things that they need to use" and stuff like that. But . . . industrial security was becoming more and more important as time was going by. But again, it goes to show what you and I were talking about when we first started, about how many responsibilities ISOO has. I mean, I could spend a career on industrial security challenges, much less on the rest of it. Now, again, there's some overlap between the . . . executive orders on national classification/declassification, industrial security. But there are also some nuances in that stuff that aren't. And so I had, I think, two people working on that. And then finally at the end—one. I mean, that's what we had. And so, it's another one of these questions. What should ISOO's role be in that? And so should it be taken away from us, because we can only dedicate X number of resources to it? Should it be expanded? Should that be one of our key missions? I don't know, but those are the kind of things that should be discussed.

Stephanie: Right.

Mark: But when that order was written, ISOO was put in, but there was no real thought about resources or staff or what this means. And if that executive order is going to be overhauled, which in my view it must be, it's going to be a heavy lift to do that. How many people can we dedicate to help DoD and the White House rewrite that order?

Stephanie: Yeah. There's a lot that ISOO is responsible for and not near enough people and resources to do that mission, to do all of that.

Mark: No, it doesn't have enough people or money. ISOO has a lot of sticks of dynamite that are handed to it, that are lit, and as the Director, you just hope that, Christ, they don't go off. But given the breadth of responsibilities that office has, I mean, we have way too many serious things now, especially with the staffing and technology that we have. And again, that's no slight on NARA. That's no slight on leadership or anything like that. It's just the reality of the mission as we've had mission creep without the commensurate budget to keep up with it and the staffing. And I hope this executive order reform effort we talked about comes up with the right answer on what ISOO should be focusing on.

I am much more in favor of restricting ISOO's roles and having it go deep in a few certain areas, and focus on very specific missions, like the executive order governing classification and declassification. Right now, it has far too many missions. For example, I was the Chair of the State, Local Tribal, and Private Sector Policy Advisory Committee. We're talking about, okay, we got a dam in New York. And the people who administer that dam, are they getting enough classified information to be able to protect the dam? I mean, why aren't their security clearances being passed from X to Y? We spent days trying to figure out how to help if you're a state official somewhere, who's got your clearance. Where do you go if you have a meeting in a SCIF in New York City? Who holds your clearance? How do you get into the SCIF for the meeting? The number of things that we were involved in, it's stunning, really. I suppose, you know, if you really thought about it, the ISOO Director would get almost no sleep at all.

Stephanie: Well, maybe at that point you'd get more resources. Maybe not.

Mark: Well, one of the challenges the Archives has is there are no real differences in the way offices are viewed. Your office was as important as mine. Mine was as important as yours. And I had staff sometimes who would want to make the argument, "Well, we do national security work; therefore, we're more important than the people who are stacking documents and warehouses." The National Archives has the mission of the warehouses, too. And so they can't cut that mission to be able to help my mission, because then they're failing in that part of their portfolio. Which, again, maybe begs or goes back to the question of perhaps, just perhaps, that ISOO would be better off somewhere else where the mission is strictly national security and not so many other responsibilities, from safeguarding the Constitution to, you know, holding naturalization days, to having people like yourself or people like Jessie, or whatever else it is tasked to do. I mean, so yeah, it's an interesting question.

Stephanie: Do you think mission creep and the lack of resources, like staffing and money, are the most significant challenges that ISOO faces going forward?

Mark: Yeah, I would say those two in addition to probably revisiting some of the authorities. I would think that reexamining its roles in so many different things would probably, you know, get back to the creep just over time. For instance, again, you heard me say this earlier, the Controlled Unclassified Information Program—I don't think anybody knew what that was going to be. I euphemistically called it "ISOO's Vietnam," that we got into it and we couldn't get out of it. That program dwarfs the classified program. There's much more controlled unclassified information than there is classified information. Nobody in the executive branch knew how much there was when the program started. Nobody knew the categories. Nobody knew how complex it was. It was being marked in many different ways. There was a need to do something

with it, but I don't think it should have been ISOO who should have gotten the ticket to go ahead and build the program. Again, we oversee, we don't build. And that program took a lot of resources, especially during my tenure. And a lot of the time, many agencies just didn't want to do it, just refused to implement the program. Now, it's being reexamined to be simplified. And I pushed very hard for ISOO to get out of the role of the executive agent to be more in an oversight role, but not be the office charged with implementing the program. That never made any sense to me at all. Never. But that was, I think, because no one else wanted to do it. And so it was just, okay, who do you give it to? Well, of course, ISOO. Right? It does everything else! And it just killed us. It just killed us resource-wise.

Stephanie: Yeah, it sounds like each one of those things could have dedicated staff to it, and they could be their own programs. . . . Yeah, I don't know. It's very difficult.

Mark: Yeah, it is. It's funny. And you know this yourself after being in government: you have very little time to be reflective on things and sit back and say, "Okay, wait a minute. Does this really make sense?" Nobody says, "Time out. I mean, this is a bridge too far." It's like a race car, you know. We designed it, but now that we actually took it out on the track and are driving it, the damn thing doesn't work or its wheels are wobbling . . . not what we thought they were going to do. But it just takes a lot to push it off the track and say, "You know what? This needs a serious overhaul."

Stephanie: Right.

Mark: So it just keeps going and going.

Stephanie: Yeah. Instead of taking the off-ramp, you just keep going straight, even though you know it's not working, but . . .

Mark: Right. Somehow, some way, it'll fix itself, you know? [RAISES HANDS AND LAUGHS] It's not the way it works. Yeah. That's not the way it works.

Stephanie: In terms of your last day, I think you said you retired June 30th of 2023?

Mark: 2023. Yeah. I've been retired for, what, six months now? Six-and-a-half months? Something like that. Yeah.

Stephanie: Yeah. All right, so do you remember your last days there? Did they throw a party or do anything for you?

Mark: I specifically did not want any of that stuff, you know?

Stephanie: Okay.

Mark: It's kind of like a cremation, you know [LAUGHS]. Just be done with it.

Stephanie: [LAUGHS] Make a clean break.

Mark: I always saw retirement ceremonies—and God knows I've been to plenty of them over time—that anybody who does this stuff knows that the word "I" doesn't really apply. It's "us" and "they." And if you've done your job right as a chief, the idea is if you don't show up, the office will run perfectly without you. That's the real measure of leadership. And you know, I mean, my staff did some things for me, but I specifically did not want any type of thing. I just wanted to be seamless and just kind of fade away and be done with it . . . I mean, I wouldn't mind having that checkmark. I still haven't gotten that in that box, but [LAUGHS] beyond that, I have never, ever lain awake at night wishing I was back. And I don't mean that in a pejorative way or a mean way. I mean, it's time for new leadership, new blood, new ways of looking at things, and this job requires Presidential approval. And so I wanted to give the administration plenty of time to find somebody else or figure out what they were going to do with the office. And the longer I stayed there, it just seemed like—and besides, too, you know, in my career, there was very little I hadn't done. Okay, so you write another report to the President. All right, all right. Okay. Wouldn't you rather take a nice walk down Main Street in Lexington and look at the Shenandoah Valley and the Blue Ridge Mountains? I mean, life is short. . . . Some people are addicted to this stuff, and I luckily never was. I thank God I don't have a clearance anymore. I don't have classified information. It's liberating in a way. Yeah. So, I mean, I had a great time as the ISOO Director, and I really appreciated [that] I had worked for some very fine people: Jay Trainer, Jay Bosanko, David Ferriero, Deb Wall, and some wonderful civil servants at ISOO in particular and at NARA in general. No complaints whatsoever. But, when it's time to go, it's time to go. . . . I never wanted to die at my desk.

Stephanie: No one does. No one plans for that.

Mark: So, I'm working on a third book, and I go to the gym six days a week.

Stephanie: Oh really? Another one?

Mark: Yeah, yeah.

Stephanie: Good for you! Yeah. That's great!

Mark: Yeah. Yeah. So . . .

Stephanie: And what kind of book are you working on?

Mark: This one is a double murder committed by the Ku Klux Klan in Louisiana in 1922.

Stephanie: Ooh. That's gotta be interesting.

Mark: Yeah. The one before was a triple murder in the coal fields of Pennsylvania in 1969. I got a master's at Oxford, and I have a law degree. I'm a lawyer. So I try to do books that have an interest in both fields.

Stephanie: Wow, that's really interesting. I'll have to look that up and get a copy.

Mark: *Blood Runs Coal*. C-O-A-L.

Stephanie: Yeah, that sounds really interesting.

Mark: That's how I spend my days. I mean, now I'm fighting the FBI over FOIA stuff, you know? So it's like I'm part of the problem now, although none of this stuff is classified. [LAUGHS] Yeah. Right.

Stephanie: Well, it sounds like you're keeping yourself very busy, so that's good to hear.

Mark: Yeah, again, I don't miss some of the inter-agency fighting and some of the bureaucratic stuff. I mean, I meant what I said if Moynihan were to come back today, it would take me about five minutes to brief him up since we were working on this same stuff in the late 90s. So . . . [LAUGHS] Yeah.

Stephanie: Yeah, that's pretty sad to have the same issue that you've had for decades. So, yeah. Was there anything else that you wanted to talk about or bring up that we haven't covered so far?

Mark: I think we pretty much covered it all. I hope this is somewhat useful. I don't know. It's important, you know, that an agency records its history and knows exactly what people faced at

a certain time. To reiterate, I mean, we had some unique challenges. We had shutdowns. We had COVID, which was completely a game changer there for, how long? I was there for, what, six years, I guess? Six and a half? And so, I mean, COVID took two [years] at least. And the shutdown. So we had that one 30-day one. Then we were, you know, constantly preparing for shutdowns, continuing resolutions, no set budget. I mean, it's a hell of a way to run a railroad. And I mean, that doesn't even deal with the substantive stuff we were facing. And so that also impacts staff morale and things like that. "What do you mean I can't travel?" "Well, because we're under a CR [continuing resolution]. That's why."

I worry about attracting people to government service and who want to make a career out of it as it gets more and more difficult, this type of stuff. My son's in his second year of law school at UC Berkeley, and I was talking to him about government service. It's like, "You know, I don't think so, dad." And then it's like, "You know what? I get it. I don't necessarily agree with it, [but] I understand. It's frustrating when you want to get things done and you just can't because of something totally out of your control."

Stephanie: Mhm.

Mark: And you just have to live with it and you hope . . . that at some point, somebody somewhere in a really senior position will say, "Okay, yeah, let's go down that road." Like, again, the executive order for the Industrial Security Program, it definitely needs to be redone. Why is it 30 years on [that] we're using the same order?

Stephanie: Yeah.

Mark: That's crazy. I mean, it's absolutely insane. It's dangerous to the country, and it just doesn't make any sense. But on we go. Now we're possibly expanding the war in the Middle East. We've got all sorts of other issues that supersede some of this stuff. So . . .

Stephanie: Yeah, priorities.

Mark: It always gets put back on the back burner.

Stephanie: Yeah.

Mark: And I don't know what it's going to take. I mean, perhaps some of this legal attention that's been focused on this system will highlight some of the things that need to be done, but I'll believe it when I see it. Yeah, let's just leave it at that. Right?

Stephanie: Yeah, people can say anything, but the actual implementation part is completely different.

Mark: It's actually the money that it's going to take to overhaul this stuff and try to get it where it needs to be. But, you know, like I say, I'm just retired. You know? [LAUGHS]

Stephanie: [LAUGHS] You don't have to worry about it.

Mark: Yeah, yeah. That's right. Exactly. Yeah. I've got the *Shreveport Journal* here from 1922. So that's what I'm working on today. So, you know [LAUGHS].

Stephanie: Fun! [LAUGHS] Okay. Well, hey, I'm going to go ahead and stop the recording now. I just want to thank you for doing this interview with us today. Super interesting! I'm going to go ahead and stop the recording, and then if you could just hang on for one moment, I'll tell you about the rest of the process.

Mark: Sure.

Stephanie: Okay. Just a second.

[END RECORDING]