

U.S. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
Transcript of National Archives History Office Oral History Interview  
Subject: David McMillen  
Interviewer: Rebecca Watford  
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MS. REBECCA WATFORD: Today is Thursday, August 31, 2017. We're in Room 400 at the National Archives Building in Washington, DC. My name is Rebecca Watford and I am an intern in the History Office of said National Archives. Today, I'll be interviewing David McMillen, a Special Assistant for the National Archives and Records Administration. David, can you tell me a little bit about your background before you came to the Archives?

MR. MCMILLEN: Hmm, boy, well, I started my federal career at the Census Bureau, writing technical documentation, and that's how I got involved with the archival community. Mostly, though, it was data archiving, not paper archiving, and at that time there was very little attention to data archiving, or electronic archiving of any form, within the archival community, and at the National Archives. There was a small group who understood the issues, but they were very small, and not a major force at the Archives.

MS. WATFORD: Would you mind explaining what you mean by data recording.

MR. MCMILLEN: Well, what I was working on were data sets that were the individual responses to national surveys, so the Census Bureau does literally hundreds of surveys every year, and they produce data tapes from those that are the individual responses, at least in a way that you can't identify an individual, but it gives researchers the ability to look at the complex relationship among variables. So, for example, if you want to study poverty, you also want to know something about an individual's work history and their education background, and a whole series of characteristics. From aggregate data, you can't do that kind of analysis. I mean, individual records, on an individual, to be able to analyze those things, so we produced data tapes, and then once you produce the data tape, you have to explain to people what's on it. Now, in character 34 and 35 is race, you know, or whatever, so I would write the documentation that explained to people how the data were collected, what is on the tape, and a little bit about how to use it.

MS. WATFORD: Okay, and so after the Census Bureau, where did you go?

MR. MCMILLEN: I was at the Census Bureau until 1991, and then I went to work for the Senate Committee on Governmental Affairs. I was there for four years, and then moved to the House Committee on Government Reform, and was there until 2006, when I came to the National Archives.

MS. WATFORD: And what have you done here at the National Archives?

MR. MCMILLEN: I came here as the External Affairs Liaison position that hadn't existed prior to my being here, and then the Archivist wanted somebody who would be within the organization, an advocate for the user community, so somebody who would think about what we were doing from the user perspective. So, for example, the research room had a policy that they would not renew your research card until it had expired, so if you came in two days before your card expired, they wouldn't issue you a new one, you had to come back two days later, when it expired. Well, you know, some of our users come from all over the country, and that was an inconvenience at the least, and a major inconvenience

for some, so I lobbied to get that policy changed, and they said they would change it. They told the Archivist that it had been changed, but it was my job to make sure that it had been changed, and sure enough, six months later, they had told the Archivist that they were no longer doing that, but they were still doing it, so it was my job to find that out and go back to the Archivist and say, “we need to do some more on this.” It put me in a very awkward position vis-à-vis the staff, because to some extent, I was—

MS. WATFORD: Tattling? —

MR. MCMILLEN: Yeah. I was checking up on them to make sure they were doing what they said they were doing, and sometimes, advocating for policies that were not what they would like to be doing.

MS. WATFORD: So did you have to go outside the Archives as well to work as part of that?

MR. MCMILLEN: Yeah, and that has a long history to it. Clinton's appointee as Archivist was a political person. He was a former governor, and when he was nominated to be the Archivist, the archival community all wrote letters saying that this man was not qualified for the position, he should not be confirmed, he didn't know what he was doing, you know, some fairly harsh criticism, which had no effect whatsoever on his getting confirmed, and when he got confirmed, he then said, well, if you don't like me, I don't like you, and so he turned his back on the archival community, and wouldn't meet with them, wouldn't go to their meetings. He felt that they had treated him badly, and he had no reason to do anything differently.

That led to about a ten-year period where the archival community was pretty much shut out. The one exception was the Association—I'm blanking on the title, it was basically state and local archives, pretty much government archives, and they had supported him, and so he kept in touch with them, so by the time Professor Weinstein became Archivist, the relationship between the Archives and the professional community was in pretty bad shape. That's why he wanted a position like this, and that's why he wanted an advocate, as opposed to just a PR person. He didn't want somebody who was just going to say whatever it was that the Archives were saying was the policy, he wanted someone who would tell him what we need to be doing to meet their needs, and so the job was created. I was recruited by the then Head of Congressional Affairs, who I knew because I was on the Hill, doing the work for the Committee, and came here to do that job.

MS. WATFORD: Did you continue to work with the Congress while you were doing that job, or—

MR. MCMILLEN: Not much, no. Well, after I had been here about a year and a half, the guy who recruited me left and took another job, and so I was acting Director of Congressional Affairs for about a year, and then they hired someone to fill that position fulltime, and I went back to External Affairs.

MS. WATFORD: So, according to your resume, you were part of the Presidential Transition Team?

MR. MCMILLEN: Mm-hmm.

MS. WATFORD: Do you mind explaining what that is?

MR. MCMILLEN: When a new President is elected, generally, they create a team to build for them a game plan of what they need to do, and it's really sort of a 90-day what is out there that we don't know about that might cause us problems, what do we need to be doing right away, what are issues that are important, what can be pushed down the road, and they put together a team—for Obama, I think it was

around 100 to 150 people. My focus was the Census Bureau. I was not working on the Archives. They wanted someone who understood the policy issues at the Census, and who could guide them with what they needed to be doing, and it was very close to the 2010 Census, which was not well-planned, and was about to be a crisis, and so they needed to know what they needed to do. Their first political instinct was to ignore it and say, well, this is Bush's problem, not ours, but we convinced them that that was short-sighted, and by the time the data were released, no matter who planned the Census, it was going to be Obama's census, and he would get the fallout if it fell apart.

MS. WATFORD: What do you do now at the Archives?

MR. MCMILLEN: Now I'm a writer, and I write feature articles for *Prologue*. I'm the COOP bureaucrat, Continuity of Operations, so I go to the meetings where they talk about these issues, and make sure we get the forms filled out that need to be filled out, and bring back to the unit an understanding of what is going on and what we needed to be doing. It gets to be a sensitive issue, as the bi-annual exercises come up, because we design the scenarios that are presented to the senior staff. There's a bomb exploding in downtown Washington—and we can't tell the senior staff that ahead of time, the scenarios are secret until it actually goes live, and so that gets to be a little complicated.

MS. WATFORD: Do you have any stories from working here that you would like to tell?

MR. MCMILLEN: I also do plain language.

MS. WATFORD: Okay.

MR. MCMILLEN: Stories, hmm. Oh, gee. I'm sure I do, nothing pops right into my head.

MS. WATFORD: Is there anything from the Archives history that you've worked on that's important?

MR. MCMILLEN: Yeah, my first exposure to the Archives on the Hill was when I got to the Senate Committee on Governmental Affairs, they were in the midst of writing an investigative report on the Archives. There was some fairly serious malfeasance on the part of senior Archives officials in the selection of the First Inspector General, and the Senate had gotten wind of that, and had investigated the issue, and wrote a report, and as a result, the Deputy Archivist was moved out. She was considered to be the person primarily responsible for the problem. I think she ultimately was brought back on. I think it was not that anyone proved that she hadn't done the thing she was alleged to do, but the process by which she was removed, and I think if you look at a lot of press reports, when something happens in an agency, somebody will be blamed for it, and they'll be moved out, and then it turns out two years later, they will end up being reinstated, because their rights were violated. It wasn't done in the proper way, and I don't think she ever came back to the Archives, but she, I think, could have.

MS. WATFORD: You have any other stories like that?

MR. MCMILLEN: Let's see. Well, what followed that immediately was, it goes back to the issue of electronic records, the Archivist who—and I'm not sure he was onboard during that investigation, but he came onboard shortly afterwards or during, and he was a Bush appointee, and as Bush was leaving office, I think the document was signed on the 19th of January, the Archivist gave the President exclusive control over all of the electronic records from his administration.

MS. WATFORD: Is that allowed?

MR. MCMILLEN: Good question, good question. That was a period when agencies really did not want to consider electronic records, records, because that meant they had to do a series of things to manage them that they weren't in a position to do, so there were lots of agencies, for example, if you made a Freedom of Information Act request, and wanted something that was only available electronically, they would print them out and give them to you, rather than giving you the electronic file, so as soon as he did this, as soon as the Archivist gave away this authority, there was a lawsuit filed, and ultimately the suit was adjudicated against the Archives, and it said that that was not appropriate for him to do, and that agreement was relinquished, and those records came under the control of the archives.

That Archivist, shortly after signing that document, left the Archives and became head of the Bush Foundation that was building the Bush Presidential Library. There was never any proof of any quid-pro-quo, but it certainly looked bad. Many people thought that the discussions of him becoming Director of the Library was ongoing when he made that decision, and it wasn't good for the Archive's reputation, so there was that period—and remember, the National Archives only became independent in 1985, so I think what you saw was an agency that had been under the control of the General Services Administration, suddenly was without any supervision, and they did some things that they probably shouldn't have done. The power sort of went to their head, and it's probably fortunate that the former governor that the archival community didn't want to be here, stayed for ten years, and brought a sense of stability to the agency.

MS. WATFORD: So do you feel like the former governor probably actually did help the Archives much more?

MR. MCMILLEN: Absolutely, absolutely. I don't think that's a universal opinion. It's fairly common in agencies like this, that they never see a political appointee that they like. Their sense is that they know what they're doing better than any political appointee could, and that these folks just get in the way, and that happens not just here, but all over the Executive Branch.

MS. WATFORD: Do you have any more stories from when you first came here? What were some challenges you faced?

MR. MCMILLEN: Well, the biggest challenge that I faced when I started as External Affairs Liaison was that these organizations had been out in the cold for so long that they would do almost anything to curry favor with the Archivist, and it was difficult to engage them in a dialogue of how the organizations could be helpful to the agency as an external voice—one that looked objectively at what the Archives were doing, you know, maybe that's not the best thing to do. Maybe you should think about doing X instead of Y. I think, had we gone to them with our initial plans on digitization, we wouldn't have made some of the decisions we made. I had not been here very long, and I was at a senior staff meeting, and the Archivist came in and said that they had just signed an agreement with Ancestry, and Ancestry was going to do all this digitization for them, and they would have exclusive access to those files for five years, and they had signed the agreement, and they were now going to put it up on the web for public comment, and I said, and what are you going to do with those comments? What if they say, this is a bad idea? You've already signed the agreement, you can't change it, so much of the criticism that we got for giving Ancestry such long, exclusive control of those files, would have been thought through more carefully if we had gone to our constituents and said, this is what we're thinking of doing, what do you think? That's very hard for agencies to do, though. It's not unique to the Archives. They tend to make a

decision and then present it to the public, as opposed to engage in a dialog with the public before a decision is finalized.

MS. WATFORD: So would you say part of your job here has been to try and encourage the dialog with the public?

MR. MCMILLEN: Mm-hmm, absolutely, yeah.

MS. WATFORD: And how often did you manage to make that success?

MR. MCMILLEN: During Weinstein's administration, I think we made great progress. When Ferriero came in, he didn't really want an advocate, and so there was a period of awkwardness, because he didn't tell me what he wanted me to do, but it eventually became apparent that what I was doing wasn't what he wanted, and so he moved me out of the position without much explanation of why or what it was. I was never given any direction from him about doing things differently, but I figured out afterwards that what I was doing wasn't what he wanted me to be doing.

MS. WATFORD: Have you enjoyed your time working at the Archives?

MR. MCMILLEN: It has been a mixed experience. I think that the Archives have always had a problem of management dealing with its staff, and that hasn't changed much, and as a result, the staff are not very happy. Most people here love what they're doing, but are dissatisfied with the environment within which they have to work, and they don't feel that the system really pays attention to what they think ought to be done. I think you saw this at one of the recent public meetings on the strategic plan, where the strategic plan says, "we're all about access," and an employee stood up and said, "no, we're about preservation, and in fact, we're about both," and it has been the case for many strategic plans now that it hasn't been very clear about that duality. The strategic plans have tended to emphasize one aspect over the other, and this notion that we're not going to collect paper is oversimplified, and consequently, leaves many people who work with paper day in, day out, some concern that a significant part of what the Archives is supposed to be doing is going to be lost. The notion that everything happens electronically is just not the case, particularly when you think about how decisions are made. The reason for archiving government documents is so that you can go back and trace how decisions are made, and some of that inevitably happens on paper, and doesn't necessarily become part of an electronic chain. It may be created as a Word document, but that doesn't mean that somebody's marginal notes on that Word document get recorded somewhere, and I think some of that sensitivity gets lost when you say, oh, we're just going to do electric stuff, and part of that is, you know, trying to do the whole thing in 6 pages, or 12 pages, or some short document, but part of it, I think is a failure to really engage the complexity of what we do.

MS. WATFORD: Would you say doing the data archiving at Census Bureau was very similar to your work here or very different?

MR. MCMILLEN: Very different, very different. The Census Bureau has always addressed that duality better than just about any agency in the Federal government. It hasn't been perfect, but it has always understood that while it was the premiere data collector, survey manager of the Federal government, it also had a responsibility to make sure people understood how to use those complex files, because it's very easy to misuse data, and if you don't put out a clear description of what you're presenting, then you can be held responsible for the misuse, and so the Census Bureau has always realized that part of

their responsibility is to make sure that while they can't stop the misuse, they can at least put out documentation that says, this is not the way to do it.

When I was on the Hill, I was at a hearing once where it was on the effects of the minimum wage, and there was an economist, I don't know where he was from, but was testifying, and I don't remember which side of the issue he was on, but testifying about the effects of minimum wage on employment, and he was analyzing the current population survey that is produced by the Census Bureau, a survey done monthly and paid for by the Bureau of Labor Statistics. It's where our monthly unemployment data come from, and a variety of other things, and he was completely misusing it. You know, the way he had done his analysis was one of the ways the Census Bureau says just should not be done. Well, they can't stop people from doing that, but you can go to the Congressman and say, you should take this testimony with a certain amount of skepticism, because what he is doing is not really good statistical analysis, and so the Census Bureau has always been very good about that.

One of my jobs at the Census Bureau for about five years, I was part of the management team that introduced a very complex survey, called the Survey of Income Program Participation, and for about, well, until I came here, I would teach a course at the University of Michigan on how to analyze those data, and the Census Bureau paid for my time, and paid for my two weeks in Ann Arbor. It was a very intensive course, we had a lecture from about 9:00 to 5:00 each day, and then we had a lab period from 6:00 to 10:00 for five days, and it was a very intensive immersion in this complex data set. Most of the participants were new PhDs at universities around the country that were members of the Data Consortium in Michigan, and they came out of that course understanding how to use this complex data set and understanding how not to, and it was the kinds of statistics they needed to be familiar with in order to analyze the data, so the Census Bureau has always, I think, been very good at managing that duality, and here, there does not seem to be that skill.

MS. WATFORD: Do you have any final words on your history? Either Archives, any last stories, anything like that?

MR. MCMILLEN: When I was doing External Affairs, I went to a meeting in Seattle. It was NAGARA, National Association of Government Archives and Records Administration, I think is the acronym, and I was asked to comment on one of two keynote speakers; an author who was talking about his book, and I got there and discovered that they had told me the wrong book, and that the book I had read was not the one I was commenting on, but it was something else, and I scurried down to the Seattle Library and got a copy of the book and read it.

It turned out to be a book that I used throughout my tenure in External Affairs, a book called "On American Soil." The author, Jack Hamann, was a lawyer and journalist, a TV journalist, in Seattle, and as a young journalist, he was covering a sewage treatment plant hearing. The sewage treatment plant hearing was on the edge of a former World War II Army base, but now much had been turned over to the city, and not surprisingly, he was daydreaming during the hearing, and I looked out the window, and there was a military cemetery, and as are most military cemeteries, all of the tombstones are alike, and it's a fairly uniform vision, but in one corner of the cemetery was this obelisk, and it just looked out of place, and so after the hearing, he went over and asked the park service ranger what that was, and the ranger says, well, we're not really sure what it is. It has got some funny writing in a foreign language on it, and we're not really sure.

So, it piqued his curiosity, and he began doing some digging, and it turned out it was a monument to an Italian prisoner of war who had been lynched during a riot during World War II, and three African American soldiers were court martialed for lynching this prisoner of war, and so he went back and looked at the newspaper coverage, and it was one of the largest and longest court martial hearings of World War II, and it was a big deal when it happened, and he did his report for television, and that was it, but it always sort of bothered him, because he couldn't think of another example in history where a group of African Americans had lynched a white person. You just don't hear of that.

So, that bothered him, so just after the turn of the century, he got an advance from his publisher, convinced his publisher that this was worth pursuing, and he and his wife came to the archives and began digging trying to find out what had happened, and they were here, they ran through their advance, and started digging into their savings, and there are a lot of World War II records, and they went through them, all of the court martial records, and records about that army base, and just weren't finding anything, and they were about to give up, and the archivist that they were working with said that they had gone through just about everything except the miscellaneous file, and they said, well, you know, bring it on. We've done this much, and sure enough, there they found the transcript for this court martial, I think 3,000 pages, if my memory serves me, and next to it, they found, by comparison, a relatively short report, which was done by the Army, and which exonerated those soldiers from any responsibility for the lynching.

Now, they had been convicted, and, you know, served time for killing this guy, and this struck him as odd that this had never turned up in anything. Well, he did a little more digging, and it turned out that that report had been in the hands of the prosecutor during the trial, and he had never shared it with the defense, and it would have ended the trial, it would have exonerated these guys.

Well, it turns out the prosecutor was Leon Jaworski, who later became President of the American Bar Association, was a key figure in the Watergate trials, a big deal in American jurisprudence, but at the time, Jack speculates, he wanted to be on the Nuremberg team, but he needed a high profile conviction to get his name out there, and this was his ticket, and that's probably why he didn't share the material with the defense. That's pretty serious, and when the book was published, Jaworski's children said, you know, this is not true. Our father would not have done something like this, and so Jack said, well, look, I am willing to share with you everything I have, all my notes, everything I have. Look it over if you think I've made a mistake, I'll gladly write a clarification. Well, they came back to him about six months later and said, well, you know, I guess you're probably right.

The book was read by his Congressman. His Congressman then put language in the Defense Authorization Act requiring the Army to reconsider the court martial. The Army did, and overturned the court martial, and awarded the soldiers back pay, and through the influence of the Congress, and back pay with interest, which amounted to \$200,000 or \$300,000 a person, and in a rather unusual step, they made their relatives eligible to collect this, and Jack and his wife then spent a considerable amount of their own time tracking down relatives of these soldiers to make sure that they got the money that was due to them.

So then I would go online and buy copies of this book, you know, used copies, and whenever anyone asked me why do we have archives, I would give them a copy of this book, because it's a good example of how we keep these records so that at some point in the future, people can look back on what has happened and do an objective evaluation of it, and you have to keep an awful lot of material, not just

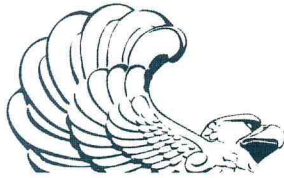
what the senior officials of an agency are doing, but what's going on throughout the agency, in order to document that kind of effect.

MS. WATFORD: Alright, well, thank you.

MR. MCMILLEN: Welcome.

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I authorize the National Archives History Office to use the recordings and transcripts in such a manner as may best serve the historical objectives of their oral history program.

In making this gift I voluntarily convey ownership of the recording and transcripts to the public domain.

Rebecca Watford  
Agent of Receiving Organization

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