



Archivist of the  
United States

February 22, 2023

The Honorable Ted Cruz  
United States Senate  
Washington, DC 20510

Dear Senator Cruz:

Thank you for your letter of February 16, 2023, and for this opportunity to share information with you about the unfortunate incident that occurred on January 20, 2023, at the National Archives Museum in Washington, DC. As you are aware, on that morning, several visitors to the Museum were instructed by contracted security officers to remove their hats and cover their attire displaying pro-life messages. This action was contrary to NARA policy. The irony that this happened just steps away from the permanent display of the original Bill of Rights is not lost on me or any of the employees who proudly welcome more than one million annual visitors to the Museum. Upon learning of this incident, I publicly apologized and took steps to investigate what happened, and reminded all security officers and staff of our longstanding policy to honor the First Amendment and treat all of our visitors with respect.

In your letter you asked several questions, which are answered below:

1. What disciplinary action has the National Archives Museum taken regarding this incident?
  - a. If no action has been taken, please delineate the course of action the National Archives Museum plans to take regarding this incident.

**NARA Response:** The security officers involved in the January 20, 2023, incident are private contractors on a NARA contract. Our vendor conducted its own investigation of the incident and determined a supervisor that it employed, who was working that day, provided instructions to other security officers who work for the same vendor that were contrary to our policy. The vendor has removed this supervisor from NARA's contract, and that individual is no longer working in any NARA facility.

2. Does the National Archives Museum have any policy prohibiting pro-life sentiments from being expressed in its buildings or any policy deeming it a "neutral zone?"
  - a. If there is no express policy prohibiting pro-life sentiments, was there a special policy put in place expressly for the day of the March for Life – January 20, 2023? If so, why?

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**NARA Response:** No. NARA has no such policy, and no special policy was put in place. Rather, NARA's policy explicitly allows visitors to the museum to wear clothing that expresses their political and religious viewpoints. Unfortunately, for a short period of time, on the morning of January 20, 2023, a security officer provided instructions to other security officers that were contrary to that policy. This was subsequently corrected by the security officer that same morning.

3. Were you aware of the similar harassment of pro-life students at the Smithsonian National Air and Space Museum?

a. If yes, what policies did you review and what training(s) did you provide to your staff in light of the Smithsonian incident to ensure it would not occur at the National Archives?

**NARA Response:** We were aware of articles in the press that reported on the incident at the Smithsonian and reminded our guards of our policy. When we subsequently learned of allegations that security guards employed by NARA's vendor had asked the pro-life visitors to cover up their clothing, we took immediate action to investigate the matter. NARA subsequently voluntarily agreed to a court-approved Consent Order, as described more fully below in response to question 5.

4. Were the employees that asked the pro-life visitors to cover up their clothing acting pursuant to instructions or policy of the National Archives?

a. Was there any change to National Archives' clothing policy in the month prior to the 2023 March for Life?

**NARA Response:** No. The contract security officers who asked the pro-life visitors to cover up their clothing did so in violation of explicit and long-standing NARA policy that allows museum visitors to wear clothing that expresses their political and religious viewpoints.

5. What efforts have you taken to ensure that the First Amendment rights of all Americans are respected at the National Archives Museum and an incident like this never occurs again under your leadership?

**NARA Response:** NARA took steps to remind its security officers at all NARA facilities across the nation of our policy when we learned of the incident at the Smithsonian Institution. When we subsequently learned that a similar incident had occurred in the National Archives Museum, we publicly acknowledged the incident at NARA and issued a public apology, again reminding relevant personnel of our policy. NARA has since voluntarily agreed to a court-approved Consent Order, effective February 16, 2023, to

further address this issue. On that day, I also sent a communication to all NARA staff, stating that:

*I want to remind all NARA staff that NARA policy expressly states that no NARA officer, employee, or agent shall prohibit visitors from exercising their First Amendment rights in NARA facilities. This policy applies to all NARA employees, contractors, and volunteers in all public spaces, including museum exhibits and research rooms.*

*I have issued a public apology to the individuals harmed by the unauthorized actions that are the subject of the lawsuit. Collectively, I believe that NARA employees, contractors, and volunteers are committed to welcoming all visitors and treating them with respect. When we have a gap in following NARA policy or our procedures, it is important that we acknowledge our mistakes and take corrective actions to ensure they do not happen again.*

The Consent Order and the NARA Notice are available on our website, at this link:  
<https://www.archives.gov/foia/march-for-life>

Thank you again for giving me this opportunity to answer your questions. If you have any additional questions, please don't hesitate to contact NARA's Director of Congressional Affairs, John Hamilton, at: [John.Hamilton@nara.gov](mailto:John.Hamilton@nara.gov).

Sincerely,



DEBRA STEIDEL WALL  
Acting Archivist of the United States