

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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<http://oversight.house.gov>

September 17, 2015

The Honorable David S. Ferriero
Archivist of the United States
National Archives and Records Administration
700 Pennsylvania Avenue NW
Washington, DC 20408

Dear Mr. Ferriero:

On September 10, 2015, the Committee held a hearing titled “GSA: Army Fee Assistance.” During the hearing, witnesses testified about significant problems related to the administration of the Army’s childcare subsidy program. Management of the program, which reimburses eligible Army families the difference in price between off-post childcare when reasonable on-post child care is unavailable, transferred to the General Services Administration (GSA) in October 2014. Since then, program failures have caused thousands of subsidy invoices to be considerably delayed. As a result, many affected families faced significant financial hardship. At least one family is now filing for bankruptcy.¹

The GSA Office of Inspector General identified a number of severe deficiencies in the program, including GSA’s inability to manage a backlog of applications, emails, and voicemail messages. GSA Inspector General Carol Ochoa stated:

The storage capacity of GSA’s cloud email and voicemail systems were inadequate to support the expanded program, so GSA periodically deleted emails and voicemails from the systems. . . . GSA staff told us they did not have the ‘luxury’ of listening to all of the families’ voicemails because of the backlog of tasks, and families’ voicemail messages were periodically deleted due to size limitations of the voicemail box. GSA kept logs of phone numbers associated with the deleted voicemails and, for a time, attempted to return those calls. In June 2015, however, GSA program managers decided to delete and not return calls to over 4,000 unreturned voicemails.”²

¹ Karen Jowers, *Backlogged child care program burdens Army families*, MILITARY TIMES, Sep. 8, 2015.

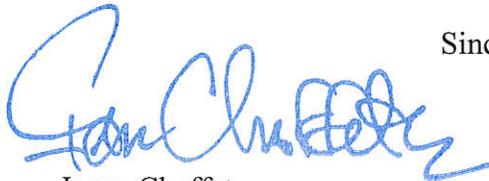
² Testimony of Hon. Carol Ochoa, Inspector General, Gen. Services Admin., before H. Comm. on Oversight & Gov’t. Reform, *Hearing on GSA: Army Fee Assistance*, 114th Cong. (Sep. 10, 2015).

In response to questions from Members of the Committee, GSA Chief Financial Officer Gerard Badorrek confirmed that voicemails and emails were in fact deleted, and that if those messages were federal records, they should not have been deleted until the cases were resolved.³ At least 4,000 voicemails were deleted, however, neither GSA nor the GSA OIG were able to identify with specificity the total volume of deleted emails. Mr. Badorrek further testified that GSA did not notify you or your agency that possible federal records were lost as required under 44 U.S.C. § 3106.

GSA's failure to respond to communications from families who were participating in the Army Fee Assistance Program caused severe hardships for thousands of service members and their children. GSA's failure to preserve those records compounded the harm. In light of GSA's apparent failure to preserve potential federal records related to the Army Fee Assistance Program at great cost to families, we ask that you contact GSA as required and described in 36 CFR 1230.16.

Thank you for your attention to this important matter. Please contact the Committee at (202) 225-5074 with any questions about this request.

Sincerely,



Jason Chaffetz
Chairman



Elijah E. Cummings
Ranking Member

cc: The Honorable Harold Rogers, Chairman
Committee on Appropriations

The Honorable Nita M. Lowey, Ranking Member
Committee on Appropriations

³ H. Comm. on Oversight & Gov't. Reform, *Hearing on GSA: Army Fee Assistance*, 114th Cong. (Sep. 10, 2015).