

# **I. MAXIMIZING DOCUMENTATION OF THE LEGISLATIVE PROCESS**

## **I. A. Committee Records**

The responsibility to document the activities of Congress and preserve records that are of use to Senate and House committees presents a serious challenge in the modern "information age." Congressional staff, scholars, and archivists all recognize that the fragmentation and dispersal of congressional records inhibit the coordinated records management and archiving of records that are necessary for the present and future study of Congress. Although committees maintain and preserve their official records in greater quantity today than in the past, the quality and completeness of this documentation has yet to be established. Unpublished records created within the last two or three decades (depending on Senate or House access rules) have not been described systematically by the Center for Legislative Archives staff because they are still closed to research. The mounting volume of records and the demise of centralized filing systems within committee offices, coupled with the increasing use of modern information technologies, have raised the concern that the records may not sufficiently document the legislative process and the history of today's Congress. This issue concerns committees as users of their own records as well as future researchers.

To address these concerns, the Advisory Committee asks the Center for Legislative Archives to undertake a systematic archival description of modern committee records series in order to assess the informational value of the records preserved. The Center should report its findings to the Advisory Committee at the 1996 fall meeting in preparation for a full discussion of modern record-keeping practices in Congress and an exploration of the appropriate measures to ensure that the legislative process is fully documented in the official records of Congress.

## **I. B. Electronic Records**

While documentation becomes further fragmented with increasing use of electronic information technologies, such use also offers fertile ground for addressing fundamental record-keeping issues.

Questions of electronic conversion, software dependency, and personal privacy are all immediate problems facing most computer users in Congress. Close cooperation between the Center for Legislative Archives and both the Senate Historical Office and the House Legislative Resource Center is essential in order to identify and survey the electronic records currently being created in the House and Senate, and in the legislative support agencies. Electronic files being generated and planned by the legislative branch must be monitored to ensure that documentation and preservation needs are being met and will be met in the future.

It is essential to maintain and strengthen cooperation between NARA, the Senate Historical Office, and the House Legislative Resources Center in developing guidelines and standards and in providing information to congressional staff about the appropriate management of electronic information. To date, NARA has issued guidance on electronic mail (E-Mail), CD ROMS, and optical disks which the Senate archivist has incorporated into guidance given to committees. Further opportunities should be sought to inform staff about these issues. The Center for Legislative Archives should support congressional efforts to assess the value of records in the E-Mail system as this method evolves into a significant form of committee communication.

Examples of successful collaboration to date include implementation of optical disk imaging systems in the Senate Office of Public Records and the House Legislative Resource Center's records management system. Both these systems involve maintaining the backups in microform and distributing NARA's policy guidelines for optical discs and CD ROMs to the Senate Rules Committee, the Sergeant at Arms, and the Senate Computer Center.

The Center for Legislative Archives should work closely with NARA's Center for Electronic Records to ensure that the electronic legislative records in its custody are re-copied to stable media and that duplicate copies are converted to software-independent format in conformity with standard practices at the National Archives. With the advance of electronic record-keeping, the Center for Legislative Archives should develop on-site capability to provide access to and reference services for the electronic records in its care.

### **I. C. Administrative Records**

In 1992 the secretary of the Senate and the clerk of the House of Representatives signed a memorandum of understanding on the

disposition of records created by their offices. Under the agreement, the secretary and the clerk recognize the inherent archival value of the records created by their offices and establish a policy whereby these materials are processed and preserved by the Center for Legislative Archives. The access rules of each chamber will apply to the records.

## **I. D. Legislative Support Agencies**

To stimulate systematic preservation of legislative support agency records, the Advisory Committee established the Task Force on Records of Legislative Support Agencies in May 1993. Chaired by Senate archivist Karen Paul, the Task Force was composed of representatives from the Senate, House of Representatives, and NARA, as well as representatives from the following support agencies: General Accounting Office, Congressional Budget Office, Office of Technology Assessment, Government Printing Office, Congressional Research Service, and the Architect of the Capitol.

The Task Force was charged with the following objectives:

- Establishing broad guidelines for the development of comprehensive records and archival management programs in all congressional agencies.
- Drafting broad appraisal guidelines aimed at meeting the information retention needs of Congress and ensuring the preservation of policy development documentation and historical information.
- Reviewing drafts of records schedules and retention and disposition guidelines.
- Developing broad guidelines for research access.

The Task Force met three times and issued its final report in December 1994. With the help of a team of appraisal archivists from NARA's Records Appraisal Division, each support agency developed an action plan to establish records management programs aimed at providing for economical, efficient, and legal management of their records. With assistance from the staff of NARA's Records Appraisal Division, the agencies undertook records surveys and developed records schedules. NARA also provided staff training for implementation. Following is a synopsis of the progress each legislative support agency has made toward preserving its permanently valuable records.

**Office of Technology Assessment:**

Before the Office of Technology Assessment (OTA) was closed down at the end of 1995, NARA staff had conducted an agency-wide inventory and prepared a comprehensive records schedule. The schedule was used to retire temporary records to the Washington National Records Center, to dispose of transitory records, and to transfer permanent records to the Center for Legislative Archives. With concurrence of the clerk of the House of Representatives, the OTA archival records will be administered according to Senate regulations.

**Government Printing Office:**

During 1994 and 1995, the Government Printing Office's (GPO) comprehensive records schedule was compiled and submitted to NARA for review and approval. The Advisory Committee also received a copy for review and comment. The schedule contains disposition instructions for over 600 series and subseries of records, including electronic records.

**Congressional Budget Office:**

The Congressional Budget Office's (CBO) comprehensive schedule was delivered by NARA to the agency in October 1994. After more than a year, CBO's internal review and approval of the schedule is finally being processed under the supervision of a specially hired archival consultant. Final approval by the National Archives is expected during 1996.

**General Accounting Office:**

The General Accounting Office (GAO) asked NARA's Records Appraisal Division for assistance with reorganizing and simplifying its records disposition schedule and with scheduling its electronic systems. This project is currently underway and is expected to continue throughout 1996. In addition, the Office of Policy has developed a pilot project to appraise the 7,000 feet of case files of the Office of General Counsel. Besides establishing criteria for evaluating the historical value of the material, the project is testing the viability of using the case file index as a means to facilitate the appraisal.

### **Library of Congress and Congressional Research Service:**

The Library of Congress and the Congressional Research Service (CRS) have surveyed their records and prepared drafts of their schedules. The chairman of the Advisory Committee has contacted the chairman of the Joint Committee on the Library to request that a task force be created on establishing a CRS archive. CRS materials constitute an essential part of the documentation of Congress.

NARA's Records Appraisal Division and the Center for Legislative Archives anticipate that all legislative support agencies should have all of their records scheduled and deposited in NARA by the year 2000.

### **I. E. Party Conferences and Political Committees**

The records of the party conferences and political committees represent one of the most significant gaps in the Center's holdings. Although scholars have expressed keen interest in this material, it traditionally has been retained by the creating entities. Through the office of the secretary of the Senate, the Center has received the minutes of the Senate Democratic Conference for the years 1903-1964. The Advisory Committee encourages the Senate Republican Conference, the House Democratic Caucus, and the House Republican Conference to transfer their comparable records. The Center should also endeavor to obtain the relevant records of the political parties' policy and congressional campaign committees.

### **I. F. Legislative Service Organizations**

On January 4, 1995, as one of the first acts of the 104th Congress, the House of Representatives terminated twenty-eight House Legislative Service Organizations (LSOs). Although many of the caucuses have a privately funded component and have continued to function in a revised fashion, many others permanently shut their doors and their file cabinets in January.

The Advisory Committee previously had identified LSO records as a potentially significant source for legislative documentation. The Center for Legislative Archives contacted each of the LSOs through letters and visits during December 1994 and January 1995 and was successful in receiving donations from six caucuses,

including the Congressional Arts Caucus, the Arms Control and Foreign Policy Caucus, the Congressional Hispanic Caucus, the Northeast-Midwest Congressional Coalition, the Environmental and Energy Study Conference, and the Congressional Caucus for Women's Issues. The records vary in content from publications of the Environmental and Energy Study Group to a variety of correspondence, minutes, agenda, and extensive subject files provided by the Congressional Hispanic Caucus and the Northeast-Midwest Congressional Coalition. Each caucus established its own access guidelines through deeds of gift to NARA.

With the subsequent privatization of many LSOs, the Center will need to redouble its efforts to contact the organizations, advise them on records management issues, and encourage them to donate their materials. Even though they no longer receive funding through the House, these organizations continue to play a part in its workings and will certainly continue to be a focus of future research. In the next six years, the Center should concentrate on acquiring the records of key caucuses, including the following: House Republican Study Committee, House Democratic Study Group, Wednesday Group, and Congressional Black Caucus.

## **I. G. Associated Staff Files**

With the number of congressional committee staff members increasing sixfold since the end of World War II, the records that they create are significant in volume and content. The level of staff expertise has grown to reflect the complexity of issues being addressed by Congress. Staff members play a crucial role in coordinating investigations, writing legislation, analyzing policy, and performing numerous other functions at the heart of the legislative process. When departing committee staffers take their important files with them, they create a gap in the official records preserved by the committee.

In an effort to compile the most complete record of the legislative process, the Center has begun acquiring records from former committee staff members. For example, the working papers of the late Sidney Brown, counsel to the Senate Budget Committee, were received this year. They contain notes, briefing materials, and legislative studies, unique sources that document the creation of the Senate Budget Committee.

The Center should actively solicit associated files from former prominent staff members, especially those who served on commit-

tees that have transferred relatively few records. Interviews conducted in conjunction with NARA's committee histories project afford good opportunities to establish contacts with these potential donors.

## **I. H. Oral History Interviews**

Oral history interviews are an important way to perfect the documentation of the legislative process. Accordingly, the Center has begun to supplement its textual holdings with oral history and research interviews related to Congress. Interviews provide a richness to the legislative process that can be missing from the records—information about its norms and folkways, its heroes and triumphs. Through this merger of records and interviews, users of the Center's resources gain access to fuller and more explicit accounts of how the legislative process actually works.

The oral history collection is derived from three main sources. First, the Center has arranged with other institutions to obtain copies of their interviews related to Congress and to make them available in Washington. These institutions include the presidential libraries, the historical offices of the Senate and the House of Representatives, and major oral history collections at research centers. Second, research interviews conducted by historians and political scientists, as well as the working files of journalists on Capitol Hill, are being solicited for deposit with the Center. The research interviews of Professor Richard F. Fenno, Jr., of the University of Rochester make up the core of this section of the collection at present. Third, on a limited basis, the Center conducts its own oral history interviews, such as the Military Reform Caucus oral history panel and interviews relating to the history of the Senate Armed Services Committee.

The Center should make the oral history collection available in electronic form, mainly through a dedicated work station in the Center's research room. This format allows researchers to initiate word searches through a specific set of interviews or through the entire collection, and it facilitates reproduction of the collection by introducing greater format flexibility and portability. This format also provides the Center with the flexibility to utilize other formats to promote accessibility to the collection, such as CD-ROM, video disks, or the Internet. At present, the Center has 144 interviews in electronic form, 58 of them from the Senate Historical Office, 8 from the Lyndon Baines Johnson Oral History Collection, and 78 from the

research interviews of Professor Richard F. Fenno, Jr. An additional 59 interviews from Professor Sidney Waldman of Haverford College on House reform efforts during the 1970s are being processed.

During the next six years, the Center should expand its oral history program in a variety of ways. All of the Center's interviews should be converted into electronic form and made available through the dedicated work station in the Center's research room. Selected interviews should also be made available on the Internet/World Wide Web in order to test user demand and response. In addition, the Center should add to its digitized oral history collection the significant interviews compiled by the United States Association of Former Members of Congress, which are presently kept at the Library of Congress. The Center should make the existence of its oral history collection known as widely as possible among members and congressional staffs, congressional scholars, leading journalists who cover Congress, and the members of the Congressional Papers Roundtable of the Society of American Archivists. The Center should encourage these groups to participate in expanding its collection by adding their oral histories and research interviews to the Infotext data base. At the same time, the Center should continue to develop and implement its own oral history program, both through the interviews created in conjunction with the Standing Committee Histories Project and through others as significant opportunities arise, cooperating with the Senate Historical Office and the Legislative Resource Center in the House of Representatives to identify topics.