

ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS
MEETING #28
DECEMBER 1, 2004
ROOM S-312, THE CAPITOL

MINUTES

Members of the committee in attendance: Emily J. Reynolds, Chair (Secretary, U.S. Senate); Jeff Trandahl (Clerk, U.S. House of Representatives); Lewis J. Bellardo (Deputy Archivist of the U.S.); Richard A. Baker (Historian, U.S. Senate); Joseph Cooper (Department of Political Science, Johns Hopkins University); Timothy Johnson (Curator of Special Collections, Wilson Library, University of Minnesota); Alan C. Lowe (Executive Director, Howard H. Baker Jr. Center for Public Policy, University of Tennessee); Susan Palmer (Professor of History, Department of History, Aurora University); Stephen Van Buren (University Archivist and Head of Special Collections, South Dakota State University)

The meeting opened at 10:00 a.m.

I. Chair's Opening Remarks - Emily Reynolds, Secretary of the Senate

Emily Reynolds called the meeting to order and welcomed the members of the Advisory Committee, for whose advice and counsel she is grateful. In appreciation and because this is the last meeting of the 108th Congress, she presented the members with a gift from the Senate, the *United States Senate Catalog of Fine Art*, which Dick Baker mentioned had been 32 years in the making.

Reynolds spoke of her good fortune in chairing the Advisory Committee and expressed gratitude for the guiding hand of her colleague, Jeff Trandahl, Clerk of the House. She will be turning the gavel over to Trandahl for the 109th Congress. She also acknowledged the Archivist's role and was pleased that the committee had been able to hold one of its meetings at the National Archives. She expressed her hope that Trandahl will take the group back to NARA to see the "Public Vaults" and the new theater.

On behalf of John Carlin, Lew Bellardo was thanked for choosing Richard Hunt as director of the Center for Legislative Archives. Hunt has been a brilliant choice and filled some big shoes.

Reynolds mentioned the Senate's hosting of a dinner for the members of the Association of Centers for the Study of Congress (ACSC). She looked forward to further involvement. The ACSC next meets in May 2005, with the Center and the National Archives serving as hosts.

The work of the committee, and of the National Archives, in helping to develop the Capital Visitor Center (CVC) was also acknowledged by Reynolds. In particular, she mentioned the help of the Archives in selecting documents for the exhibits. The CVC

will allow more of the public to see the great House and Senate documentary treasures in the Archives. The committee members were especially helpful in providing counsel on the orientation film. Donna Lawrence, the film's producer, has taken the comments to heart, and Reynolds said the film is on track to be a fine production and will reflect the comments provided by the committee.

II. Recognition of the Co-Chair - Jeff Trandahl, Clerk of the House

Jeff Trandahl updated the committee on activities of the Clerk's Office, mentioning the involvement in the state funeral for President Reagan, the planning for the CVC, and the planning for the 109th Congress. On January 6 he and Reynolds have the Electoral College and then, in February, they will get their lives back.

Trandahl mentioned the interest over the years in the position of House Historian. After an advertising and interviewing process, a few candidates have met with the Speaker, and Trandahl is hopeful that soon the Historian's chair at the Advisory Committee will be filled. The House Historian will add to the incredible work done by the Office of History and Preservation.

That office has begun an oral history program, which currently focuses on former senior staff people, but will expand to include members.

Trandahl thanked Baker and Ken Kato for all their efforts to update the *Biographical Directory of Former Members of Congress*. It is an enormous project, which should be ready for publication in the 109th Congress. The electronic version gets 30,000 hits a day, a sign of the value of the biographical information.

Trandahl concluded by thanking Reynolds and highlighting the extraordinary working relationship between the House and Senate through their offices.

III. Recognition of the Deputy Archivist of the United States - Lewis Bellardo

Reynolds welcomed Bellardo to the meeting. She asked that he convey to Governor Carlin that the committee will miss him in the future as his term comes to an end. He has done a fantastic job for the country and for the committee. Bellardo replied that Carlin has considered it an honor to be a member of this committee.

Bellardo thanked Reynolds, Trandahl, and the entire committee for their support of the Center for Legislative Archives and the Archives in general.

Bellardo mentioned some exciting events this past fall, including the opening of the new theater and the Center for Documentary Film. A few weeks ago the "Public Vaults" exhibit opened. The concept behind the exhibition is to tell of the story of American history through documents, hundreds of which have never been publicly displayed

before. The exhibit also gives the public the sense of walking behind the scenes into the Archives' stacks. Bellardo invited the committee members to see the exhibit.

Disney's "National Treasure" movie has opened, and although the Archives cannot claim credit for it, it certainly does publicize the Archives. Bellardo invited the committee to look at the National Archives website where they will see what is really on the back of the Declaration of Independence, the key to the mystery in the film.

Bellardo reported on the Electronic Records Archive (ERA) program, which continues to move forward. The Archives is currently in the midst of design contracts with two vendors. It is expected that a development contract will be awarded by the end of the summer of 2005. The solution to the long-term preservation of electronic records is on the horizon. It is of tremendous importance to the Congress and Federal agencies as well as to the private sector.

Lastly, Bellardo thanked the staff of the Center for Legislative Archives. Hunt is a tremendous asset to NARA as a whole, as are all the members of the staff. Patsy Welch, Janet Davis, Bill Davis, Ed Schamel, Rod Ross and others helped Bellardo survive when he joined the Federal government from the Georgia Historical Society, which had a total staff of four.

Reynolds asked Bellardo how closely NARA worked with the filmmakers of "National Treasure." Bellardo responded that the filmmakers reached out to NARA early on and presented the script for NARA to review. NARA is pleased by the positive depiction of the conservator in the film.

Reynolds and Trandahl mentioned that they missed the "Public Vaults" opening reception since Congress was in session. Hunt said after the meeting he would be leading a tour of the exhibit for interested members.

IV. Approval of the Minutes of the Last Meeting

Reynolds moved to approve the minutes from the last meeting. They were approved.

V. Institute on Congress and American History – Joseph Cooper

Reynolds spoke of the extraordinary opportunity several people in the room, including herself, had the previous June when they attended the "Institute on Congress and American History" organized by Mike Gillette in Austin, Texas. This was a remarkable program, and she hopes it will be emulated across America for school teachers to learn how Congress operates and the significant role Congress has played throughout American history. Reynolds then asked Joe Cooper to brief the committee on the Institute.

Joe Cooper reported that the Institute was sponsored by NEH, LBJ Library, NARA, University of Texas, and Humanities Texas, and was held at the LBJ Library. Two groups participated: the first consisted of approximately 50 teachers of American history and government in Texas high schools, nominated by the Texas Congressional delegation. The second group was comprised of 50 or so people who had a professional interest in, or knowledge of, the Congress. This latter group included former members of Congress - Representatives Stephen Horn, Lindy Boggs, John Brademus - and professional staff members. Reynolds, Gerry Vans, Ken Kato, Don Ritchie, and Dick Baker attended. In addition, there were press people, representatives from NEH including its director, Bruce Cole, NARA staff including Hunt, Michael Kurtz, John Constance, Martha Grove, and Christine Blackerby, representatives from Congressional Policy Centers, and academics.

The institute focused on Congress and representative government, with an exploration of many topics and themes, including Congress and the President, Congress and impeachment, and Congress and the press. The institute lasted 5 days and consisted of a combination of formal presentations and hands-on workshops covering substantive topics such as Congress and the Civil Rights Act of 1964, and on the most effective ways to bring historical records into the classroom. The two groups interacted during sessions and meals. The teachers evaluated the program very highly. The institute was an outstanding success and related well to the enterprise of the Advisory Committee, which is to preserve and make available information about Congress. Hopefully it will serve as a model that other congressional centers can emulate.

Hunt mentioned that the Institute provided a great opportunity for the Center to field test its educational publication with the teachers in a classroom setting. It was well-received. Hunt also remarked on the two unique dimensions of the Institute that made it a great success. One was the focus on content. In the educational arena, there are a great number of workshops on how to teach, but few focus on what to teach. There is also a dearth of material on Congress. Teachers came out of the experience loaded with information and insights about Congress that they could take back to the classroom to share with their students. Two, the teachers were treated like VIPs. The respect shown to them, and the care given to make sure their needs were met, were spectacular.

Reynolds mentioned that it was poignant to be at the LBJ Library the day after President Reagan was buried in California. It brought everything home to her about the importance of what we do and the importance of helping teachers and, through them, young people.

Alan Lowe reported that he came back from Texas enthusiastic about holding such an institute in Tennessee. The Baker Center is planning a full week of sessions in June 2005 exploring the relationships between the Congress and the Presidency. Lowe learned a lot from the teachers in Texas. The Baker Center is fairly new and is working on the best way it can help teachers to combat civic illiteracy. They have already signed up partners, including the Center for Civic Education, and talked to local teachers who are very excited about the program.

Cooper mentioned that the work of the committee has aided in bringing together congressional policy and research centers to form the ACSC, and now this association gives the committee an arm that it hasn't had in the past. Hopefully the centers will continue to work together and with the committee.

Reynolds remarked that as a Tennessean, it killed her that Texas went first but she is glad that Tennessee will be following it up. She is proud of Lowe for taking the initiative to hold the next institute. She asked Hunt to relay her thanks to Gillette for organizing the Institute.

VI. Senator Daschle's Papers - Stephen Van Buren

Stephen Van Buren spoke about Senator Daschle's papers and thanked Karen Paul for her work, which has made his job easier in getting ready to accept the Daschle papers. Eight years ago, Daschle first indicated his intent to deposit his papers at South Dakota State University with a memorandum of understanding. Van Buren joined South Dakota State University 3 years ago and immediately began planning for the papers. For understandable political reasons, the Senator considered it unwise to be public about his intent to deposit his papers, which limited what could be done before transfer of the papers. Van Buren concentrated on making sure there was adequate space and that staff was ready. Now he is convincing the University of the importance of the collection.

The Daschle papers are of great importance to the Upper Great Plains. Van Buren sees a fantastic opportunity to set up a center for the study of Congressional politics in that diverse area. He hopes it will be a magnet for other congressional papers in the region.

Regarding Daschle's papers, there are 1500 boxes and up to one terabyte of data in the initial transfer. The University has room for twice that quantity of paper records. The electronic records in the collection have been preserved and the University has a dedicated server for them.

Hunt asked about the access policies governing the collection, and about their strategy to preserve electronic records. He suggested that the National Archives has expertise in that area which it could share. Van Buren replied that certain portions of the papers have been identified as very valuable and useful and will be available immediately. There is a standard access restriction on a large part of the collection. As for the electronic records, Van Buren does not yet have the equipment they need, and he is not adverse to seeking outside expertise if necessary.

Tim Johnson asked about the papers of other departing Members of Congress. Paul reported that a couple of collections are staying in private hands but that most are going to repositories. She has talked to the offices and distributed the handbook on closing an office. She has also sent the handbook to the repositories receiving the papers because there are a lot of things the repository archivist has to follow through on.

Trandahl talked about the proactive approach adopted by the Senate Archivist and the House Office of History and Preservation. They visit Members, House and Senate offices, and committees in advance and explain what personal papers and official records should be saved and how. The sheer number of Members, and the typical short window of time, are challenges to the timely communication of records management guidelines and the proper disposition of records and papers

Cooper noted that it is interesting that presidential papers and presidential libraries get so much support from the Federal government, but congressional papers get minimal or no support. A lot of scholars are deterred from using congressional papers because of their complexity and dispersion. Unless they have a specific interest in a particular Congressman or Senator, the inclination of political scientists who are interested in public policy is to not use congressional papers. We need to figure out how to overcome this immense hurdle.

Paul indicated that she hopes that the congressional centers, represented in ACSC, will become the central place for political and congressional research in their home states. These centers also need to be proactive and make contacts with Members of Congress early on to offer assistance with their papers.

Cooper noted that the interaction between centers and congressional staffs over the past decade has been commendable.

Trandahl spoke about the money issues. Centers are growing and doing well but do not have the financial resources to take everything that is available. The question will soon become -- how do we help states or centers in terms of financial support?

Cooper hoped that when centers were joined across the country they would have a presence as a national entity that an individual center would not have.

Hunt mentioned that at the upcoming May meeting of the ACSC, the centers would discuss two potential collaborations. The first would focus on a conference to evaluate the current state-of-the-art of congressional scholarship and would propose a directed research agenda to advance the study of Congress. The second would explore collaborative approaches to the creation of web-based digital content.

Reynolds thanked Van Buren for his leadership with Senator Daschle's papers.

VII. Senate Governmental Affairs Committee Electronic Records - Karen Paul

Paul reported on the Senate Governmental Affairs Committee's electronic records archiving project. This represents the Senate's first significant archiving project in the electronic area. It provided the Senate an opportunity to work with the National Archives to develop a protocol for the transfer of electronic records to the Archives for preservation.

Paul would like to see this archiving project duplicated by other offices.

Paul explained the origins of the project. She had met last July with Elisabeth Butler, the Archivist for the Committee, and Amy Newhouse, the chief clerk, to discuss the importance of making the staff aware that they must print out their electronic files and file them in order to save records on significant legislation or issues. Newhouse mentioned that the Committee would soon be holding no fewer than ten hearings on intelligence reform. Because of the short time span and because the committee was getting detailees from other offices, it was feared that no documentation would be captured. Butler prepared a memo for the staff and detailees, explaining the importance of documenting such significant work.

Butler spoke about meeting with the 6-8 detailees to the committee and devising a plan to preserve their emails. After the systems administrator provided a software program to archive emails, Butler encouraged the staff to archive their email since they knew best what emails were relevant to the issues they were working on. Using the same software program, Butler then converted the emails into html format so she could read and appraise them. Personal email was not included.

The systems administrator also gave her access to h:/ drives of both majority and minority staff. Butler was able to access files such as memorandum, analysis papers, powerpoint presentations, and spreadsheets which ordinarily would not have been printed out and saved. She joined these with the emails, all arranged by staff member, to provide a full picture of an issue such as homeland security or national intelligence reform. After appraising all the files, Butler burned them onto CDs. So far she has successfully preserved the files of at least two detailees who have left the Committee. When the intelligence reform legislation is completed and the other detailees leave, she will also get their files.

Paul remarked on the level of trust Butler has within the Committee and how remarkable it is that she was able to get access to and appraise files of both Democratic and Republican staff. Twenty years from now when researchers gain access to the records, they will know exactly what they need to consult based on the work of Butler in combining files and giving the files context.

Paul spoke of the need to encourage other committees to follow suit when an important issue comes along. This requires the cooperation of records' creators, receivers, and systems administrators. There are a lot of lessons to be learned from this.

Hunt applauded the efforts of Paul and Butler.

Paul thanked Hunt and Bob Spangler, technical expert from NARA, for their help in setting up a protocol for the transfer of the electronic records.

A committee member asked how many committees have this kind of archival support? Paul noted that in addition to the Committee on Governmental Affairs, the Senate Finance Committee employs an archivist, Josh LeVasseur.

Cooper inquired as to what explains the willingness of those committees to have archival support? Paul answered that there is a different chemistry in each committee. In the case of the Finance Committee, former Senators Roth and Moynihan both had a personal interest in hiring an archivist. LeVasseur, seated in the audience, added that three storage areas filled with files also prompted the committee to hire an archivist. In the case of Governmental Affairs, Paul noted that they were having trouble retrieving records they thought they had transferred to the Archives, but had not. Butler added that her work was made easier because there was an archivist preceding her, Tom Eisinger, so the committee was already aware of the importance of saving records.

Reynolds wondered about additional ways the House and Senate could communicate the importance of archiving records to their respective communities. This is a constant challenge.

Paul mentioned the records management seminars and the tour of the Archives for the chief clerks as opportunities to summarize and share this information with the clerks.

Cooper asked about giving the committees “records check-ups” periodically.

Paul said she now has a database where she can track the series of records committees are sending to the National Archives. Starting this year, she will meet once a year with committees to review what they have or have not transferred to the Archives.

She has also put together a job description for a committee archivist and will publicize that in the new records management handbook. As she receives resumes from archivists, she sends them out to committees, suggesting they think about hiring an archivist.

Baker asked Paul if it would be appropriate to put together a strategy paper or a lessons-learned paper based on the specific experience with the Governmental Affairs committee. This would help to enlighten members of this committee and perhaps have an afterlife of enlightening others.

Paul responded that this was a good idea. She could use such a paper to communicate with committees, especially if the Advisory Committee approved it.

Baker mentioned that if committees want to increase their budget they must go before the Rules Committee. Perhaps the Rules Committee could ask a question about the committee’s records management. If the Rules Committee agrees, the type of document Paul has just volunteered to prepare might help the Rules Committee understand the issues better and then they can force some compliance.

Cooper said it might not be productive to present the issue as an archives problem but rather as a records management problem, since staffers have other priorities than preserving the record for the future. If effectiveness and efficiency were emphasized that might help sell the idea.

Paul stated that she has begun to use the argument that given critiques over the past year on the level of congressional oversight and the quality of it, records management is critical to do the job well.

Bellardo said a similar appeal has resonated with executive branch agencies. By emphasizing how proper records management helps with management and oversight, executive branch staffers are more likely to want to save their important records for an understanding of how we got to where we are.

Reynolds thanked Paul and Butler for their work. She mentioned she happened to visit the Historical Office when Paul and Baker heard the news from Butler, and one would think they had broken into Fort Knox, such was the excitement.

VIII. Mail Irradiation Issues - Lawrence Hudson

Hunt spoke about the irradiated mail challenge as being of particular importance to the Archives as our statutory responsibility is to save records of historical and intrinsic value. It is understandable why the mail has been treated with radiation the last few years, but NARA's Preservation Program was anxious for the committee to take another look at the challenge and invited Dr. Lawrence T. Hudson, a research scientist at the National Institute of Standards and Technology (NIST), to speak about the new proposed optimized mail irradiation process.

Dr. Hudson reported that when the crisis first occurred, the Post Office asked the White House Office of Science and Technology Policy for technical expertise. NIST then became involved. NIST is not only in charge of weights and measures for commerce, it is also in charge of physical measurements of all quantities, including irradiation levels used to sanitize the mail. Another key player in the task force that deals with irradiated mail is the Armed Forces Radiobiology Research Institute. NIST also works with NARA and the Legislative Mail Task Force. NIST designed the original response to the crisis and now has designed an optimized process that tries to reach a better balance of risk and reward. They have achieved scientific consensus on the new process, but are still working on achieving official consensus.

After the anthrax scares, it was decided the best way to sanitize bulk mail was to irradiate it either with electrons or with x-rays. NIST tested the mail to measure the dosage of irradiation being administered. They used bugs as biological indicators to determine the dosage.

Most mail is currently irradiated with electrons. Mail passes under a curtain of electrons on conveyors. The key problem with using electron irradiation is that the electrons do not go all the way through the product. The product must be irradiated again, which subjects the mail to additional heat and damage. NIST wanted to determine the maximum and minimum doses that a tray of letters receives. They have to design to the minimum target dose. There is the risk that letters will get a higher dose than needed and are therefore subject to damage.

X-rays are the proposed solution in the new optimized process. NIST has found that using x-ray irradiation at half the dose represents the optimized process. However, it is difficult to know where to set the minimum dose because one doesn't know how much biopathogenic materials may be put in an envelope. Determining the lethal dose of anthrax is difficult. From animal studies it is extrapolated that around 8000 spores will kill every other person. For immune-suppressed persons only a few hundred spores may be lethal.

Mail irradiation should be seen as one component of the safety process. Another component is educating people about what to do if they open a letter with white powder in it.

Another factor to consider is the dispersal of the material. The present process irradiates down to zero. However, the difference between the number of spores in a letter and the number inhaled into the lungs is huge (a factor of 10 to the 4th). One margin of safety that can be optimized from this process is rather than irradiating all the way down to zero, irradiate less spores knowing that if a small amount of spores are left alive the chances of them being inhaled are slim. Irradiating to zero spores means more chemical vapors are released so lowering the dose is a good thing. The Library of Congress lab looked at the chemical properties of paper and found that paper decays when irradiated, so lowering the dose helps preserve paper.

In conclusion, the science supports the application of the optimized process using x-ray beam technology, which is currently employed to treat parcels, to all mail. This will meet the risk and result in less damage to the mail, which comprise records early in their life cycle. Hudson hoped that the Legislative Mail Task Force would look at the issue again and consider the adoption of the new optimized process.

Reynolds and Trandahl indicated that they would raise the issue with appropriate officials.

IX. Activities Report of the Center for Legislative Archives – Richard Hunt

Richard Hunt referred the committee to the annual report of the Center included in the briefing books, which describes the Center's programs, services, and accomplishments in detail. He attributed the year's success to the extraordinarily capable staff at the Center, as well as significant contributions made by selected NARA staff tasked to help advance the Center's mission. The best evidence of the staff's capabilities was offered by the way

the staff handled the added burdens and challenges of the 9/11 Commission records while maintaining the high level of services expected of the Center. Hunt especially wanted to recognize Matt Fulgham, the Supervisory Archivist, who has lead responsibility for the 9/11 Commission records; Kris Wilhelm, the Center's access specialist; and Bob Spangler, from the Electronic Records Services Division, who is assisting the Center with the Commission's electronic records.

Hunt also wanted to note that NARA assumed responsibility for the 9/11 Commission's website and has maintained an operable version of the website as a Federal record since October 1. The contractor hosting the site for NARA recently reported that in the past week visitors from 179 different locations in the United States and around the world visited the site. Since October 1, there have been 20,119 search queries placed within the commission's webpages.

Hunt wanted to conclude by mentioning the staff transitions at the Center. He was happy to announce the recent hiring of Christine Blackerby, an educational specialist by way of the University of Kentucky and Kentucky public schools. He also noted the impending retirements of two senior staff members at the Center. Ed Schamel, master project archivist, and one of the major contributors to the *Guide to Records of the U.S. House of Representatives*, will retire at the end of the year after 30 years of Federal government service.

Patsy Welch will also retire, after 38 years of service, including 19 at the Center. Hunt recalled that Karen Paul recently observed that Patsy is the "voice of the Center" to the Hill. Hunt noted that Patsy has served as the administrative officer for the Advisory Committee since its formation in 1991. He added that in the Center's small corner of the world in the agency, Patsy has made it feel more like a family than a bureaucracy. He noted that it has been an honor to work beside Patsy for these last few years of her service.

Emily Reynolds closed the meeting by thanking the Advisory Committee members and the assembled staff from the Senate, House, and National Archives for their assistance over the past two years in preparation for the committee meetings. She has come to greatly appreciate the contributions and dedication of the many public servants who support the important missions of our respective institutions.