

ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS MINUTES
MEETING # 33
JUNE 25, 2007
THE U.S. CAPITOL BUILDING
ROOM S-211

MINUTES

The meeting opened at 9:58.

Members of the Committee in attendance: Nancy Erickson, Chair (Secretary of the Senate); Lorraine Miller, Co-Chair (Clerk of the House); Allen Weinstein (Archivist of the United States); Richard Baker (Historian, U.S. Senate); Terry Birdwhistell (Associate Dean of Special Collections and Digital Programs and Co-Director, Wendell H. Ford Public Policy Research Center, University of Kentucky); Bernard Forrester (Archivist and Coordinator, Special Collections, Robert J. Terry Library, Texas Southern University); Guy Rocha (Nevada State Archivist, Nevada State Library and Archives); Sheryl Vogt (Director, Richard B. Russell Library for Political Research and Studies)

I. Chair's Opening Remarks - Nancy Erickson

Erickson welcomed the committee members and related that this was a special day for her, since being sworn in as Secretary of the Senate on the fourth of January, as it was the first meeting she would chair of the Advisory Committee on the Records of Congress. She also noted that Senator John Barrasso, a new senator and number 1,896, from Wyoming would be sworn in this afternoon at 3:15 by the Vice President. As the keeper of the Oath Book that is stored in a vault in the Senate Disbursing office, she would be responsible for getting Senator Barrasso's signature in the book.

Erickson said it was a real honor for her to join this prestigious group. The Advisory Committee was created in 1990, and since then 46 people have served on the committee, which has been charged with the management and preservation of congressional records.

Erickson also wanted to thank the staff members and other guests who were attending the meeting. She thought it a tribute to the committee and its work given the number of staff working for member offices and committees interested in the management and preservation of their important records who were in attendance.

II. Recognition of Co-Chair – Lorraine Miller, Clerk of the House

Erickson introduced Lorraine Miller, Clerk of the House. Erickson noted that they had spent a lot of time together in the course of the week working on issues related to the construction of the Capitol Visitor Center, and she was pleased to report that the project is approximately 93 percent complete. It is anticipated that most of the construction will be finished by October, followed by an extensive, six-month fire-and-life safety testing process. Erickson was hopeful that the committee would be able to attend a grand opening of the CVC next fall or late next winter. She mentioned meeting with the Chief Executive Officer for Visitor Services of the CVC, Terrie Rouse, and said that they were impressed with her enthusiasm for the project.

Miller thanked Erickson and wished all in attendance a good morning and said it was a real pleasure to meet the committee members. She noted that although she had had the privilege of working for several Speakers of the House and was aware of the Advisory Committee's existence, she had not fully appreciated the importance of the work of the committee until now.

Miller welcomed Dr. Forrester, her appointee to this Advisory Committee from Houston, and noted that Texas was well represented as she hailed from Ft. Worth.

Miller reported that the Clerk's office spent an enormous amount of time on the publication of *Women in Congress*, which her predecessor, Karen Haas, was instrumental in producing. This labor of love was well received by the women members, which was evident at the reception announcing the book. Members are presenting signed copies to special guests and friends. There is a web component as well with information on the thirteen new women members not included in the print publication.

Miller asked Farar Elliott, Chief of the History and Preservation office, to report on several other publications in the works. Elliott mentioned that *The Asian and Pacific Islander Americans in Congress*, *Black Americans in Congress*, and *Hispanic Americans in Congress* are publications currently being updated.

Miller reported that the Clerk's office is working on other plans to make sure that the records of the House are preserved and will share that information at the next Advisory Committee meeting.

III. Recognition of the Archivist of the United States – Allen Weinstein

Erickson introduced the Archivist as the distinguished gentleman to her left. She said that there are many famous people that come and go through the Capitol, including recent

visits by Drew Barrymore and Tiger Woods, but after having the pleasure of sitting next to the Archivist at the Association of Centers for the Study of Congress (ACSC) dinner, she was much more impressed with Dr. Weinstein and called him the real rock star.

Weinstein thanked Erickson and said the pleasure was all his. He related that he first met Lorraine Miller when Jim Wright was Speaker of the House. Weinstein remarked that he would be brief as it was an honor for him, and for all from the National Archives, to be with these two extraordinary public servants, and concluded he would rather listen to them and those around the table. He welcomed all of the new committee members.

The Archivist asked Richard Hunt if we would host the next meeting. Hunt replied that the Center always offers to host one of the four meetings held during each Congress, and we would be happy to host the December meeting if the Secretary so desires. Erickson replied that she would accept the kind offer. Weinstein said he hoped that the Secretary and the Clerk would be available to come to the Archives before the next meeting for private tours.

Weinstein also reported that although the Archives staff is declassifying enormous amounts of material, much remains to be done. Given the lack of resources available, however, they are doing as much as they can. He also reported that the Archives is very involved in educational endeavors. The Boeing Corporation gave the National Archives a five million dollar gift, which helped enormously in developing the new Boeing Learning Center. There are also educational programs going on throughout the country.

The Archives is creating a variety of new exhibits, including an exhibit of the cartoons of Clifford Berryman from the Senate collection, which will open in February 2008, and is called “Running for Office: Candidates, Campaigns, and Cartoons of Clifford Berryman.”

Weinstein wanted in particular to thank the Majority Leader for having taken the time just last week to participate in a public “conversation” with him at the Archives, and for his other support of the Archives. He noted the extraordinary support of the Archives from the leadership in both parties, in both houses, and hopes it will continue. He closed by mentioning that Richard Hunt, Director of the Center for Legislative Archives, would talk later in the meeting about some of the programs at the Center.

IV. Approval of the Minutes of the Last Meeting

Erickson moved to approve the minutes from the December 4, 2006 meeting and asked if there were any corrections. Her motion was seconded and the minutes were approved as written.

V. Introduction of New Members

Erickson asked each of the appointed members to briefly introduce themselves, to be followed by a discussion of the committee’s goals for the coming two years. She asked Guy Rocha as the senior and returning member of the committee, appointed by Majority Leader Harry Reid, to begin the introductions.

Rocha has been the Nevada State Archivist for twenty-six years, with thirty-plus years in the archival profession. He has also been the Administrator of the Nevada State Library and Archives for six months. He announced that a new permanent administrator would soon be appointed, and for the first time, an archivist will be in charge of the Nevada State Library and Archives. Rocha announced that he was contemplating retirement in the foreseeable future, but he appreciated being on this committee and the support he received from Senator Reid. He also noted the important work done by the committee.

Erickson then recognized Bernard Forrester.

Forrester, the Archivist and Coordinator at Texas Southern University Special Collections Center, noted that he had only been there for four years, but little did he know when he took the job the whirlwind trip that he was about to go on working with the Barbara Jordan papers. They have had four books written, and two movies and documentaries made. Forrester said he was very surprised at the offer from the Clerk of the House and is pleased and honored to work with this committee.

Miller remarked that she was glad to have him as her appointee.

Erickson introduced Sheryl Vogt as her appointee to the committee. Vogt served on the Advisory Committee in the early 1990's in a partial term, and Erickson expressed her

pleasure that she was able to join the committee again and contribute anew in the coming years.

Vogt thanked Erickson. Vogt, the Director of the Richard B. Russell Library for Political Research and Studies at the University of Georgia, has worked there since 1974 and has been Director since 1979. Vogt met Dick Baker and Don Ritchie in 1976 or 1977, which resulted in a long and prosperous relationship which has been very good for the Russell Library.

Vogt noted that the Library has grown considerably since 1974, building a well-rounded collection around Senator Russell's papers based on the documentation strategy of Congress. Strong partnerships have been established with others on campus, including the Foot Soldier Project for Civil Rights Studies, and the Center for International Trade Security. Vogt said she looked forward to working with the committee.

Erickson recognized Terry Birdwhistell.

Birdwhistell, from the University of Kentucky and appointed by Senator McConnell, serves as Associate Dean of Special Collections and Digital Programs and Co-Director of the Wendell H. Ford Public Policy Research Center. He has been involved with congressional collections for almost thirty years and appreciated the guidance that this committee has offered over the last several years. Birdwhistell worked with Karen Paul, Dick Baker, and other colleagues to develop a regional collection of materials.

Birdwhistell said the Ford Center is a founding member of the ACSC, another very important organization to the community, and also mentioned that Richard Hunt has been very helpful to them over the years as well. Birdwhistell said he was glad to participate in the committee's work.

Weinstein mentioned that the committee members would be interested in the national celebration that will take place in September in Little Rock, Arkansas, to mark the 50th Anniversary of the Little Rock civil rights crisis. The Archives is loaning the Emancipation Proclamation to the Clinton Library for four days in September to mark the occasion.

Erickson asked the remaining people at the table to introduce themselves. Introductions were as follows: Dick Baker, Senate Historian since 1975 from the Senate Historical Office; Karen Paul, Senate Archivist since 1982; Richard Hunt, Director of the Center for Legislative Archives for four years and with the Archives since 1989; and Robin Reeder, Archivist from the House Office of History and Preservation since 2001.

VI. Discussion of Committee Goals

Erickson opened the floor to suggestions and discussions of committee goals for the upcoming two years.

Guy Rocha began the discussion with his concern regarding the gift tax issue talked about in the Fourth Report. One former Congressman, Jim Gibbons, now the governor of

Nevada, has not deposited his records because of his concerns with the tax. Rocha said he talked to Alan Haeberle, the archivist for Senator Orrin Hatch, who said there is some interest in addressing this issue, at least on the Senate side. Rocha said they had encountered this issue in Nevada when a congressman had real problems because he wanted restrictions put on the collection, which is not allowed under the current guidelines governing donated materials. Rocha said we are going to need to get support on the House side to resolve this issue. Rocha would like to see the gift tax addressed by Congress as his legacy to the congressional papers community.

Erickson said that she understood that there was a bill introduced by Senator Moynihan that addressed this very issue.

Karen Paul said that it was a decade ago, and that the bill ran into some problems of various sorts and has not been seriously revisited since that time. She said they had a meeting with staff from the House Ways and Means Committee, the Senate Finance Committee, and the Joint Committee on Taxation about a year ago. Again, there were a lot of problem areas that they raised from the IRS point of view with tinkering with the statute as it now stands, and at that meeting they brainstormed and tried to think of alternatives. Someone suggested to start from what is wanted for the end product, what we would like access policy to be, and develop some guidelines around those goals. The tax counsels asked for a lot of information, but then they were pulled off on something else. That is where the issue resides at the moment. There was really no follow-up at that time. We ran out of time, which is typical with a difficult issue like this. There are

many interests represented in the IRS code as it now stands, problems of definition, issues of who would be included or excluded, and questions concerning the derivation of income from publishing papers.

Baker asked Paul to summarize what members of Congress are being told about the gift tax and the dangers it poses.

Paul said that essentially anyone, a private citizen or a member of Congress, can make a charitable gift up to any level as long as it is an arms-length gift. In other words, there can be no strings attached. You can not derive some sort of benefit from the gift that you make. Restrictions on access, according to an informal opinion of the IRS in 1997, constitute “strings.” So if a congressman were to make a gift of his papers, and likely they would be valued at more than \$12,000, under the gift tax the giver would be responsible for paying a tax on the amount of that gift that is over \$12,000. This is what Senators are being told. Quite frankly, it has resulted in a real cooling of donations of papers. We had eleven members leave the Senate this past Congress, and although six donated immediately, five decided to hold on to their papers for a while.

Miller asked for a clarification: if the six that donated had collections valued at more than \$12,000, then they would have to pay a tax?

Paul said they would if they have restrictions on the use of the donated collections.

Weinstein asked how the ratio of donations compared to previous years.

Paul noted that the percentage of donations being withheld is higher than it has been in the past and it is getting worse with each Congress. The older members have already promised their collections, but as newer members come in and are confronted with this issue, they are not making arrangements with repositories. Because this has been ongoing for a decade now, people are being advised to put on deposit the part of the collections that have to be closed for a length of time, and only give the part of the collection that can be opened immediately. Quite frankly, the members find this division to be messy. They don't like to deal with it, and repositories find it to be a messy situation also.

Erickson asked about member access to the papers. She wondered if there were any strings attached to that with respect to the gift tax once a member donated their records.

Paul said there would be if they were closed to everyone else.

Weinstein remarked that he thought Senator Moynihan is in Heaven looking down upon us and smiling at the amount of chagrin caused for people because of this issue. It is intractable. Whatever we decide, the IRS is going to get involved with its own opinions as to what should happen and not happen. Weinstein was not sure what kind of action this committee could take that would be helpful at this stage in the game.

Miller asked if legislation would have to be reintroduced.

Erickson asked if there should be a working group established to work on the guidelines that the House Ways and Means Committee and Senate Finance Committee staff requested. She said the Secretary's office would be happy to work with the Clerk's office to bring attention to the issue.

Baker stated that it is important just to know that this committee expresses strong concern about this issue, and that it really has chilled the process of donating members' papers. It looks like there is no way out until there is legislation.

Erickson asked Senator Hatch's archivist for comments on the subject.

Alan Haeberle discussed awareness of the issue and reported that there has been discussion about how to deal with it. He said he wrote a memo for Hatch's staff outlining his understanding of the issue and what has happened in the past, going back to the Moynihan bill, and that this is a long-term problem that needs to be addressed. In Hatch's office, the question has come up because the Senator is reluctant to make a final agreement on his papers until this is resolved. There is some sense of concern among the staff and tax counsel; they are looking at it. As Haeberle understands it, there have been talks over the past year or so and there are people who are interested in it in other offices, but resolving it is a very complex issue.

Weinstein asked if it would be helpful to have a motion expressing our concern for this issue along the lines that Dick Baker was discussing.

Vogt said she would like to make one comment about how this affects people in her state. The university's legal affairs office has said this creates a conflict with the gratuities law in the state, that if things are put on deposit, when papers are in storage, that we might be providing services for which the state would not be compensated, and they could perhaps pull their papers at a later date. We have no assurance that the papers would stay there; they are simply on deposit. One thing that the university did with one set of papers where someone had actually left office is give them a life estate in the papers with a clause in which they agreed that upon his/her death, or at some specified time in the future, that the papers would indeed come to the University of Georgia. In the meantime, the repository would act as the curator of the collection, and the collection would be made available for research. This is how we dealt with the issue with that particular collection. Where it does hurt us, though, is with those people who we are trying to get an early commitment for their papers, and we cannot get them to make the commitment that it is indeed going to be a gift.

Weinstein asked if there was a solution.

Erickson asked for a motion to voice the concern of this committee. Erickson then said she thought Karen Paul should perhaps task people with working on the guidelines that

were requested by the Ways and Means and Finance Committees, which is a first step in drafting legislation.

Weinstein made a motion that the Committee express its strong concern about this issue. Motion was seconded and passed.

Erickson stated that the record will show the committee expresses its concern on this issue.

Erickson tasked Karen Paul with following up with the appropriate people to work on developing the guidelines requested by the House Ways and Means and Senate Finance Committees.

Miller asked Robin Reeder and Farar Elliott to work with Paul on the guidelines.

Reeder replied that they would.

Erickson asked the committee for other issues for discussion to add to the agenda for the coming two years.

Forrester raised the issue of how rapid changes in technology have posed major challenges for both preserving and providing access to electronic records. He raised the issues of costs and the practical problems involved with making electronic records in

different formats accessible to researchers. Forrester also pointed to concerns about electronic records being complete when it's possible for a staffer to hit the delete button of a record that might be critical to understanding legislation or valuable because it reflects the opinion of a policymaker. These are the type of problems that he struggles with all the time with his collections.

Erickson agreed and noted that it had not been too long ago that we were storing information on disks that are now obsolete.

Forrester gave the example of a client who brought his collection saved entirely on disks in a version of Word Perfect which is now obsolete.

Erickson recalled that a recent report of the Advisory Committee had stressed the importance of electronic records preservation. She stressed the need for the committee to continue to weigh in on this issue and help educate the Senate and House offices on the importance of managing and understanding the importance of preservation of electronic records.

Paul agreed and indicated that at the end of the 108th Congress (2004), Senate Committees transferred only eight accessions of electronic records totaling 750 megabytes of information to the National Archives. At the end of the 109th Congress (2006), the Senate transferred 59 accessions of electronic records amounting to 73 gigabytes. She added that this tremendous growth in the amount of electronic records

transferred between Congresses came largely from the transfer of records from only three of the sixteen Senate standing committees.

The Homeland Security Committee accounted for most of these records, but there were also significant transfers of electronic records from the Committee on Commerce and the Committee on Foreign Relations. Elizabeth Butler, from the Committee on Homeland Security, with assistance from Bob Spangler in the National Archives, initiated the project to systematically archive the electronic files of the Committee on Homeland Security. Paul also recognized Christy Sharp from the Senate Energy Committee, who is working with Spangler and Matt Fulgham, Assistant Director at the Center for Legislative Archives, to systematically identify that committee's electronic records for transfer to the National Archives. While Paul noted the progress of these committees, she indicated that they were not getting anything from some important committees, including, for example, the Armed Services Committee.

Paul also underscored the importance of emails, which may include drafts of bills, drafts of reports, and communications from other agencies and lobbyists. She believes that every committee at this point should be archiving its electronic documents including email. This is a difficult transition because it involves more than clerks and systems administrators. A successful transition from paper-based to electronic archives depends upon the entire committee staff beginning to think like archivists, which in turn depends upon educating the entire staff. She emphasized the importance of making it clear to new

staff that information in the system cannot be deleted and that it is against the law to delete without archiving permanent records.

Weinstein asked Paul how it was possible to get committees, such as the Armed Services Committee that had not been transferring electronic records, to do so.

Paul replied that the Armed Services Committees is one of the best committees in archiving paper files, such as official correspondence, transcripts, and communications from outside the committee. But she pointed to that committee as an example of one where the substance and decision-making processes are recorded electronically, while the paper files reflect mainly the end results of those decisions. The full record should include both types of files.

Weinstein singled out the problem of the growth in the volume of electronic records by the example of the current Bush administration, which is estimated to produce three to four times as many emails as the Clinton administration.

Paul expressed her belief that the large volume of electronic records transferred by the Homeland Security Committee grew out of the huge government reorganization that was effected in a short period of time. The committee staff realized that they needed a system in place to capture and document the decisions that went into the reorganization. Paul gave as another example the Foreign Relations Committee staff responsible for Middle

East issues, whose electronic files are very complete and reveal the give-and-take of decision making.

Birdwhistell asked Paul if the differences in how the committees responded on electronic records were logistical or philosophical?

Paul replied that it was a combination of the two, but there was also a generational factor. Old timers like to retain documents and prefer paper, while young people are easier to work with because they grew up using electronic media. This is a period of transition in filing systems.

Birdwhistell said that he had experienced the same and that the key word is transitional.

Paul stated that anytime that majority control of the Senate changes, a window of opportunity opens for archivists. In the last Congress, eleven senators' offices also closed in addition to the majority change. It is significant that the Senate legal counsel's office has stated that the records statutes apply to electronic records, so it is a matter of interpreting that requirement so that people can feel comfortable with it. She is very impressed with the Energy committee, which has reached a nice equilibrium in terms of allowing the staff some latitude in archiving and what needs to be preserved. That committee's staff seems very comfortable with the way we balanced what we want to see preserved with what actually gets preserved.

Christy Sharp, from the Senate Energy Committee, stated that since the staff has a good sense of what to retain, she has concentrated on proper organization of files. For example, if a staff member is dealing with national parks and forests, the electronic archive folders will be established so that they send those emails to the proper files. At the end of the Congress, staff members burn the files to a CD so that all of the emails will be retained.

Paul said that this is the kind of procedure that every committee needs to establish. The system administrators need to set up electronic files and folders so that staff can simply drag documents into the appropriate files.

Miller stated that Paul had made a very valid point about the importance of education for members and staff. On the House side, the tremendous pressure of figuring out the best ways to educate a much larger number of people has been under discussion. At the beginning of each Congress, her office provides new members packets about archiving, but given the volume of information new members receive, she supposes that the amount of attention they can give to the subject is slim to none. Miller asserted that they clearly have to be much more aggressive in reaching members and committees and stated that they are going to mount a major educational campaign aimed at House members.

Paul commented on how helpful the Center has been by preparing a transfer report at the end of each Congress. Also, in the last Congress, the Senate Rules Committee began asking the committees to report to them concerning transfers which has also be helpful,

although the committees are still thinking in terms of transfer of paper. It would be helpful if the Rules Committee required reports of the transfers of electronic records.

Miller observed that old habits die hard. She stated that they maintain a documents room, and although the same items are available online, many staff members still prefer obtaining paper copies from the documents room.

Forrester pointed to the many new media of electronic records such as YouTube and blogs, and in the presidential election MySpace is used as an online campaign office. These all pose preservation challenges for archivists.

Hunt stated that he is in complete agreement concerning the emphasis on education, particularly in two areas. First, the Center and the electronic records experts at the National Archives need a better understanding of the institutional characteristics of the House and Senate, and how that is affecting electronic records. The good news is that when we have been invited by committees, and sometimes by members, to visit their offices and look at their electronic records systems, we have found nothing unusual that the National Archives has not seen in other electronic records-keeping schemes. NARA guidance and transfer mechanisms created to cover executive branch records typically apply to these electronic records as well.

These visits are educational for us and for the committees because they need to know what to do to transfer records permanently. What you are seeing and are describing here,

is that offices are starting to evolve and they are doing more and more of their work in an online document management kind of system. Records are being created and saved electronically in the normal course of work. But unlike the old paper days, where you had to either transfer records or get more file cabinets to store them onsite, staff can easily move and store electronic records on remote servers. These records need to be identified, located, and quantified, and this is the point where I would like for the Center to get involved.

Thanks to the Archivist and Michael Kurtz, Hunt added, the Center will add an IT specialist responsible exclusively for legislative branch records. When that person is hired, the first task will be meeting with the archivists and IT specialists in the House and Senate at the committee level and opening communications with them. Then, the new IT specialist will be asked to present a plan to me and to the committees describing how the Center can provide more effective guidance and assistance. Another component of this plan would be staffing requirements. We are going to require more hands on deck to effectively provide assistance to all the committees, administrative offices, and all the other dimensions of House and Senate activity occurring on the electronic records frontier.

The Archivist introduced Michael Kurtz, Assistant Archivist for Records Services in the Washington, D.C. area.

Kurtz wanted to echo what Hunt said about putting as many resources as possible into supporting the entire legislative effort. He thinks that having a technical expert who can work with Robin Reeder, Karen Paul, and all members of the committees is an important step forward. Kurtz indicated that they will definitely be reporting back to the Advisory Committee on their progress.

The Archivist welcomed all of these initiatives, including the need to educate staff on archival practices in order to effectively take us into the 21st century. He stated the need for a major marketing and advertising approach using DVDs, CDs, or other attractive ways to get the staffs' attention and get them to think about archival practices in an electronic world.

Erickson focused on the unique needs confronted when closing an office, and proposed working with Miller to assemble a working group consisting of experts such as Nan Mosher, committee clerks, archivists, and office administrators who have worked with members who have lost re-elections and must prepare their files for archiving under duress. We can get the insights of people who have been through the process in order to help us better educate the Senate and House community on archiving records.

Birdwhistell concurred with Hunt concerning the need for not just an educational campaign, but for a process of continuing education because of the nature of the institutions, where staff turnover is frequent. Resources put into the effort will reap good benefits for more than just a one-time effort.

Erickson asked the committee what other issues they wished to discuss.

Baker raised the issue of developing finding aids and pointed out that even if material is gathered systematically, we still need the means to provide continuing access to descriptive information. The Advisory Committee's last report identified finding aids as a major problem and that is particularly the case now that we have new tools available relating to electronic transfers and access to data that did not exist just five years ago.

Among his favorite books are two prepared in 1988, nearly twenty years ago—"Guides to the House and Senate Records at the National Archives." Due to the Senate twenty-year access rule, the Senate Guide thoroughly describes records up to 1968, but we are close to 2008, which means that with respect to records description, we are almost 40 years out of date. Although the National Archives placed the contents of these printed guides online, he proposed thinking more broadly to make records description interactive and organic, as fully electronic documents, rather than static images of books published twenty years ago. Baker suggested a two-step process of maintaining a comprehensive electronic description of all archived records, including closed records, that would be accessible only to the Archives staff. These descriptions could be expanded and opened to researchers when records become open under the Senate 20-year access rule.

Due to the work of Reeder, Paul, and the Center, a revolution has taken place over the last 20 years in transferring mostly paper records from Congress to the National

Archives, but there is no way of knowing about those records in the current system of finding aids. Baker proposed that the Advisory Committee make it one of its top objectives to encourage the Archives to extend its resources to make legislative branch records descriptions fully electronic and available to the public consistent with the Senate 20-year access rule. Records description is at the top of his list of priorities for the Advisory Committee to encourage.

Weinstein agreed with Baker and stated that his suggestions were terrific ideas.

Miller proposed a motion be offered in the spirit of Baker's proposal.

Weinstein so moved.

The motion was seconded and approved. Erickson thanked Weinstein for committing Archives' resources to this effort.

Hunt wanted to comment since the Committee had just made a huge commitment. He stated that the Center is ready and willing to undertake this kind of description because we have found that we need to describe modern records to do our jobs, including our primary job of serving records back to committees. The major challenge comes from the nature of these modern records, which proliferated enormously in the 1970's with the increase in committees, subcommittees, and staffs, along with the advent of the personal computer. He pointed to the chaotic quality of these records, including some instances

where records left with the members and staff and were not recovered until later. Hunt affirmed the Center's determination to dig into the records at the Center in order to develop the next generation of finding aids, but emphasized that a lot of resources were required to develop the type of records descriptions that the Advisory Committee envisions.

Weinstein stated that the first rational step in meeting this challenge was the development of an action plan that he proposed to present to the Advisory Committee by the December meeting.

Miller mentioned the House records management guide but suggested the need for a more aggressive plan for reaching the committee staff on the House side that could be presented to the Advisory Committee by the December meeting.

Erickson asked Paul whether most members' offices and committees have a clearly designated records manager and suggested that if they do not that it might be appropriate for the Advisory Committee to consider urging members and committees to do so. She noted that during new member orientation, they are primarily concerned with chiefs of staff, schedulers, and other issues, but she doubted that archival issues were a priority. She recalled a sixty-day crash course on archiving when she worked for Senator Daschle and suggested that there must be an easier way to establish records management systems in new offices.

Miller asked Reeder if there were clearly designated records managers on the House side.

Reeder replied that for the committees the responsibility was usually the chief clerk's but for Members' offices the responsibility is not clear and usually falls to interns.

Erickson stated that designating a records manager needs to be a priority of their education campaign.

Paul stated that this has been encouraged by drafting a job description for archivists.

Some offices have hired professionally trained archivists, while others designate someone who has an interest in records. She encourages staff with this responsibility to attend the National Archives Modern Archives Institute, which offers two weeks of solid training for about \$600 or \$700.

Weinstein speculated that a doubling or tripling of the number of institutes might make a significant contribution toward addressing the problem.

Paul suggested the possibility of inviting the Modern Archives Institute to conduct sessions on the Hill as an effective way to reach the House's larger number of offices.

Staff members without formal archival training could especially benefit in ways that will result in more follow through, particularly on electronic records matters.

Erickson proposed that the advantages of attending the institute be highlighted in the next new members/new staff orientation. She also wanted to get feedback from staff currently charged with records management duties on how they could do a better job of educating the Senate and House community on making effective records-keeping a priority.

Miller pointed out that it was also important to include members' district staffs.

Vogt agreed on the need to inform members that their papers are important and stated that as one who works on the repository side, it is a constant battle to convince members that their papers should be saved for posterity. If members understand from the time they arrive in Congress that their papers—the committee records and their own papers—are important to our nation's history, it would greatly help those working in repositories.

Miller explained that members respond to effective examples and suggested that having members who have established an effective records management system explain to their colleagues what is involved and the advantages that result. Members look to other members to find ways to make things work for them.

Vogt commented about an item in the committee's last minutes—Hunt's report about a tour for new senators to see the "treasures." She said that while such a tour was a very simple thing, it provided the senators with a sense of their place in the history of representative government and of the importance of records in documenting that history.

Weinstein explained that Senator Carper had been instrumental in arranging the tour for new senators, and he expressed the hope that a similar tour and reception would be arranged for new House members. Miller replied that she was considering the best way to arrange House Members' visits. Erickson said that she would be extending the same opportunity to Senator Barrasso and his staff in the near future.

Miller reported her recent experience with Representative Meehan, who is leaving Congress at the end of June. When an office becomes vacant, the Office of the Clerk administers the member's office, and Miller had recently met with Meehan's chief of staff in preparation for the transfer of records. She was impressed that Meehan had already consulted with the House archivist, hired his own archivist, and arranged for a repository. Everything was set a month before his departure. She observed that if only a few members could follow Meehan's example, it would have a tremendous impact.

Weinstein suggested that if an instructional DVD was ever done for departing members, former members like Meehan would be good resources.

Birdwhistell commended the House and Senate archival staffs for assisting member staff on records issues and directing them to local resources in their states. He noted that such a division of labor freed the Center's staff to concentrate on the official records of Congress. Birdwhistell further added that there were many other state and local repositories that were willing to help work with House and Senate members on records issues.

Paul expressed her wish for a Congressional resolution encouraging members to preserve their papers. She said that the Senate's access resolution had had a lasting impact on improving the preservation of committee records, and she believed that a similar resolution for member papers would assist her and the House archivist in informing member staff on the importance of such action. In fact, she felt that after some time such a resolution would be treated by staff with the force of law.

Forrester asked Hunt to address the issue of changing media in electronic records. Hunt introduced Bob Spangler, an electronic records specialist at NARA, to address the issue. Spangler mentioned one important example. As the volume of electronic records has grown, NARA has moved from dealing with discs and DVDs to taking in portable hard drives. These drives can hold up to 500 gigabytes to a terabyte worth of data. This is more convenient for those producing the records, and it is more convenient for NARA to receive the material in this fashion. NARA then preserves the material on archival tape. Spangler added, though, that electronic records are a moving target as volume and formats increase, and NARA had become more flexible in terms of the transfer of electronic records. It is a matter of providing guidance and options that are practical and easier for those producing the records. No single solution has emerged from the market, yet. But external hard drives are becoming more ubiquitous and convenient for transferring records.

Spangler also described the growing importance of records management applications (RMAs), a subject of recent discussion among some congressional committee staff with the House and Senate archivists. An RMA would run within the operational system of a staff network, silently collecting records rather than relying on staff members to consciously save records. Spangler thought this technology was promising since it freed staff from taking the extra step of ensuring electronic records were saved in a separate file from working files. Records are collected according to criteria set before the system begins operating. For example, certain designated e-mails for specific staff members or particular subjects can be collected automatically, and these systems are rapidly improving over time.

Erickson closed the discussion on the committee's forthcoming agenda. She informed the committee that the suggested agenda items would be recorded in the minutes which would be mailed to the members.

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

Erickson asked Hunt to update the committee on the activities of the Center.

Hunt began his report with a brief description of the Center. There are twenty staff members—seventeen full-time and three part-time—currently at the Center for Legislative Archives, balanced between seasoned veterans and a talented core of young people in the early stages of their careers. They are a very flexible staff. They have to answer the call in many capacities. One sign of their talent and flexibility is that one-

third of that twenty is currently serving on office wide task forces that are studying how to make the National Archives a better organized, more diverse, and more creative workforce for the future; so the talent level at the Center is well-recognized within the agency.

That twenty is composed of three administrators and two office support professionals. Sharon Fitzpatrick is the administrative officer for this committee, and Hunt said she does a terrific job with the minutes and the travel. There is a historian, a position which was designated in the legislation that created this committee and upgraded the Center many years ago. There are two specialists in political science who serve as liaisons to the political science community and foster research and professional relationships with those communities. There is one access specialist and five archivists who do all of the archival tasks from accessioning and helping with records management, reference, and description for House and Senate records, legislative branch agencies, organizations, and commissions. There are three outreach staff members who work on exhibits and educational publications and teacher workshops. There are three technicians who help the archival staff with the archival responsibilities and duties. We also derive a great benefit from six interns per year; the Center has had a very popular internship program for many years. This staff is responsible, at present, for one hundred and eighty-thousand cubic feet of records. That is somewhere between 350 and 400 million pages of records spread over twenty-one stack areas.

Hunt reported that each year the Center executes 150 to 200 loans of records back to committees so that they can do their current business, whether it is to conduct an investigation, hold a hearing, prepare a report, or draft legislation. Annual loans roughly average between 800 to 1,000 boxes. That is one-half million to one million pieces of paper heading up Pennsylvania Avenue each year to the Hill. And then there is an even larger amount of paper coming down as records are accessioned into the Center from the House and Senate. So we do quite a business with Congress on an on-going basis.

In addition to House and Senate records, Hunt reported that the Center has the records of legislative branch commissions, and there is one commission in particular that Hunt has brought before the committee previously, the 9-11 Commission. Described as the most historic and perhaps the most important set of records in the National Archives today, these records are also among the most highly classified. And, the formal requirements for the line-by-line review and processing of those records, and dealing with the electronic records and special media records in that collection, place an enormous burden on the Center. At present, between two and three Center staff members are working full-time on that very important collection.

Michael Kurtz has added an equal number of staff members from the FOIA and Special Access staff and from the Electronic Records division. Hunt said that it was his obligation to inform the committee members of the challenges the Center now faces in light of the agenda the committee had generated at this meeting. The Center has limited

and thinly spread resources, so he wanted to keep the committee informed of the various demands placed on the staff.

But Hunt also reported that the Center's success stems from its working relationships with Congress and the Advisory Committee. He said that the more that everyone can collaborate and share knowledge, and share expertise, the more effective everyone will be on all of these agendas and all of these fronts.

Rocha asked whether twenty people were enough given the scope and deadlines. How does the Center move ahead? What does it need?

Hunt responded that the Center is committed to the 9-11 Commission project because of its importance to the nation. The Center is undergoing a planning effort to reconceptualize its efforts in order to carve out enough meaningful resources so that the Center can perform its normal functions as well as execute the 9-11 project.

Weinstein added that he appreciated the challenges facing the Center. He assured the committee of the National Archives' commitment to Congress. He noted that Elizabeth I was once asked why she was so powerful, and she answered that it was because she was strong in Parliament. He said that any person who becomes President of the United States or the head of an executive agency who doesn't understand that their strength depends on being strong in Congress, misunderstands the nature of the American system. In the Rotunda the Constitution is laid out on four parchment pages. Article I begins at

the top of page one and ends at the bottom of page two. More than half of the Constitution is devoted to explaining the powers of Congress. The Archivist made these observations to stress the National Archives' commitment to meeting the challenges Hunt discussed.

Erickson thanked Hunt for his report on the Center. She then asked if there were any announcements or new business.

Alan Haberle, Senator Hatch's archivist, announced that the Congressional Papers Roundtable of the Society of American Archivists had received a grant from the National Historical Publications and Records Commission (NHPRC) to write a records management handbook for members of Congress. In partnership with the Society of American Archivists (SAA) publications committee, the handbook will be a practical work that will help repositories get a handle on the special challenges of Congressional materials. The handbook would also be an aid for archivists as they meet with members of Congress about their own records. Haberle announced that Cynthia Pease Miller has been commissioned to write the handbook, having worked on both House and Senate staffs.

Erickson stated that she looked forward to the December meeting when some of the agenda action items would be reported on. After Erickson expressed her appreciation to those committee members who traveled to Washington for the meeting and to the

members of the audience for attending, a motion was made, seconded, and approved to adjourn.

The meeting adjourned at 11:20 a.m.