

**Oversight of the
National Archives and Records Administration and the
National Historical Publications and Records Commission**

**Senate Homeland Security and Governmental Affairs Committee
Subcommittee on Federal Financial Management, Government
Information, Federal Services and International Security**

**Testimony of Dr. James S. Henderson
Representing the Society of American Archivists**

May 14, 2008

Mr. Chairman, Ranking Member Coburn, and Members of the Subcommittee:

My name is Dr. James Henderson. From 1987 to 2007, I served as director of the Maine State Archives. Since my retirement from the state archives, I have maintained contact with my colleagues in the archives profession, have returned to university teaching part-time, am continuing a digital publication for schools and libraries entitled *Maine: An Encyclopedia*, and have been active in local government and community organizations. I am here today representing the Society of American Archivists.

Founded in 1936, SAA is the world's largest organization of professional archivists, representing more than 5,200 members across the United States and in more than 20 nations. Archivists are the professionals who are entrusted by society to ensure access to the records of the people's government at all levels; to ensure the authenticity and integrity of those records; and to preserve and make accessible a credible and reasonably complete historical account of government and other aspects of society.

Thank you, Mr. Chairman, for holding this important oversight hearing. We believe it is long overdue because the National Archives and Records Administration and the National Historical Publications and Records Commission are essential in ensuring both government accountability and documentation of our nation's history. We believe that NARA and NHPRC have been overlooked and under-funded for far too long, and we hope that this hearing signals the beginning of proper attention being paid to their strengths and weaknesses, their successes and needs.

Managing Federal Electronic Records

NARA and the rest of the world have struggled for more than two decades with the huge challenges of managing, appraising (determining long-term value), and providing access to electronic records. This is not as simple as saving every record and developing a search engine to retrieve them.

The current Electronic Records Archive (ERA) project is grounded in years of basic

research attempting to define a “record” in the digital environment. Is it the e-mail message, the message plus attachments, all that plus the metadata (who sent it, when, to whom, for what program purpose, etc.)? How does NARA retain audio, video, electronic mapping (GIS), computer-aided design (CAD), and complex databases in a way that these electronic records will be accessible two hundred years from now? Do you know where your 1987 word processing files are?

As one who has struggled with these issues at the state level since 1987, I realize that even now no foolproof solution exists. No single “off-the-shelf” software program provides the magic bullet. Nevertheless, failure to stop the continued loss of our historical government records should be a very high priority. It will require close scrutiny by the Congress, along with some tolerance for uneven progress. And it will require that Congress provides adequate funding of the ERA.

We must be aware, however, that many federal records will remain outside the ERA, or will be lost, if agencies fail to follow systematic electronic records management procedures, such as those contained in NARA’s guidelines. Agencies will not make this a priority unless Congress mandates that they do so – and unless Congress provides the necessary funding. NARA is no match for huge agencies with substantial political constituencies that want immediate gratification with little regard for “records management.”

The cost of fully implementing an effective records management system may well be in the billions of dollars, as NARA recently has argued. In a budget of approximately \$2.7 trillion, the expenditure of \$2.7 billion (1/1,000, or 0.1%) does not seem excessive to ensure accountability for, and protection of, our American heritage.

The National Historical Publications and Records Commission

NHPRC supports archives across the country in their efforts to preserve the American record and make it accessible to scholars, students, family and local historians, journalists, documentary filmmakers, and others. It is the *only* federal program that concentrates on records programs and projects. It is the *only* federal program that links federal archives with those held by states, counties, municipalities, universities, and nongovernmental organizations. This rich, diverse, and vital documentary heritage conveys knowledge of a shared national experience from generation to generation, assures continuity of operations, documents personal rights and entitlements, and provides evidence to hold governments and other institutions accountable for their actions and responsibilities.

Since 1964, NHPRC has awarded more than \$175 million to 4,300 projects in all 50 states and special jurisdictions. NHPRC grants have helped every state archives to preserve a detailed record of state-operated federal programs, and enabled 53 re-grant projects totaling \$5.8 million – matched by state funds of \$8.4 million – to reach thousands of local communities.

NHPRC and Electronic Records

NHPRC has provided an enormous boost to the preservation of traditional historical records in historical societies, archives, museums, and libraries across the country. Often these repositories also have responsibility for local government records. And now many of these repositories are being offered electronic versions of the old Civil War letter, the business journal, or the community photographs and maps. Videos, word processing files, spreadsheets, digital photos and maps, and even e-mails are often literally sitting on a shelf on a floppy disc or on a hard drive in an aging computer. They soon will die without attention.

NHPRC has provided funding for research into these problems and the larger problems faced by state governments. Please consider an anecdote from Maine.

During my 20-year tenure as State Archivist of Maine, we were awarded NHPRC support for several historical records projects. Most were for competitive re-grants to repositories throughout Maine to preserve and provide access to their historical records. This “re-grant” system later became the model for a state-funded program in Maine.

Very important were two electronic records grants. The first was to develop a strategic plan for managing, and selectively preserving, Maine State government electronic records. This plan, periodically updated by the State Archives, provided the guidance and information necessary to educate the State’s information technology agencies (as well as legislators, the Attorney General’s Office, and other key decision makers) about the problems of, and potential solutions to, managing electronic records.

The second electronic records grant supported the creation of a GeoArchives, which now captures, appraises, and preserves geographic information system (GIS) records that consist of maps and related data and metadata. This innovation brought to an end the practice of placing obsolete records on inaccessible backup tapes, erasing old data on the current version and, in effect, leaving no trace.

Both efforts provided the recognition and expertise that the State Archives needed to participate actively in the State’s approach to electronic records management. This included being a lead agency in the recent development of a request for proposal to establish a well-managed e-mail system. When implemented, it should ensure retention of e-mail for required minimum periods, provide for improved retrieval for legal discovery and Freedom of Information requests, and enhance agency management. The system will be a precursor to a full, searchable archival repository for permanently valuable electronic records.

NHPRC is an important partner for state and local governments in developing solutions for the preservation of our nation’s historical electronic records – wherever they are housed.

For the fourth consecutive year, the President has proposed no funding for NHPRC. Given the importance of the agency’s work, SAA strongly opposes this recommendation

and asks Congress to appropriate FY 2009 funding at the fully authorized level of \$10 million for NHPRC's national grants program plus \$2 million for staffing and related program administration.

H.R. 5582, recently introduced in the House by Representative William Lacy Clay (D-MO), would reauthorize NHPRC at an annual level of \$20 million for fiscal years 2010 – 2014. We urge you, Chairman Carper and Ranking Member Coburn, to work together to introduce a companion bill in the Senate and to ensure that it passes before the current reauthorization expires next year.

Freedom of Information

As State Archivist, I was, and continue to be, a member of Maine's Freedom of Information Coalition. Members include newspapers, radio media, Common Cause, and other public interest groups. Effective archives management and records management are inseparable from effective freedom of information policy. Without the legal requirement to retain and find records, Freedom of Information requests would return very little useful information.

For this reason SAA also supports sufficient funding for the Office of Government Information Services, and its Freedom of Information Act ombudsman, within the National Archives and Records Administration.

The Continuing Opportunity and Challenge

Historically many other archival institutions, both in the United States and around the world, have looked to NARA as the model for how to approach records management and preservation. NARA's work has been vital in contributing to the development of standards, policy, and legislation to bolster the greater archival mission. As others have testified, NARA faces enormous challenges not only in processing traditional paper records, but also in making the transition to managing the vast universe of electronic records. The archives community worldwide continues to look to NARA to lead the way in this important challenge. Americans count on NARA to ensure that the records of our government – whether paper or electronic – are held in the public trust.

We hope that the Congress will continue these oversight hearings, will recognize the critical importance of the work of NARA and the NHPRC – and will provide the necessary funding to get the job done well.