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The looming crisis in federal records management[☆]

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Abstract

Federal records management faces many challenges today. Too few records, both in the traditional formats and the newer electronic ones, are being appraised or transferred to the National Archives when required. Although the National Archives and Records Administration has several major initiatives underway to remedy the problem, additional actions must be taken as well. Published by Elsevier Inc.

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Records management is a vital but little-known program in the federal government. Its objectives are simple and clear—ensure the creation of records that adequately document the rights of American citizens, the actions of federal officials, and the national experience; preserve them as long as needed; and make the records accessible to users.¹ Nearly all Americans are impacted by records management practices at one time or another, from the veteran seeking his or her medical records to the historian researching a nuclear arms control treaty between the United States and the former Soviet Union.

Federal records management faces many challenges today. For many records, there are few, if any, guidelines with which to determine whether they merit permanent preservation or can be destroyed and, if so, when. Some agencies have only transferred a small fraction of their records that warrant permanent preservation to the National Archives and Records

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Administration (NARA). Electronic records present the additional problem of developing systems that will ensure the records can be stored, searched, retrieved, and outputted for as long as they need to be kept.

This article will give a brief overview of the current records management regulations and procedures for agency and White House records and then will discuss the key NARA initiatives designed to resolve the problems in the area. Last, the author will offer recommendations for improving the program and increasing public access to information regarding it.

1. Agency records

Both the Records Disposal Act and the Federal Records Act of 1950 require agencies to prepare records that adequately document their organization, functions, policies, decisions, procedures, and essential transactions; denominate all such records as federal records and decree that the government owns them; provide procedures for their preservation and disposition; and specify that they may not be removed or destroyed except as provided in the acts. The statutes also mandate that agency heads establish and maintain an active records management program and that NARA provide assistance and guidance to the agencies in this regard.²

At the center of the requirement to preserve and dispose of records are records retention and disposition schedules (records schedules). All federal records must be covered by a records schedule. NARA has issued General Records Schedules that provide disposal authority for certain personnel, accounting, and other records common to all agencies. Approximately, one third of all federal records are subject to General Records Schedules.

Each agency is required to develop records schedules covering all their other federal records. Agencies send their draft records schedules to NARA for review and approval. Once approved, they provide mandatory guidance to NARA and agency personnel on whether each file series covered by the records schedule is to be appraised as *permanent* (to be kept forever) or *temporary* (to be destroyed at a specified date or event). When agencies create new file series or wish to change their current records schedules, they are obligated to develop and submit new draft records schedules for approval. Records awaiting appraisal are denominated *unappraised*.³

Compliance with these laws has unfortunately varied through the years. Some agencies have had excellent records management programs for years, while others have not. For example, the Joint Chiefs of Staff (established in 1947) did not adopt its first records schedule until 1980,⁴ and the National Reconnaissance Office (established in 1961) did not develop its first one until 1996.⁵ The Federal Bureau of Investigation (established in 1908) prepared its first records schedule in 1970, but it only covered a limited number of records. Because of continued concerns about unauthorized destruction of records, a lawsuit was filed against NARA and the agency in 1980, and under court supervision comprehensive records schedules were finally promulgated.⁶ The critical question in these cases is exactly what records were destroyed and what guided the agencies in making this decision. Unfortunately, there are no real answers.

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