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## History Collections Maintained by Federal Agencies

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### *Records Management Assessment Report*

National Archives and Records Administration  
June 1, 2021

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## HISTORY COLLECTIONS MAINTAINED BY FEDERAL AGENCIES RECORDS MANAGEMENT ASSESSMENT REPORT

### INTRODUCTION

The National Archives and Records Administration (NARA), based on authority granted by 44 United States Code (U.S.C.) 2904(c)<sup>1</sup>, is responsible for assessing the proper management of records in all media within Federal agencies to protect rights, assure government accountability, and preserve and make available records of enduring value. Under this authority, NARA conducts records management oversight of federal agencies, including agency inspections and assessments. An assessment is a multi-agency evaluation of a specific topic, issue, or activity affecting records management (RM) processes, procedures, or policies.

In FY 2021, NARA conducted an assessment of the management of history collections by federal agencies. In particular, NARA was interested in the relationship between RM and programs or components maintaining history collections.

For the purpose of this assessment NARA defined history collections as any federal records, as defined by 44 U.S.C. 3301, collected and maintained by history programs, archives, libraries, or museums that reflect on the mission or purpose of the agency. Included in these collections are records that must be tracked for records scheduling and management purposes including discrete records series, publications, reference materials, or exhibit materials. Also included in the definition are records gathered into collections from defunct offices and programs as well as personal papers compiled by employees in fulfillment of the duties of their federal service.

#### **Assessment Background**

NARA conducted this assessment after observations and experiences gained in several formal inspections that included interviews with agency history offices or archives. During these inspections it became apparent that NARA needed to know more about these activities across the federal government and the relationship of programs maintaining history collections to their respective agency records management program policies and procedures. The goal of the assessment was to explore these relationships and make recommendations for improvements to agencies, and NARA, if needed.

#### **Assessment Scope**

Eight organizations participated in this assessment each with varying types of history collections. Included among the participants were traditional archives, libraries with “special collections,” and agency programs with history reference collections. For this assessment we focused on RM policies and implementation by organizations with history collections and the maintenance of federal records in the holdings of these collections.

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<sup>1</sup> For all U.S.C. 44 citations: [NARA Basic Laws and Authorities](#)

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## **Methodology**

Participants submitted a pre-assessment questionnaire to NARA along with relevant documentation, including all policies, procedures or directives concerning the management of history collections. NARA then conducted interviews with each agency and asked questions that focused on records management, organizational structure, collection policies, and collection content. This report synthesizes information gathered via the questionnaire and individual interviews and contains observations to improve relationships between RM and programs managing history collections.

## **FINDINGS AND RECOMMENDATIONS**

To benefit all agencies that have history collections this assessment makes the following findings and recommendations:

### **Finding 1: There is neither a clear definition of what constitutes a history collection in the Federal government, nor guidance for managing federal records contained in them.**

In the absence of guidance, history collections can take on diverse forms and be managed by a variety of programs and may be non-compliant with records management policies and regulations. Excluded from the statutory definition of a record in 44 U.S.C. 3301 are library and museum materials made or acquired and preserved solely for reference or exhibition purposes; or duplicate copies of records preserved only for convenience. The definition of a record does not address the creation of history collections by federal agencies. In many cases, agencies are taking federal records into history collections that have been established for purposes other than reference or exhibition. In some instances, official records are being transferred to a history collection from the office of creation as the location to store and maintain the active record.

The most frequent question from study participants was how NARA defines a history collection. Since NARA has not provided a clear definition of what constitutes a history collection through regulations or guidance, the assessment team developed an *ad hoc* definition for the purposes of this study:

Federal records collected by history programs, archives, libraries, and museums to document agency missions or operations.

This definition, though useful in initiating discussions for this assessment, was by no means adequate to describe the variety of history collections encountered in the study. The participating agencies agreed that NARA should provide a clear and authoritative definition of a history collection, such as that provided in the introduction above, with assistance from federal RM professionals and agencies maintaining collections.

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There are history collections in many federal agencies being managed by program offices, archives, libraries, and museums. They were created to preserve agency records, to document the work or mission of an agency, to provide centralized access to records for research purposes or to assist agency historians in the writing of publications. In some cases these collections are for internal agency use only. Additionally, agencies are now creating electronic archives or data warehouses that can capture massive volumes of permanent and temporary records.

Maintaining records management control of federal records in history collections is inconsistent or even non-compliant with records management regulations.<sup>2</sup>

- 36 CFR 1235.12 requires agencies to transfer records based on the date provided in a NARA-approved records schedule or after they have been in existence for 30 years or more.
- 36 CFR 1235.14 requires that in order to retain records agencies must submit specific business reasons to NARA.
- 36 CFR 1222.12(d) notes that “multiple copies of the same document or documents containing duplicative information may each have records status depending on how they are used to conduct agency business.”

Requests to NARA by agencies to retain records in accordance with 36 CFR 1235.14 are rare. Research into requests sent to NARA for the retention of records indicated that only two requests had been received in the past decade. This is despite the admission by several offices and programs interviewed that they were maintaining scheduled records past their approved retention disposition. NARA also receives other evidence that agencies are retaining permanent records beyond their approved transfer dates during inspections and the annual federal Records Management Self-Assessment.

Even if agencies fulfilled the requirements of 36 CFR 1235.14 it would be difficult for NARA and Agency Records Officers (ARO) to know the schedule status of an agency history collection since there are no reporting requirements that concern the contents of collection and whether it contains temporary records or copies of records. A common assumption among the agency participants interviewed was that they could collect and maintain duplicate copies of scheduled records indefinitely since they fell outside of the records definition provided in 44 U.S.C 3301 and were being preserved for the convenience of reference. This interpretation did not take into account the further definition of a copy provided in 36 CFR 1222.12(d). The proliferation of copies of electronic records also presents a challenge to the traditional idea of the designation of a record copy.

*Recommendation 1.1 NARA should better define what constitutes a history collection or agency archives and their relationship to the records management regulations for temporary and permanent records.*

*Recommendation 1.2 NARA should create additional guidance specifically on managing records in history collections or at least ensuring the inclusion of history collections in routine records*

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<sup>2</sup> For all 36 CFR Chapter XII citations: [NARA Code of Federal Regulations](#)

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*management implementation activities such as inventories, evaluations, training, and records scheduling.*

*Recommendation 1.3 NARA should provide guidance to clarify regulations addressing the designation of a record copy of electronic records and office of responsibility, and that copies provided to history programs and archives should be unalterable.*

*Recommendation 1.4 NARA should increase its oversight and enforcement of regulations pertaining to requests from agencies to retain records within their own archives.*

**Finding 2: Records management programs and organizations managing history collections do not fully coordinate to establish or refine policies, procedures, and training to ensure that records are maintained in accordance with federal RM requirements.**

Among the agencies participating in the assessment only two programs interviewed had official policies defining the relationship between organizations managing history collections and RM. Even in these instances the policies were at a very high level: either recognizing the existence of RM policies or pointing to coordination with the RM program in records matters. All programs interviewed indicated an informal relationship with RM regarding issues of substantive importance such as collection policies, records inventories, schedules, dispositions, and access.<sup>3</sup> All agencies recognized the need for a more formal relationship between programs managing history collections and RM through policies and procedures that include program coordination and a delineation of roles and responsibilities between programs.

None of the programs interviewed had role-based RM training for staff managing historical collections. Staff were trained on basic records operations or the maintenance of program administrative records, but there was no additional training that addressed topics of importance to programs managing history collections such as records disposition and schedule implementation. Due to the importance of the records in history collections, it is vital that staff receive this additional RM training to ensure their familiarity with agency records requirements as laid out in 36 CFR 1220 subpart B.

*Recommendation 2.1: Agencies must establish policies for the management of history collections and develop standard operating procedures documenting roles, responsibilities, and workflow processes between RM and offices or programs managing history collections to properly identify, maintain, and disposition records according to approved records schedules. (36 CFR 1220 and 1226)*

*Recommendation 2.2: Agencies must develop role-based and/or tailored RM training for history offices, archives, libraries, and others involved in maintaining historical records. (36 CFR 1220.34(d) and NARA Bulletin 2017-01)*

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<sup>3</sup> One participating agency was establishing a formal history program and was in the process of developing policies and procedures.

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**Finding 3: History collections lack a relationship to records scheduling and implementation that would help determine if their holdings include original or nonrecord copies of federal records.**

There are a few interesting dilemmas with history collections that relate to whether or not the records in the collections have been scheduled or if they contain copies of federal records that are being maintained beyond dispositions in existing NARA-approved records schedules. In either instance, this puts programs maintaining history collections in a precarious position concerning non-compliance with regulations that require federal records to be scheduled, to notify NARA when they are maintaining records beyond the prescribed disposition, and to transfer permanent records to the National Archives.

Several programs interviewed had history collections that predated the creation of the National Archives, were developed prior to the creation of written schedules or had been consolidated from so many sources that it is no longer possible to determine discrete records series. In all of these cases, it is important for the agency to collaborate with their RM staff and NARA to review history collections for scheduling purposes. Some programs also expressed the desire for RM and NARA to review and appraise records in their history collections. It was reported by two programs that at various times in the past they had attempted to work with NARA to schedule records in their collections, but that the initiatives had fallen through for reasons ranging from the complexity of their records to staffing constraints. Other programs noted the presence of both scheduled and unscheduled records in their collections and the need to undertake an inventory to determine their scheduling requirements.

Several of the agencies interviewed included permanent records in history collections that had not been reported to NARA in accordance with 36 CFR 1235.12.<sup>4</sup> Additionally, it was noted that agencies are collecting temporary records to document the research, scientific, or technical work of agency programs. In some cases, libraries and archives are maintaining these records beyond their retention period to provide staff with continued access to the records. In other instances, copies of records are maintained beyond the scheduled retention period of the original records for research or reference purposes. Retention of these records after the destruction of the original records can lead to issues with legal discovery or FOIA actions.

In all instances, RM programs should coordinate with programs maintaining history collections to ensure that records are inventoried and scheduled, that approved schedules are properly implemented, and to identify records that need to be reviewed or rescheduled by NARA in accordance with NARA/Office of Management and Budget (OMB) Memorandum M-19-21: *Transition to Electronic Records*, Target 1.4.

The following recommendations would provide clarity to history collection holdings through retention scheduling and improve disposition, including the disposition of permanent records held in these collections.

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<sup>4</sup> Several offices and programs were not certain about the status of records in their holdings but assumed they had overdue permanent records.

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*Recommendation 3.1: Agencies must institute a collaborative effort between RM and programs managing history collections to inventory and review their holdings to determine the need for new or updated records schedules. (36 CFR 1225.10)*

*Recommendation 3.2: Agencies must establish procedures to ensure the routine review and implementation of approved records schedules by programs maintaining history collections. (36 CFR 1224.10(a))*

**Finding 4: Records management programs do not include history programs and/or offices maintaining history collections when evaluating the implementation of agency records management policies and procedures.**

One of the keys to records management is knowing how well policies and procedures are implemented by all offices and programs within the agency. The only way to effectively determine this is through routine evaluations, inspections or audits. Of the programs interviewed only two indicated some type of RM evaluation or review of their operations. 36 CFR 1220.34(j) charges agencies to conduct formal evaluations to measure the effectiveness of their RM programs. As part of these evaluations it is important that RM conduct regular reviews of any program collecting records or maintaining history collections whether to create publications, preserve data, or document agency missions to ensure their adherence to department or agency RM policies and procedures as well as 36 CFR 1220 subpart B. By not routinely evaluating how and what history programs collect, agencies sacrifice understanding what, if any, federal records are being maintained in history collections. It is through these activities that RM staff can fully understand the holdings of history collections and gain assurances that records are being maintained in accordance with agency policies and procedures, and federal records management statutes, regulations and NARA policies and guidance.

*Recommendation 4: Agencies must establish a formal evaluation process for RM oversight of programs maintaining history collections.(36 CFR 1220.34(j))*

## **CONCLUSION**

This assessment reaffirmed observations made by NARA during the course of formal inspections that RM and programs maintaining agency history collections need to collaborate more closely to ensure compliance with NARA's regulations. In many cases, the sense that records being held in history collections are safe, secure, and well maintained appeared to remove the need for RM programs to exercise oversight over organizations managing these collections. Conversely, this attitude hinders the collaboration of these organizations with RM. Additionally, the role of NARA in providing guidance and oversight to these institutions has been neglected too frequently in the past and must be reassessed and redefined to meet the challenges presented to the agency by the transition to a fully electronic records environment as envisioned in OMB/NARA Memorandum M-19-21.

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## Appendix Participating Organizations

### Department of Agriculture

National Library of Agriculture, Agricultural Research Service,  
Director, National Library of Agriculture  
Agricultural Research Service, Agency Records Officer

### Department of Defense - Department of the Air Force

Air Force Historical Research Agency  
Air Force Agency Records Officer

### Department of Health and Human Services

National Library of Medicine, National Institutes of Health  
Archivist and Digital Resource Manager, National Library of Medicine  
National Institutes of Health, Agency Records Officer

### Department of the Interior

National Conservation Training Center, U.S. Fish and Wildlife Service  
National Fish and Aquatic Conservation Archives, U.S. Fish and Wildlife Service,  
U.S. Fish and Wildlife Service, Agency Records Officer

### Department of State

Department Records Officer and Staff  
Office of the Historian  
Office of Treaty Affairs in the Office of Legal Advisor

### Department of Veterans Affairs

Chief Historian  
Senior Archivist  
Agency Records Officer

### National Aeronautical and Space Administration

Acting Agency Historian and Archivist, Goddard Space Flight Center

### National Archives and Records Administration

Office of the Historian  
Agency Records Officer

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