

Nahali R. Croft. Keep It or Toss It? Legislative Records Retention Practices in the U.S. House of Representatives. A Master's Paper for the M.S. in L.S degree. April 2016. 51 pages. Advisor: Christopher A. Lee

Because the records of individual Members of the House of Representatives are considered personal property, what happens to those records once a Member leaves office is up to him or her. Legislative records, particularly files and reports used to develop policy and draft bills, have historical value and are one of the types of files most used in current Congressional collections, as they point toward legislative intent. The *House Records Management Manual for Members* suggests that offices permanently maintain these types of files. This study reveals to what extent House offices are preserving records that provide future researchers with legislative intent, finding that while congressional staffs are not largely aware of the manual, they do attempt to preserve differing types of legislative background materials. There is a general awareness that their practices have room for improvement, but with no requirements to implement a retention schedule, there is little incentive for congressional staffs to develop better records management procedures.

Headings:

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KEEP IT OR TOSS IT?
LEGISLATIVE RECORDS RETENTION PRACTICES IN THE U.S. HOUSE OF
REPRESENTATIVES

by
Nahali R. Croft

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Christopher A. Lee

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Introduction

Prior to 1974, Presidential Records had been considered private property. With the passage of P.L. 93-526, the Presidential Recordings and Materials Preservation Act of 1974, this began to change.¹ Subsequent laws and executive orders have developed a procedure by which Presidential Records are remitted to the National Archives and Records Administration, including the development of guidelines for handling sensitive, privileged information. There is no similar law regarding records of Members of the House of Representatives or the Senate. In Article VII of the Rules of House of Representatives for the 114th Congress, records belonging to the House of Representatives are outlined as Committee Records and the events that transpire on the House floor.² The Senate has even less-defined rules regarding official records.³ This leaves the records created in Members' personal offices outside of the scope of records belonging to the House or Senate, meaning they are the personal property of the individual Members. Even H. Con. Res. 307, which expressed the sense that Members of both Houses should preserve their records and donate them to a public repository for future use, did not require that Members adhere to its suggestions when it was passed in 2008.⁴

Because the records of individual Members of the House and Senate are considered personal property, what happens to those records once a Member leaves either chamber is up to him or her. Many donate their records to repositories, usually housed at

colleges and universities with political collections. The National Archives and Records Administration maintains a list of these repositories, though it is not exhaustive.⁵

Beginning in the 1970s, there was a push to ensure personal papers of both the House and Senate were preserved. In 1983, the first manual for Congressional Papers was developed by an ad hoc group of archivists. The Congressional Papers Roundtable of the Society of American Archivists was formed by twelve archivists in 1986 for the purpose of developing best practices regarding Congressional collections.⁶

Since the founding of the Congressional Papers Roundtable, many articles have been written citing concerns with managing collections, and in particular, how to make collections less bulky and more user-friendly. House and Senate manuals for records retention — though not mandatory — have been developed to assist Members and staff determine what types of files have historical value. Archivists who work for both bodies have developed workshops to assist members who are transitioning out of office. There are many resources available to Members and their staff, yet without a requirement that these records be saved, it is hard to gauge how closely the guidelines are followed. Much of the literature to this point has focused on the Senate, whether written by those who are archiving for current Senators or archivists who receive the collections of retiring Senators. With less information on the House of Representatives, it seemed necessary to investigate records retention for the lower body.

Legislative records, particularly files and reports used to develop policy and draft bills, have historical value and are the types of files most used in current Congressional collections, as they point toward legislative intent. The *House Records Management Manual for Members* suggests that offices permanently maintain these types of files. Are

Members and staff aware that these guidelines exist? How do they determine which files used for developing legislation will be retained and for how long? What types of files do they believe have the most value for permanent retention? Similarly, do repositories that have received collections from retiring House Members since the passage of H. Con. Res. 307 receive materials within these collections related to the legislative drafting process? This study reveals to what extent House offices are preserving records that provide future researchers with legislative intent.

A typical House or Senate staff includes offices in Washington, D.C. and in the district or state the Member represents, yet the majority of the staff is usually located on the Hill.⁷ Sessions begin in January and run through November, occasionally stretching into December. Every two years, the Congress dissolves, and a new Congress reconvenes the following January.⁸ The largest recess comes in August, though there are shorter breaks around Presidents' Day, Easter/Passover, Memorial Day, Labor Day, and Columbus Day. These breaks are the most common times for staff to retire files.

As recently as 2010, there were seven full-time archivists employed in the Senate, and none in the House of Representatives. Therefore, the records management duties for these offices are generally handled by staff members with little or no training in archival methods – usually in the form of the staff assistant or executive assistant.⁹ The House of Representatives employs 15 people in Office of the Clerk to assist all 435 Members with archival questions. Both the Senate and the House have developed policy guides to assist Members with questions regarding what materials should be kept and which have no lasting value. The *House Records Management Manual for Members* provides detailed categories for Members and staff with guidelines for each type of files, though there are

files that could fit into multiple categories, particularly files that have facilitated the development of legislation.¹⁰

¹ Presidential Recordings and Materials Preservation Act of 1974 § 44 U.S.C. § 2111 (Note).

² Haas, K. (2015). *Rules of the House of Representatives, One Hundred Fourteenth Congress*. Retrieved from <http://clerk.house.gov/legislative/house-rules.pdf>

³ Committee on Rules and Administration. (2015). "Rules of the Senate." United States Senate. Accessed June 16, 2015. Retrieved from <http://www.rules.senate.gov/public/index.cfm?p=RulesOfSenateHome>

⁴ H. Con. Res. 307, 110th Cong. (2008). Washington, DC: Government Printing Office. Retrieved from <https://www.gpo.gov/fdsys/pkg/BILLS-110hconres307eh/pdf/BILLS-110hconres307eh.pdf>

⁵ The Center for Legislative Archives. (2015). "Congressional Collections." National Archives and Records Administration. Accessed on June 16, 2015. Retrieved from <http://www.archives.gov/legislative/repository-collections/>

⁶ Congressional Papers Roundtable. (2007). "Chronology of Advances in Managing Congressional Papers." Accessed on June 16, 2015. Retrieved from http://www2.archivists.org/sites/all/files/Chronology%20of%20CPR%201974-2007_0.pdf

⁷ Loomis, B. A. (1979). The congressional office as a small (?) business: New members set up shop. *Publius*, 9(3), 35-55.

⁸ Mordecai, M. (1856). *Our government: an explanatory statement of the system of government of the country; presenting a view of the government of the United States, and of those of the several states; with the construction of constitutional provisions and a practical notice of their administration. A manual for schools, academies and popular use* [Hathi Trust Digital Library version]. Retrieved from <http://catalog.hathitrust.org/Record/011985179>

⁹ Gallagher, C. B. (1991). A Repository Archivist on Capitol Hill. Republished in Paul, K. D., Gary, G. R., and Melvin, L. R. J. (Eds.). (2009). *An American Political Archives Reader*. (27-38). Lanham, MD: The Scarecrow Press. I have updated the titles of "administrative assistant" to "staff assistant" and "office manager" to "executive assistant."

¹⁰ Office of Art and Archives, Office of the Clerk, United States House of Representatives. (2014). *Records Management Manual for Members*. Washington, DC.

Literature Review

1.1 Who Owns the Records?

Before the Nixon Administration, the papers created by elected public officials in the United States were considered private property.¹¹ Even in the decade following the Watergate scandal, archivists, historians, and political scientists were divided over whether the Members of Congress' papers should be declared public property. A survey of former Members of Congress in 1976 found an almost even split as to whether or not their papers should be considered public record.¹²

The first suggestion that the records of public officials might be public rather than private record came from *United States v. First Trust Company of Saint Paul* case in 1953. Papers from the Lewis and Clark Expedition were discovered in the attic of a descendant of General John Henry Hammond, whose personal papers contained the files.¹³ It was unclear how General Hammond had come to possess the files, but in trying to determine title, the First Trust Company of Saint Paul named the federal government a defendant due to a letter of instruction that President Thomas Jefferson had written to Meriwether Lewis on June 20, 1803, which included the following passages:

Your observations are to be taken with great pains & accuracy, to be entered distinctly and intelligently for others as well as yourself... Several copies of these as well as other notes should be made at leisure times & put into the care of the most trust-worthy of your attendants, to guard, by multiplying them against the accidental losses to which they will be exposed... On re-entering the U.S. and reaching a place of safety... repair yourself with your papers to the seat of government.¹⁴

Though the court rejected the federal government's argument that President Jefferson intended for the rough notes to be turned over as part of the final report from Lewis and Clark, the appeals court noted if "the written records of a government officer [are] executed in the discharge of his official duties, [then] they are public documents and ownership is in the United States."¹⁵ This statement would be used as part of the argument that presidential records were public property two decades later. However, it took a governmental crisis to initiate this change. The years after the Watergate Scandal brought about new legislation – P.L. 93-526, the Presidential Recordings and Materials

Preservation Act of 1974, and P.L. 95-591, the Presidential Records Act of 1978¹⁶ – and a protracted legal battle with Ex-President Nixon before presidential papers became the property of the citizens of the United States. He was able to thwart public access of the records for decades through a series of federal court battles.¹⁷

While presidential papers have now become public property, the papers of individual Members of Congress remain private property. Many reasons have been cited for this difference, though the most prominent are the prohibitive cost and lack federal facilities that would be required to house the large volumes of records.¹⁸ In 1985, William Moss, then director of the Smithsonian Archives, suggested that the offices of Members of Congress are different from other public offices because the records end when the Members' terms expire, whereas other offices continue in perpetuity no matter who holds the office.¹⁹ While records of the personal Members are considered personal property, the argument that the office expires with the Members' term may be contradicted by the cases of offices where the Member has resigned or died in office. Such offices are immediately renamed the "Office of the ____ Congressional District of State/Territory" on the first business day following the vacancy.²⁰

Today, the House of Representatives considers Committee Records as official records of the House, distinguishing them from the records of individual Members.²¹ Each Member is responsible for deciding what will become of their records, and historically, that has meant some, but not all, have ended up in repositories. In the 1976 survey of former Members, 41 out of 272 respondents decided to destroy their records.²² Since then, the House and Senate have hired archivists who work with Members to manage their files and decide on repositories where these records will be donated. The

House and Senate passed a joint resolution, H. Con. Res. 307, in 2008 to encourage Members to preserve their records, but it is nonbinding. Members still have the ultimate decision in what becomes of their records.²³

Four Congresses have dissolved since the passage of H. Con. Res. 307 – the 110th Congress on January 3, 2009; the 111th Congress on December 22, 2010; the 112th Congress on January 3, 2013; and the 113th Congress on December 16, 2014.²⁴ In 2011, Robin Reeder, Archivist for the House of Representatives' Office of Art and Archives, reported 105 departing Members at the end of the 111th Congress, but no statistics were available for how many of those had decided to place their papers in archival repositories. Reeder's office had consulted with 56 of the departing Members.²⁵ By the end of the 112th Congress, 83 Members left the House of Representatives, and Reeder reported knowing that six Members had donated their papers to repositories. It was unknown what the 77 other departing Members were planning to do with their papers.²⁶ As the 113th Congress drew to a close, Reeder's office reported 70 departing Members, and her office consulted with 40 of them. There was no information provided on the number of Members planning to donate their papers, though the Office of Art and Archives had been active in outreach activities, having participated in departing Member briefings and teaching records management classes to five Member offices and three committees.²⁷ This suggests that just over half of Member offices that are preparing to close consult with House archivists as they ready their files for storage and, hopefully, long-term preservation. In addition, less than one percent of active offices participated in the records management instruction offered by House archivists. Anecdotal evidence suggests that staff members in retiring offices are not engaged in the records transfer

project, as was the case for the offices of two retiring House Members and one retiring Senator:

Each office assigned a staff member the task of overseeing the transfer of materials to us. In each case, however, we found it difficult to get that staff member's attention: emails went unreturned and guidance we provided about packing and other logistics was often unheeded.²⁸

Unsurprisingly, collections are often unwieldy and lack "richness and consistency."²⁹ Further, it becomes the responsibility of the receiving repositories to ensure that all files that are accessioned are personal files and not public committee files.³⁰

The Society of American Archivists (SAA) has never adopted a resolution that calls for papers of all participants of the three branches of government be classified as public property. The first time the society was faced with this issue, in 1974 on the heels of the Watergate Scandal, SAA rejected the proposal after the leadership campaigned against it as too impulsive and political a move at the time.³¹ The issue was brought up again in 1993, after concerns of alleged misconduct of the Nixon Project by the National Archives and Records Administration.³² In 2015, SAA Council considered a draft of an issue brief on NARA's scope of authority that would have included making the personal papers of Members of Congress public record, but this has not been adopted as an official issue brief.³³

1.2 Defining Legislative Intent

A legislative body acts on intentions, meaning that every proposed law is formed, considered, and perhaps adopted through a process of reasoned consideration that

convinces the majority of the body to vote for it.³⁴ “When Congress passes a statute, it does so against a background context of rules, procedures and deliberation. That context does not exist in anyone's head: it is public and constitutionally sanctioned.”³⁵ Since 1904, the Supreme Court has referred to “legislative intent” in rulings as a cornerstone of statutory interpretation.³⁶

The legal community uses the term alongside the term “legislative history.” For lawyers, the preferred source is case law and court interpretations of legislation. However, in cases where there is no case law, they must research the legislative history, which includes documents – often public – that relate to a law when it was still a bill in the legislature.³⁷ Most of the research around legislative intent focuses its judicial function or, more recently, “legisprudence” – the making and implementing of the legislation.³⁸ Legisprudence argues that to draft effective legislation, the authors must approach an issue with a theory. “A drafter designs a law by writing prescriptions logically likely to change the relevant social actors’ behaviours, thus to ameliorate the social problem identified by the policymakers.”³⁹ How well the author designs a bill and how well he or she predicts the behaviors that come from its implementation depend on the theory and methodology he or she uses to guide the research conducted in preparation for drafting the legislation. In reality, however, bill authors more often use “entropic methods,” such as modeling bills on international best practice, adopting substance from relevant interest groups, criminalizing unwanted behaviors, or using vague, general terms, the latter of which leaves much of the details to subsequent legislation or, most commonly, administrative regulation.⁴⁰ Sources outside the direct text of a bill are known as “extrinsic aids,” yet are considered relevant background information.⁴¹ Extrinsic aids

are evaluated for credibility, contemporaneity, proximity, and context.⁴² For legal purposes, extrinsic aids are usually formal documents, such as committee reports, official statements, or the House Journal.

Archival literature regarding legislative records often refers to “legislative intent” without a clear explanation as to what it is or what it encompasses, though the implications suggest it is more broadly applied to materials than the term is in the legal world. In the case of the California State Archives, they have included “all public records, registers, maps, books, papers, rolls, documents, and other writings” as part of their political collections, as these items provide context for the state’s legislative history.⁴³ The Massachusetts Archives holds “legislative drafting records,” though the content of each file varies, as the departing staff decided what to include, not the archivists.⁴⁴

In 1985, Paul Chestnut defined the use of legislative intent as trying to understand the implications of the legislature. He pointed out that the wording of bills may be modified during committee hearings and mark-up sessions, leadership may require further revisions, amendments may be offered and accepted during the floor vote. Chestnut also discusses important documentation surrounding the drafting of legislation to include copies of draft legislation, printed matter, memoranda, research notes, and information compiled by legislators or their administrative or research assistants, the staff of a committee, a central research agency, the state library, or any other agency or interested party submitting data and analysis related to a specific piece of pending legislation.⁴⁵

1.3 Research Use of Congressional Records

Very little has been written on the use of materials that surround drafting legislation in congressional collections. Though often mentioned offhandedly as important to collections,⁴⁶ much of the focus has either been on managing the size of collections gifted to repositories⁴⁷ or on finding use in constituent mail and case files.⁴⁸ There are a few instances where legislative materials are specifically discussed. *Managing Congressional Collections* suggests retaining all legislative materials for all congressional collections, though some of the overarching appraisal and processing guidelines suggest that more files should be retained for prominent Members and those who held office longest.⁴⁹ The Minnesota Historical Society, on the other hand, decided that documenting the entire delegation from its state took precedence over any individual Member, though they do retain the files they believe best reflect individual Members' accomplishments and personalities.⁵⁰ For Senator John Williams's papers, all legislative reference material was retained during the appraisal process because it was seen as a key component of the collection, which serves to document the senator's career.⁵¹

There has been one study of researcher use and interest regarding congressional collections that has provided evidence that legislative materials – both the legislation and the background materials – are of particular interest to researchers. This study, conducted in 1992, found the most used components of collections were personal and political records, followed by legislative records and press materials.⁵² More often, however, discussions of researcher use and interest are vague. “Policy evolution studies” sound like they would require legislative background materials, but little is put forth as to how these studies develop or what kind of research goes into them.⁵³ Other sources suggest that

talking directly to former legislative staff is often more effective than researching congressional collections.⁵⁴ This suggestion may be the result of some offices relying on staff memory rather than a records management system as a means for recalling important policies or procedures.⁵⁵ Whatever the reason, political scientists and political science students have not made use of archives, even congressional collections.⁵⁶

However, outreach to political scientists has been undertaken in many institutions with the hopes of improving the relationship that exists between political science and primary sources.⁵⁷ Particularly archives that have developed oral history projects and educational outreach programs for their congressional collections have been successful in drawing patrons, but the bedrock of these institutions is still the usability of the collection, or that the materials included in the appraised collection are important and valuable for research purposes.⁵⁸

¹¹ Cook, J. (1975). "Private Papers" of Public Officials. *The American Archivist*, 38(3): 299-324.

¹² Nelson, A. K., (Ed.). (1978). Transcript: The Papers of Congress, a Panel Discussion arranged and moderated by Richard A. Baker, Historian of the U.S. Senate, Washington, D.C. In *The Records of Federal Officials: A Selection of Materials from the National Study Commission on Records and Documents of Federal Officials*. New York: Garland Publishing, Inc.

¹³ Burke, R. A., and Kelly, R. Q. (1958). The Lewis-Clark Expedition Papers: The Genesis of a Case. *DePaul Law Review*, 7(2): 162-171.

¹⁴ Tomkins, C. (1966, October 29). Annals of Law: The Lewis and Clark Case. *New Yorker*, 42: 105-148. Retrieved from <http://archives.newyorker.com.libproxy.lib.unc.edu/?i=1966-10-29#folio=110>

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¹⁶ Presidential Records Act of 1978 § 44 U.S.C. § 2201-2207.

¹⁷ Montgomery, B. P. (1993). Nixon's Legal Legacy: White House Papers and the Constitution. *The American Archivist*, 56(4): 586-613.

¹⁸ Nelson, A. K., (Ed.). (1978). Transcript: The Papers of Congress, a Panel Discussion arranged and moderated by Richard A. Baker, Historian of the U.S. Senate, Washington, D.C. In *The Records of Federal Officials: A Selection of Materials from the National Study Commission on Records and Documents of Federal Officials*. New York: Garland Publishing, Inc.

¹⁹ Moss, W. W. (1985). Documentation Strategies for the National Legislature. *Provenance*, 3(2): 53-70.

²⁰ Congressional Research Service. (2014, December 5). *Closing a Congressional Office: Overview of House and Senate Practices*. (CRS Report Publication No. RL34533). Washington, DC: Congressional Research Service.

²¹ Haas, K. (2015). *Rules of the House of Representatives, One Hundred Fourteenth Congress*. Retrieved from <http://clerk.house.gov/legislative/house-rules.pdf>

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- ²⁶ CPR Business Meeting Minutes: August 14, 2013. (2013, Fall.) *Congressional Papers Roundtable Newsletter*. Retrieved from http://www2.archivists.org/sites/all/files/2013_Fall.pdf
- ²⁷ Reeder, R. (2015, Fall/Winter). U.S. House of Representatives Report. *Congressional Papers Roundtable Newsletter*. Retrieved from http://www2.archivists.org/sites/all/files/cpr_newsletter_fallwinter2015.pdf
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Research Design and Methods

House staffs are inundated with materials on a variety of topics daily, and as much as 90 percent of all materials that they receive are discarded.⁵⁹ As legislative materials have been noted as valuable parts of congressional collections in archival repositories and this is not an area that has been the focus of previous research, this study aims to find what files current staff sees as useful for permanent retention regarding legislation drafting and whether or not repositories receive these types of documents as part of congressional collections.

Expecting a low response rate,⁶⁰ I decided that contacting the entire population of 440⁶¹ was feasible and could offer the most comprehensive look at records management practices of current offices surrounding legislative files.⁶² In House offices, the chief of staff is generally the employee who would have the responsibility for overseeing records management, though some offices might pass that duty along to an executive assistant or a legislative director.⁶³ A database of names, emails, and districts were constructed using information gathered from Legistorm,⁶⁴ Sunlight Foundation,⁶⁵ and Google searches. Information from the free version of Legistorm lags a quarter behind real time, and Sunlight Foundation's employment data was three quarters behind, making it necessary to search the chiefs of staffs' names on the web to ensure they were still in that position. A six-question survey was emailed to chiefs of staff with a request that the survey be forwarded to the appropriate staff person if the chief was not responsible for records management (Appendix A). The survey was preceded by a "Dear Colleague" letter sent to the Chiefs of Staff listserv from Representative Don Young of Alaska and

Representative Robert Brady of Pennsylvania informing Members of the purpose of the study and encouraging participation (Appendix B).⁶⁶ “Dear Colleague” letters are internal communications between Members of Congress and their staff members. While often used to find co-sponsors for legislation, but they also are a means for announcing events related to Congressional business. However, they almost always are associated with positioning a Member on a certain topic.⁶⁷ In this case, a Republican and a Democrat distributed the “Dear Colleague” to indicate its bipartisan nature, and I approached these two Members because one was a former employer who could vouch for me as someone who understood the workings of the House and the other was the original sponsor of H. Con. Res. 307.

Even in attempting to ensure the contact database for the chiefs of staff was accurate, eight emails returned messages stating the individual was no longer with the office. Five of these automatic responses contained the names of the new chiefs of staff, so the database was updated, and surveys were sent to the correct individuals. Employees of the House of Representatives have the option to restrict incoming emails with varying security options, and 35 chiefs of staff had security settings that automatically rejected the emails sent for this survey.

A second survey was then distributed through the Society of American Archivists’ Congressional Papers Roundtable listserv, which has 328 list members (Appendix C). This purpose of this survey was to ask archivists who work with congressional collections in their repositories whether or not the collections obtained since the passage of H. Con. Res. 307 in 2008, which prompted the current version of the House *Records Management Manual for Members*, contained legislative background

materials. The purpose of this survey was not to have archivists delve into these collections to find specific materials available, though this study may prompt a further study of the legislation background materials in these collections. Rather, as collections are appraised and processed, archivists gain an overall knowledge of the types of materials within them.⁶⁸ This part of the study is necessary, even though it is not an exhaustive view of particular collections, in order to gauge whether congressional staff members' perceptions of the materials saved in this area matches the perceptions of archivists who maintain collections after Members have left office. Data was then analyzed to find which types of materials relating to legislation drafting, if any, congressional offices were most likely to retain.

For the purpose of this study, "background / support material" includes previous drafts of legislation, correspondence with constituents influential in the bill's drafting process, Congressional Research Service reports and correspondence, Member and staff discussions or notes, outside agency or organization reports, or any other materials that were instrumental in developing the specific piece of legislation, but does not include the final version of the bill. This definition was used for both surveys distributed and for the interview with Reeder.

2.1 Congressional Staff: A Hard-to-Persuade Population

Hill staffers are irregularly surveyed for several reasons. There are barriers to accessing them. Even though employment and salary data for House and Senate staff exists, the best resources for accessing this information online come from sources outside of Congress. A subscription to a well-updated database can cost several hundred

dollars.⁶⁹ Though the House and Senate both began making expenditure reports available online in 2009 and 2011 respectively,⁷⁰ the database is hard to search. The information is provided in a large PDF file spanning all data from House Member offices, legislative offices, and committees, and there is no standardization of language. For example, what one office may refer to as “executive assistant” another may label as “scheduler.”⁷¹ Further, it is a transient population, with both the House and Senate having high staff turnover rates. The average employee stays in a position just over three years, and the average tenure in Congress was five and a half years. Even chiefs of staff have an average tenure of less than five years in the position, with the average departure from the Hill coming in their eleventh year as a staffer.⁷²

Busyness likely is a contributing factor in making congressional staff a hard-to-survey population. Staffers work an average of 53 hours per week when Congress is in session, with some reporting 12 to 14-hour days as normal. They carry out many of the functions that the general public assumes Members of the House and Senate do:

The member who drafts all of her own legislation, or in some cases even reads it before it’s introduced with her name on it, is long gone. Members who research policies and come up with all of their own ideas and amendments to legislation are similarly rare. Only occasionally will members read their constituent mail, no longer staying in close contact with the people they represent. Instead, staff are doing these things.⁷³

More importantly for the scope of this study is that staffers also coordinate legislative strategy; prepare reports, briefs, speeches, testimony, Floor statements, and constituent responses; gather background data; draft legislation; and offer opinions and act as a

“sounding board” for the Members for whom they work.⁷⁴ Staffers consider themselves beholden not only to the Member or Senator for whom they work, but also to constituents, coworkers, relevant caucuses, institutional leadership, and lobbyists.⁷⁵ Many tasks placed on Congressional staff have quick turn-around times, many requiring less than 24 hours.⁷⁶ Because of the long hours, fast pace of the legislative environment, and the feelings of loyalty to multiple groups, congressional staffers often feel stressed and occasionally overwhelmed by their immediate duties. Roughly a third of staff interviewed for a 2012 study felt as though they had too many competing demands on them to do any part of their job well.⁷⁷

Finally, hard-to-survey populations are less likely to respond to surveys for topics that do not catch their interest. One of the comments in a survey of Senate archivists was “Staff are generally uninterested in archiving and do not realize or internalize that it is now a part of their job requirement.”⁷⁸ Records management has not been a major priority for House offices, as evidenced by Reeder’s reports to the Congressional Papers Roundtable.

Tourangeau classifies this type of hard-to-survey population as “hard-to-persuade.” These populations are even less likely to agree to being surveyed than the general population, which itself has seen a decline in participation. Indeed, many of the surveys of congressional employees are not actually surveys, but rather in-person interviews with a sample of staffers.⁷⁹ There is anecdotal evidence that suggests staffers are helpful and accommodating with their time – once one is able to get face time with them.⁸⁰ Several aspects of this study fit the suggestions for surveying hard-to-persuade populations, including keeping the survey short, having it tailored to the population, and

having the Members of Congress provide an alert that the survey was coming beforehand.⁸¹

The Hill functions as an insular environment, with a “who knows whom” culture.⁸² Further, Hill staffers develop a “survival network” of friends and colleagues during their time working for Members of Congress that assist them in career advancement on or off the Hill.⁸³ My survival network should be considered one of the contributing factors to the response rate for the survey of House staffers, as two recipients of the survey forwarded to close colleagues with notes that they knew me and hoped others could assist me with my research.⁸⁴

2.2 Data Collection and Analysis

The two surveys were created using Qualtrics. The survey to Chiefs of Staff was six questions long, and the survey to Congressional Papers Roundtable members was two questions long. The University of North Carolina at Chapel Hill Institutional Review Board reviewed all three as part of the research review process. Originally, both surveys were to be conducted electronically between February 5, 2016 and February 26, 2016, allowing for a three-week window in which responses could be received. Consent agreements were attached to both surveys with the promise that no identifying information would be attached to responses. However, the survey to the Congressional Papers Roundtable did not send until February 10, 2016, and was therefore open until March 2, 2016 to provide the full three weeks for participants to respond. The survey to Chiefs of Staff also was held open until March 2, 2016 due to the additional recruitment provided by my two former colleagues. To ensure anonymity of the participants,

Qualtrics provides an “anonymize responses” option in the survey options, which prevents IP addresses from being recorded. Further, no questions were asked in either survey about names or job titles, all responses to individual questions were optional, and individual responses were only made available to the principal researcher and faculty advisor. Eleven members of the Congressional Papers Roundtable and 30 House staffers responded to the surveys.

For analysis, responses for both surveys were exported both to Excel and Word. The survey to Congressional Papers Roundtable members contained one yes/no question and one yes/no/some question with the option to provide an open-ended response, though none of the respondents chose to provide a comment. In the case of the survey to Chiefs of Staff, however, questions were yes/no, multiple choice, and open-ended. One question intended to be multiple answer was accidentally created as multiple choice, which led to most participants leaving open-ended answers. Data from open-ended responses was then imported to ATLAS.ti for emergent thematic coding.

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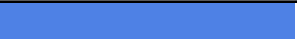

Findings

3.1 Survey Sent to Chiefs of Staff

Thirty respondents out of the 440 chiefs of staff contacted participated in the survey sent to Chiefs of Staff in the House of Representatives, and eleven respondents participated in the survey sent to members of the Congressional Papers Roundtable listserv out of 328 listserv members, though only nine participants answered the second question. The dropout rate for the survey to Chiefs of Staff was three percent, and the dropout rate for the survey to Congressional Papers Roundtable listserv members was 30 percent.





The survey sent to chiefs of staff provided insight into how records management practices are being handled in these particular House offices, though there was a wide variety in the practices reported by respondents. Further, most respondents kept legislative background materials, though it is unclear what they are using for guidance when deciding what materials are important to keep and what can be disposed.

Figure 1. Are you aware of the House Records Management Manual for Members?

Answer		Response (n=30)	Percentage Total
Yes		17	57%
No		13	43%
Total		30	100%



As the *House Records Management Manual for Members* grew out of the need to assist Members and staffers with retaining important records, the first question posed to House staffers in their survey asked about their awareness of the manual. Of the 30 respondents, 57 percent reported that they were aware that it existed as a resource (Figure 1).

Figure 2. Please select the statement that best describes your use of the House Records Management Manual for Members.

Answer		Response (n=30)	Percentage Total
I have read it and use it as a source of guidance in my work.		6	20%
I have read it but do NOT use it as a source of guidance in my work.		1	3%
I am familiar with it but have not read it.		10	33%
I am NOT familiar with it.		13	43%
Total		30	100%

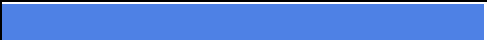

Unsurprisingly, the 13 respondents who were not familiar with the manual also gave the same answer to the second question, which aimed to assess the respondents' level of familiarity with the *House Management Manual for Members*. Of the other responses, ten were aware of the manual but had not read it, one responded that he or she had read it and did not use it as a source of guidance, and six (20 percent) responded that they had both read it and use it as a source of guidance in their work (Figure 2).

Figure 3. Does your office have a written policy regarding records management?

Answer		Response (n=30)	Percentage Total
Yes		4	13%
No		26	87%
Total		30	100%




Only four respondents reported that their offices had written records management policies. The other 26 respondents reported not having written records management policies in their offices (Figure 3). Curiously, when reviewing individual responses, only two of the four respondents who reported having written records management plans for their office also reported using the *House Records Management Manual for Members* for guidance. One of the remaining two reported not knowing the manual existed and the other reported knowing the manual existed, but having not read it. As this survey did not account for the other options available to House Members and staff for records management advice – either through workshops put on by the House Office of Art and Archives or through one-on-one consultation with the House Archivist – it is impossible to know if these two offices used these options.

Figure 4. Does your staff preserve any background / support material?

Answer		Response (n=30)	Percentage Total
Yes		27	90%
No		3	10%
Total		30	100%

Even without written policies, all but three respondents reported keeping some legislative background materials as defined for this survey (Figure 4). These three respondents from offices that do not keep background materials also come from offices that do not have written records management policies and two of the three reported being unaware of the *House Records Management Manual for Members*. The other respondent reported being aware of the manual but not using it as a resource.

Figure 5. If you answered yes, please select what types of materials you preserve.

Answer		Response (n=27)	Percentage Total
Previous drafts of bills.		0	0%
Correspondence with constituents influential in the bill's drafting process.		0	0%
Congressional Research Service reports and correspondence.		0	0%
Member and staff discussions or notes.		8	30%
Outside agency or organization reports.		1	4%
Other. (Please explain.)		18	67%
Total		27	100%

Twenty-seven respondents – those whose offices keep legislative background materials – answered question five, which was originally intended to be a multiple response answer with an option to provide an open-ended response. However, because it was sent to participants as a multiple-choice question, 67 percent provided a short answer response. Of the other 34 percent, the offices kept either Member and staff discussion notes or outside agency or organization reports (Figure 5).

Several themes emerged from the open-ended responses to this question. Most of the offices keep at least most of the types of legislative background materials outlined by

the *House Records Management Manual for Members*, with the exclusion of reports, whether they are from the Congressional Research Service (CRS) or outside sources. While most respondents do not report that they keep CRS reports, two comments noted that CRS materials or emails pertaining specifically to the legislation would be retained. Several comments mention space issues with keeping them, and other responses note that they are accessible online, making it redundant to keep a printed copy. Two responses note that while the office may have a separate policy, it is up to the legislative staffer handling the issue to properly store background materials.

All thirty respondents answered the last question, which was an open-ended question about how offices handle the removal of inactive files. While some offices reported not removing inactive files, most reported using storage outside of the Congressional office. Eight respondents mentioned offsite storage provided by the National Archives and Records Administration (NARA), and another eight respondents reported using storage space provided by the House of Representatives' House Administration Committee. One respondent referred to the "Cannon cages," which is an area in the Cannon House Office Building. As far as how often offices move old files out of the office, the most common response was that it happens irregularly, or, as one respondent noted, "regularly is a stretch." Some offices do have regular retention schedules, such as at the end of each Congress, annually, or every six months. Space issues were a recurring theme in this set of answers as well, with one respondent noting that moving files into storage was done to prevent the office "from becoming an episode of Hoarders." Another respondent commented, "House offices are very small spaces, and

there is a lot of paper we legally and ethically have to save. Eventually, it gets overwhelming.”

Though not specifically asked about born digital materials, two respondents offered information regarding server storage space for digital files. Perhaps in these offices – both ones who reported not keeping legislative background materials – the definition of keeping legislative background materials was understood to mean in print form only. Further investigation would need to be done to say this with certainty. Two respondents also mentioned email accounts. One reported that old staffers email accounts were deleted, making it necessary to hand over printed documents to the next person handling an issue. The other spoke about the limited email account storage, finding it easier to delete files rather than figuring out a way to store them.



Finally, one notable underlying theme was the haphazard nature by which offices were handling their records management procedures, with one respondent claiming there was “no rhyme or reason” to it and another admitting his or her office waited to remove files until the file cabinets were full. Certainly, staffers are busy, but the cluttered office appears to add to their stress.

3.2 Survey Sent to Congressional Papers Roundtable Members

The survey sent to members of the Congressional Papers Roundtable found that most repositories that have received congressional collections since the passage of H. Con. Res. 307 believe these new collections contain at least some forms of legislative background materials. This falls in line with the previous survey sent to the chiefs of staff and how they report to be keeping many of these types of files. The archivists of the Congressional Papers Roundtable were not asked to survey the collections, though if



following prescribed archival practices, some initial appraisal of the collections would have been conducted on ingest, giving the respondents an overview of the types of records in them.

Figure 6. Has your repository received congressional papers from a retiring or deceased Member of the House of Representatives since the passage of H. Con. Res. 307 on June 23, 2008?

Answer		Response (n=11)	Percentage Total
Yes		8	73%
No		3	27%
Total		11	100%

For the survey to Congressional Papers Roundtable, the two questions asked were specifically to gauge whether the materials that House offices reported to save were in fact coming to archives as the collections were acquisitioned. Because the *House Records Management Manual for Members* was released in response to the passage of H. Con. Res. 307, the first question posed to the archivist was whether or not they had received a congressional collection since 2008. Of the eleven respondents, eight responded that they had received collections since 2008, and three responded that they had not (Figure 6).

Figure 7. If you answered yes to the previous question, do these collections contain legislative background / support material?

Answer		Response (n=9)	Percentage Total
Yes		7	78%
No		2	22%
Some (Please explain.)		0	0%
Total		9	100%

Nine respondents answered the second question. Both of the respondents who answered the first question only responded that they had not received collections since 2008. This question asked if legislative background material had been present in the congressional collections received by the individual's repository since the passage of H. Con. Res. 307. Seven respondents said it was, and two said it was not (Figure 7). One of the respondents who had reported not receiving collections since 2008 also answered "no" on the second question, meaning only one archivist who had received a collection since the passage of H. Con. Res. 307 believed the new collections did not contain legislative background material.

Discussion

The two surveys provide a mixed review of records management procedures in the House of Representatives, though most of the focus falls on the areas that need improvement. One bright spot is that House staffers are keeping at least some legislative background materials, and the indication from the survey to chiefs of staff is that most of the files suggested in the *House Records Management Manual for Members* are being

kept by the respondents, with the exception of reports from CRS and outside entities. There is possible confusion as to whether files are paper-only format or if born-digital materials are included in the definition of legislative background materials, and as such, it is possible that the offices that do not report retaining legislative background materials are keeping them in digital-only format.

Returning to the definition of legislative background materials used for this study, I did not state that digital formats of files were included in the definition because, to archivists and records managers, digital formats have long been considered records, with NARA accessioning the first electronic records in 1970.⁸⁵ For almost two decades, the accepted standard has been that authentic, trustworthy digital records carried the same warrant as their paper-based versions.⁸⁶ However, federal regulations concerning the Executive Branch's retention of electronic records developed slowly over time, with an evolving understanding that these were also authentic records, sometimes without an analog counterpart.⁸⁷ Executive Branch agencies are accustomed to records retention policies in a way that the Legislative Branch is not, even though Congress has oversight of the agencies, and the House has recently passed legislation on the topic.⁸⁸ Therefore, that digital files are part of legislative background materials should have been clearly stated in the definition.

Many of the findings show that respondents to the survey sent to chiefs of staff are struggling with records management. With a fifth of respondents reporting that their offices use the *House Records Management Manual for Members* to guide them in their offices' records management practices, it is unsurprising that there is no cohesion in the policies of the different staffers who reported their methods in the survey. House offices

each set their own policies and guidelines, which in the case of records management mostly means none exist. This leads to unsystematic processes for storage and removal to the offsite storage. Further, in the *House Records Management Manual for Members*, the section pertaining to storage outside of the House Member offices states this is the responsibility of NARA, but fully half of the respondents who discussed moving their files to offsite storage thought the House Administration Committee were handling this process.⁸⁹ Troublingly, this suggests that offices are not aware of to whom they are turning over their records when they remove them from their offices.

Another theme noted in the short answer responses in the survey to chiefs of staff was the stress that poor records management procedures seemed to cause some of the respondents. Congressional staffers have high levels of stress from their normal duties.⁹⁰ The clutter from the amounts of paper files accumulated in the offices led some respondents to report feeling beleaguered by it. Developing a system that would remove records on a specific schedule would likely alleviate some of these feelings, which may have a positive effect on office productivity.⁹¹

One area that no respondents reported on was the necessity or ability to retrieve items from storage. These records that the offices place in storage are inactive records but might be useful for them in the future. That this topic did not come up might suggest that offices are retaining digital copies of files on the office servers and not placing those records in the boxes that are being stored offsite. While respondents commented on the lack of server space for emails, there was not the same kind of discussion surrounding server space for word processing documents, spreadsheets, PDFs, or other types of common office files.

Though most of the respondents indicated that their offices had room for much improvement when it comes to records management, there is little indication that there will be a change in the House in the foreseeable future. Even as Executive Offices are implementing stricter, more robust policies,⁹² Congress has not indicated a willingness to subjugate the Legislative Branch to similar scrutiny, even in the aftermath of high profile issues facing the Executive Branch that developed from poor records management practices.⁹³ The modern Congress is largely a reactionary body, responding to public opinion to develop policies rather than proactively approaching issues.⁹⁴ There is little push from the public to create good records management guidelines for Congress, which, given that it took a presidential impeachment to change the public opinion about presidential records, is unsurprising.

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⁸⁷ Federal Electronic Records Management: A Status Report: Hearing before the Subcommittee on Information Policy, Census, and National Archives of the Committee on Oversight and Government Reform, House of Representatives. 111th Cong. 2 (2010).

⁸⁸ IRS Email Transparency Act, H.R. 1152, 114th Cong. (2015).

⁸⁹ Office of Art and Archives, Office of the Clerk, United States House of Representatives. (2014). *Records Management Manual for Members*. Washington, DC.

⁹⁰ Congressional Management Foundation and Society for Human Resource Management. (2012). *Life in Congress: Aligning Work and Life in the U.S. House and Senate*. Retrieved from http://www.congressfoundation.org/storage/documents/CMF_Pubs/life_in_congress_aligning_work_life.pdf

⁹¹ Farren, C. (1999). Stress and productivity: What tips the scale? *Strategy & Leadership*, 27(1), 36. Willis Towers Watson. (2016, February). "Global Benefit Attitudes Survey 2015/16." Retrieved from <https://www.willistowerswatson.com/en/insights/2016/02/global-benefit-attitudes-survey-2015-16>

⁹² Obama, Barack. (2011, November 28). "Presidential Memorandum -- Managing Government Records: Memorandum for the Heads of Executive Departments and Agencies." Office of the Press Secretary, The

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⁹³ Werner, E. (2015, March 15). "When it comes to saving e-mails, Congress makes its own rules." *PBS Newshour*. Retrieved from <http://www.pbs.org/newshour/rundown/congress-rules-saving-emails/>

⁹⁴ Bishin, B. G. (2000). Constituency Influence in Congress: Does Subconstituency Matter? *Legislative Studies Quarterly*, 25(3), 389–415.

Limitations and Future Research Potential

As noted previously, Congressional staffers are a hard-to-survey population, so the sample size is small in comparison to the overall number of House staffers in personal offices. Each House Member is limited to paying 18 permanent staff members through his or her Members' Representational Allowance (MRA), though that does not account for fellows, who are temporary paid employees; interns, who are usually unpaid; shared employees, whose salaries may be split between several Members or a Member and a committee; and special employees, such as employees from other agencies or fields who receive a salary from another funding source.⁹⁵ Through the Sunlight Foundation's databases, I calculated 7,300 paid staffers (full-time, part-time, and temporary) working for the House Members, delegates, and resident commissioner in the fourth quarter of 2015, the latest available data, though the goal of this survey was to survey one staff member per office, which totaled 440 due to a vacancy in a House district in Ohio.

I made no effort to ensure that the respondents were all from separate offices beyond sending the email with the link to the survey directly to the chiefs of staff, asking them to forward to other staff members only if they were not responsible for office records management procedures. Further, the survey does not take into account the other means available to staffers for records management assistance, such as the workshops put

on by the House Office of Art and Archives or the one-on-one assistance the House Archivist may provide to individual offices.

The sample size for the Congressional Papers Roundtable is also very small, having 328 members on the group's electronic mailing list. However, there is little current data available outside of the report departing Members provide to the House Office of Art and Archives that indicates how many of them have donated papers to repositories or which repositories are the recipients of House Members' papers. Some larger repositories might receive several Members' collections. This makes it very difficult to target the population of archives that would have received collections since the *House Records Management Manual for Members* was created. This survey is meant to shed light on the habits of Congressional staffs in regard to records retention policies, and as such does not evaluate in depth the records that have moved into the repositories. The questions posed to the archivists did not require them to study the materials in recently accessioned collections or provide a detailed analysis of what types of materials were kept as part of the legislative records they had received. Finally, in not recording location data, I am unable to know if there were multiple respondents from the same repository.

The surveys, in particular the survey sent to chiefs of staff, point to several areas that warrant further study. While most respondents to that survey reported saving legislative background materials and most respondents to the study sent to Congressional Papers Roundtable listserv members reported receiving legislative background materials with recently acquired congressional collections, this study did not delve into the types of materials actually found in collections that had been accessioned by repositories to see if

all of the types of materials suggested for permanent retention by the *House Records Management Manual for Members* were actually ending up in archival collections. Such an investigation would be particularly valuable in light of congressional collections having a reputation for lacking “richness and consistency.”⁹⁶

Given that there is some confusion as to what agency is responsible for storing inactive files for House offices offsite, it would be beneficial to review the process by which NARA accepts and stores these records, and to see how NARA employees who are responsible for oversight of this process interact with congressional staff members. Also, do all offices have access to “Cannon cages,” and are these under the purview of a House committee? If all offices have access to storage in the House Office Buildings, when does it become necessary for them to pursue offsite storage, and why is the onsite storage not mentioned in the manual?

Finally, because no respondents to the survey sent to chiefs of staff mentioned the need to retrieve physical inactive files from storage and the discussed possible confusion over electronic files being part of the legislative background materials definition, it would be interesting to look into how staffs employ the use of their shared files on the office servers. The response to the survey sent to chiefs of staff that mentioned the respondent’s office’s shared drive was short, but it may indicate that this office has decided to keep only digital files and discard paper files. It would be beneficial to know if this is in fact the case and see if this is happening more widely than reported in this study.

⁹⁵ Congressional Research Service. (2014, December 30). *Congressional Salaries and Allowances: In Brief*. (CRS Report Publication No. RL30064). Washington, DC: Congressional Research Service.

⁹⁶ Paul, K. D. (1992). Summary Report and Recommendations. *The Documentation of Congress: Report of the Congressional Archivists Roundtable Task Force on Congressional Documentation*. Society of

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Washington, DC: Government Printing Office.

Conclusion

This study provides valuable data for archivists, records managers, and government watchdogs interested in how Congressional staffs – particularly ones in the House of Representatives – are handling their data. Clearly, there is much room for improvement, as survey respondents reported knowing their methods were sometimes haphazard and occasionally nonexistent. There is possible confusion as to whether or not electronic records storage is included in the types of records that should be saved according to the *House Records Management Manual for Members*. Also, there is a lack of awareness that there are resources available to help offices retain the records suggested by the concurrent resolution. However, both the literature on the topic of public officials' records management policies and this study confirm that part of the problem with a concurrent resolution is that it is nonbinding, and Congressional offices are not doing a good job at self-policing this topic. As long as Congressional staffs are exempt from laws governing the Executive Branch's handling of presidential records, they are able to maintain their own records schedule, decide what records should be saved (if any), and whether or not the records will be available to the public after the Member leaves office.

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Appendix A: Congressional Staff Survey

Your participation in this survey is voluntary. You may refuse to take part in the research or exit the survey at any time without penalty. You are free to decline to answer any particular question you do not want to answer for any reason. There are no foreseeable risks involved in participating in this research study other than those encountered in normal Internet usage. You will receive no direct benefits from participating in this study. However, this will help us learn about current House records management practices.

Are you aware of the House *Records Management Manual for Members*?

- ☐ Yes
- ☐ No

Please select the statement that best describes your use of the *House Records Management Manual for Members*.

- ☐ I have read it and use it as a source of guidance in my work.
- ☐ I have read it but do NOT use it as a source of guidance in my work.
- ☐ I am familiar with it but have not read it.
- ☐ I am NOT familiar with it.

Does your office have a written policy regarding records management?

- ☐ Yes
- ☐ No

For the purpose of this study, background / support material includes previous drafts, correspondence with constituents influential in the bill's drafting process, Congressional Research Service reports and correspondence, Member and staff discussions or notes, outside agency or organization reports, or any other materials that were instrumental in developing the specific piece of legislation. This does NOT include the final version of the bill.

Does your staff preserve any background / support material?

- ☐ Yes
- ☐ No

If you answered yes, please select what types of materials you preserve.

- ☐ Previous drafts of bills.
- ☐ Correspondence with constituents influential in the bill's drafting process.
- ☐ Congressional Research Service reports and correspondence.
- ☐ Member and staff discussions or notes.
- ☐ Outside agency or organization reports.

☐ Other. (Please explain.)

Does your office regularly remove inactive files, such as the background / support files for legislation? If so, where are these materials maintained?

Appendix B: “Dear Colleague”

From: e-Dear Colleague

Sent: Thursday, February 04, 2016 4:48 PM

To: E-DEARCOLL_ISSUES_G-Z_0000@ls2.house.gov

Subject: Government, RulesLegislativeBranch: Dear Colleague: Please participate in this research project to find out how Members of Congress are preserving their official records

Please participate in this research project to find out how Members of Congress are preserving their official records

From: The Honorable Don Young

Sent By: pamela.day@mail.house.gov

Bill: H.Con.Res. 307

Date: 2/4/2016

February 4, 2016

Dear Colleague:

In 2008, both Houses of Congress unanimously passed H. Con. Res. 307, which was to encourage Members of this body and the Senate to preserve their records for future research by donating personal office papers to archival repositories. Prior to the concurrent resolution, many members opted to donate papers to libraries or archives in their home states, though some decided to either keep their records or discard them.

Congress is a living body that changes with every election cycle, and preserving records of the individual Members will help researchers better understand the legislative priorities of individuals as well as paint an accurate overview of the political climate of the day. Of particular interest to researchers are legislative materials.

During the first week of February, Nahali Croft, a graduate student from the University of North Carolina at Chapel Hill will contact your office with a survey that should take no more than 15 minutes to complete. This survey will focus on your office’s retention of background materials used to draft legislation, not on the bills as introduced. This student is a former legislative assistant who is familiar with House office practices and legislative development, having worked in the Alaska office from 2008 to 2011.

We ask that you have your staff fill out and submit this survey to help us better understand current records retention practices and open the door for better records management among offices in the future.

Sincerely,

DON YOUNG

Congressman for All Alaska

ROBERT BRADY

Congressman for PA-1

Appendix C: Congressional Papers Roundtable Survey

Your participation in this survey is voluntary. You may refuse to take part in the research or exit the survey at any time without penalty. You are free to decline to answer any particular question you do not want to answer for any reason. There are no foreseeable risks involved in participating in this research study other than those encountered in normal Internet usage. You will receive no direct benefits from participating in this study. However, this will help us learn about current House records management practices.

Has your repository received congressional papers from a retiring or deceased Member of the House of Representatives since the passage of H. Con. Res. 307 on June 23, 2008?

- ☐ Yes
- ☐ No

For the purpose of this study, legislative background / support material includes previous drafts, correspondence with constituents influential in the bill's drafting process, Congressional Research Service reports and correspondence, Member and staff discussions or notes, outside agency or organization reports, or any other materials that were instrumental in developing the specific piece of legislation. This does NOT include the final version of the bill.

If you answered yes to the previous question, do these collections contain legislative background / support material?

- ☐ Yes
- ☐ No
- ☐ Some (Please explain.)