

November 26, 2018

The Honorable David S. Ferriero
Archivist of the United States
National Archives and Records Administration
via email to request.schedule@nara.gov

Re: Records Schedules; Availability and Request for Comments (83 FR 45979)
U.S. Department of the Interior Request for Records Disposition Authority (DAA-0048-2015-0003)

Dear Mr. Ferriero,

On behalf of the American Library Association (ALA)¹ and the American Association of Law Libraries (AALL),² we write to provide our comments on the U.S. Department of the Interior's request for records disposition authority (DAA-0048-2015-0003, noticed at 83 FR 45979).

We appreciate the National Archives and Records Administration's (NARA) efforts to strengthen records and information management in order to protect the public's access to government information. Federal records document America's history: the future of an informed republic relies on their effective management and preservation.

As you know, the Interior Department's request has attracted a high level of public attention. We urge NARA to give serious consideration to the comments of subject matter experts as to the adequacy of the proposed retention periods. Although we know that NARA staff make diligent efforts to appraise records' value, we believe that the perspectives of researchers, librarians, and archivists who use the records are also invaluable and warrant NARA's close attention.

Beyond this particular case, the Interior Department's request also highlights recommendations we have previously made to strengthen records management more broadly.³

Increase transparency and participation in records scheduling: We note NARA's leadership in strengthening transparency and public participation and we urge NARA to continue its efforts to increase transparency and participation in the records scheduling process. Because there is no substitute for researchers' insight about the value of records, we recommend that NARA take additional steps to invite researchers into the process. In particular:

- We urge NARA to post all proposed records schedules and appraisal memoranda online for public access when they are noticed in the *Federal Register*, as a NARA advisory committee has recommended.⁴ We are grateful that NARA has stated its plans to do so and we encourage NARA to implement this proactive disclosure as quickly as is feasible.
- We encourage NARA to continue its efforts to reach out to researchers about the records scheduling process through its blog⁵ and other communications mechanisms.
- We encourage NARA to consider if it is possible to provide clearer information to the public about the records scheduling process and how to participate, such as by clarifying the content of *Federal Register* notices of proposed records schedules and by creating a user guide or Frequently Asked Questions document for members of the public.

Review the appraisal of records’ research value: We encourage NARA to review its appraisal policy and practices to ensure that records schedules appropriately consider the research value of records, including temporary records.⁶ We believe that many records which may not warrant permanent retention by NARA may nonetheless be of interest to researchers years or decades after their creation. A review of NARA’s appraisal policy and practices, together with improved participation by researchers (as would be facilitated by the recommendations above), would help to better identify such records and the most appropriate retention period.

Thank you for your consideration of these comments and for your leadership to ensure the public’s access to government information. If you have any questions, please contact Gavin Baker (gbaker@alawash.org).

Sincerely,



Gavin R. Baker
Assistant Director of Government Relations
American Library Association



Emily Feltren
Director of Government Relations
American Association of Law Libraries

¹ The American Library Association (ALA) is the foremost national organization providing resources to inspire library and information professionals to transform their communities through essential programs and services. For more than 140 years, the ALA has been the trusted voice for academic, public, school, government and special libraries, advocating for the profession and the library’s role in enhancing learning and ensuring access to information for all.

² The American Association of Law Libraries (AALL) is the only national association dedicated to the legal information profession and its professionals. Founded in 1906 on the belief that people—lawyers, judges, students, and the public—need timely access to relevant legal information to make sound legal arguments and wise legal decisions, its more than 4,100 members are problem solvers of the highest order. AALL fosters the profession by offering its members knowledge, leadership, and community that make the whole legal system stronger.

³ See letter from Gavin Baker, American Library Association, et al., to Laurence Brewer, U.S. Chief Records Officer, “Re: Improving Management of Federal Web Records,” November 14, 2017, *available at* <http://www.ala.org/advocacy/sites/ala.org/advocacy/files/content/govinfo/Sign-ons/Improving%20Management%20of%20Federal%20Web%20Records%20transparency%20letter%20to%20NARA%20%281%29.pdf>.

⁴ See Freedom of Information Act Federal Advisory Committee, Report to the Archivist of the United States, “Final Report and Recommendations, 2016-2018 Committee Term,” April 17, 2018, at 19, available at <https://www.archives.gov/files/final-report-and-recommendations-of-2016-2018-foia-advisory-committee.pdf>.

⁵ See e.g. <https://records-express.blogs.archives.gov/2018/10/26/departments-of-interior-updating-their-records-schedule/>.

⁶ See 44 U.S.C. § 3303a(d) (directing the Archivist to authorize the disposal of records only “if such records will not, at the end of the periods specified, have sufficient administrative, legal, research, or other value to warrant their further preservation by the United States Government”).