

NARS: The Politics of Placement

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THIS MORNING I WOULD LIKE TO SHARE some thoughts with you about the placement of the national archival function within the federal government. As many of you know, I was with the National Archives from 1941 until my retirement nine months ago, with the exception of my World War II military duty. During most of those years, I served as the administrative link between archivists and the staff and management offices of the parent agency, the General Services Administration. I came to know as well as anyone the successes and failures of the relationship between NARS and GSA. Since my retirement, I have had time to reflect on that relationship and to gather my thoughts together. I trust that you will forgive my lapses into the pronoun *we*; although retired, I still feel the associational pull of NARS.

Basically, I think that the National Archives and Records Service has been in trouble since GSA was set up in 1949, is in trouble now, and will continue that way as long as it is a part of GSA. We are *not* in trouble because we do not do our job—we are endangered because we are a stepchild in a conglomerate business-oriented agency that has never really understood our professional role or our program requirements.

I am convinced that the administrative placing of the National Archives within GSA was a misguided concept. The relationship as it has existed for twenty-seven years has not worked, is not working now, and will not work in the future. A fundamental change is required, a change which will consist of these four elements at least:

1. The statutory authorities relating to substantive archival and records management programs now vested in the Administrator of General Services should be restored to the Archivist of the United States.
2. The method of appointment of the Archivist of the United States should be specified in law, providing for nomination by the President based upon a set of professional criteria and requiring confirmation by the Senate.
3. A governing body, such as a board of regents, should be created by statute to oversee NARS programs.
4. An annual report to be submitted by the Archivist of the United States should be a statutory requirement. That report should serve as a medium for the discussion of policies, principles and techniques of archival and records administration and as an accounting of the manner in which the nation's public records are managed.

I would like to review briefly the history of the National Archives, and its placement within GSA, and to show you why I think the current relationship cannot work.

The author retired in 1975 as executive director, National Archives and Records Service. He presented this paper at the 40th annual meeting of the SAA, on October 1, 1976, at Washington.

The organizational placement of the National Archives and Records Service and the line of administrative authority over the Archivist of the United States have been matters of persistent debate since the early 1930s. When bills were first introduced to establish a National Archives, one of the first questions that arose was whether the proposed activity belonged in the legislative branch, either as a separate agency or in conjunction with the Library of Congress, or whether it should be established within the executive branch, there again as an independent agency or as part of some larger department. It was recognized that either arrangement would create difficulties for a new archival institution in dealing independently and effectively with all units of the three branches of government, for they all created records.

The legislation finally enacted by the Congress in 1934 established the National Archives as an independent agency within the executive branch. The National Archives Act provided for both an independent Archivist of the United States, to be nominated by the President and confirmed by the Senate, and a National Archives Council, to be composed of representatives of both the executive and legislative branches. The council was to have the authority to establish regulations governing the transfer of records to the National Archives and to advise the Archivist on the disposition and use of records in his custody. Not a bad beginning! The National Archives Act certainly made clear its intent when it stated:

All archives or records belonging to the government of the United States (legislative, executive, judicial, and other) shall be under the charge and superintendence of the Archivist.

Thus in the beginning the need for an independent establishment straddling the conventional structure of government and having a degree of insulation from partisan influence was acknowledged by the Congress.

However, continuing efforts to improve government organization and administrative efficiency repeatedly threatened archival independence. In 1937, just three years later, an administrative review recommended that the National Archives be merged into a larger executive department. Again, in the early 1940s, examiners in the Bureau of the Budget (now called the Office of Management and Budget) questioned whether the National Archives should be absorbed elsewhere. Finally, in 1949 the highly effective Hoover Commission succeeded in subordinating the National Archives to the new and promising General Services Administration. For a number of reasons, not enumerated here, this loss of independence was inevitable.

In 1965, on the occasion of his retirement after seventeen years as Archivist of the United States, Wayne Grover wrote to President Lyndon Johnson urging that the President and his staff consider reestablishing the independent status of the National Archives within the scheme of government. Grover wrote his letter during a period of relative tranquility for archival administration, but he predicted that partisan political affairs would arise to damage the integrity of the archival program, and he accurately spotted the program area likely to suffer. It may be of interest to this Society to know that Grover's main purpose in retiring was to devote his efforts to separating NARS from GSA. The letter to President Johnson was his opening salvo.

Following the impetus of Grover's letter, which was circulated to a select group but not published until recently,¹ a joint committee of historians and archivists reviewed the status of the National Archives and published a report urging independence. The move for independence failed for two main reasons. First, analysts in

¹ *AHA Newsletter* 13 (September 1975): 7-8.

the Bureau of the Budget were convinced that governmental administrative efficiency was best served by such vehicles as GSA; the Budget Bureau gave a complete negative to the idea of independence. That bureau promised to study the proposal, and then had to be reminded by the White House fifteen months later to perform that study. Second, NARS leadership could not accept independence at the price of breaking up the organizational components which reflected the "life cycle of records" concept. Still, the debate over the independence of NARS has continued, fired in recent years by some rather extraordinary examples of partisan abuse, and that debate has remained strung out between the two poles of administrative efficiency and the sanctity of the nation's documentary heritage.

From its beginnings in 1949, the principal organizational concept of GSA has been one of centralizing both program authority and the support services for all of its activities. Instead of permitting the several operating services (National Archives and Records Service, Public Buildings Service, Federal Supply Service, etc.) to function with some degree of autonomy, the centralized organizational concept placed extra layers of bureaucratic program control and support over the operating services. These operating services—including NARS—were not allowed to provide their own administrative support or to develop their own management to implement their programs. I contend that this organizational concept has subordinated NARS to a position within a business-oriented agency where the development of staff professionalism and the growth and stature of the National Archives as a cultural institution have been stunted and suppressed.

It is true that the early Administrators of General Services were supportive of Archivist Wayne Grover and even indulgent of their "little schoolteacher doctor" (a reference first made by Congressman Albert Thomas, chairman of the House Appropriations Sub-Committee, in relation to workshops in plain letters). But in spite of that indulgence the business management overlay of GSA was oppressive. To advance our programs, the NARS leadership had to thrash through a bureaucracy populated by management analysts, budget analysts, personnel specialists, and other administrative types who came to regard us as distant cousins at best. Their backgrounds and competencies in such areas as the construction and maintenance of public buildings, and the management of government supply systems, motor pools, and strategic stockpiles were simply not transferable to the institutional needs of the cultural and educational programs of NARS.

If the records management and records centers programs thrived during that early period—and they did—it was partly because these programs were the most readily understandable ones, and were more acceptable to the business service atmosphere of GSA. They were the programs which GSA could best appreciate and promote. But of the ability of the National Archives and Records Service generally to chart its own course, set its own priorities on professional bases, use its resources without unnecessary constraints, and build an institution of public identity and service, I must conclude that our institution has been seriously hampered by GSA's organizational concept.

It is instructive to note that, as early as 1953, GSA's operating officials recognized the adverse effect that the centralized management concept was having on the agency's programs. A committee was formed, with the blessing of the acting administrator of GSA and with Archivist Wayne Grover as its chairman. That committee made a valiant effort to decentralize to the operating services the central management and facilitative functions of GSA. Those functions were legal services, management analysis, budgeting, personnel management, public information, and printing and duplicating. But the committee's efforts were eventually defeated by GSA's strong

central staff organization. Except for the decentralization of the budget function in very recent years, the GSA concept of central control and support has remained unchanged for twenty-seven years.

Let me enumerate some results of the GSA concept.

1. GSA's central budget office was an extra layer of control which encumbered and complicated the use of congressionally approved resources. Under the staff control system, the initial fund allotment and every change of allotment—in amounts even as small as \$500—required repeated reviews and approvals, and it took weeks to accomplish what could have been done in only a matter of hours. It became clear early in GSA's history that each operating service simply had to have its own staff competence to develop and control its own budget, and that the budget staff offices in GSA were duplicative and wasteful. Yet it took nearly twenty years to have a decentralized system accepted.

2. The accounting services in GSA have long been inept and always delinquent, in spite of the fact that we must rely upon them to keep our accounts. Their ineptness over the years has led our operating offices to develop their own "bootleg" accounting controls to assure a timely assessment of available resources.

3. The personnel services of GSA have been, during all the years of my career, a dismal failure. The personnel function has been poorly organized and staffed, unresponsive to the needs expressed by the operating services, and in recent years has become even counterproductive. Instead of functioning as a facilitative service, providing fast and effective recruitment and development of people, the personnel office has become an adversary. Whether or not its heavy handedness is overcompensating from an era marked by its own dabbling in patronage is immaterial. I am compelled to say that GSA's personnel office now stands as an immovable obstacle to good program development.

4. During our years in GSA, NARS leadership has patiently tolerated the imposition of management systems and policies that are designed for a large, house-keeping, economy-type agency. We have been subjected to stopwatch work measurement programs, detailed management improvement reporting, repeated drives to attain unrealistic statistical goals in such areas as training activities or even savings bonds drives, and unwieldy constraints upon acquisition and use of equipment, data processing services, printing services, and so on. While activities of this sort are probably minimally necessary in any organization, they are a preoccupation of GSA. They consume a great amount of attention and resources, but provide little benefit for our programs.

5. During most of our years in GSA, the quality of legal services has been atrocious. In the early years, Wayne Grover relied upon staff lawyers in the Federal Register because GSA's services were so bad. For several years we had virtually no legal services. I must add in fairness that the present legal staff in GSA is competent and responsive. But it has taken years to accomplish what we needed at the beginning. And we always know that, in any clash between the Archives and its parent agency, the lawyers are on their side.

6. In the area of public information services, GSA's tendency to control but not manage well has affected our contacts with the public and the Congress. Official policy requires that all speeches, press releases, presentations, publications, and contacts with members of Congress be approved by GSA's staff information and

Congressional liaison offices before promulgation. Luckily, the people at GSA have never fully understood certain archival programs, and they permit us to publish preliminary inventories and perform reference service without prior clearance. But the attempt to manage press relations has suffered its disasters. The prohibition against the development of contacts in the legislative branch has brought us, in my opinion, to a present state of sorry isolation and to a point of real hazard in which legislative action may impinge on our program without the exchange, so necessary for good law, of information between legislators and professionals. For instance, GSA's legislative liaison staff failed to coordinate with NARS a review of the Privacy Act when it was being considered by Congress. Had we not discovered the lapse and taken quick action to amend the draft legislation, the act would probably have prevented the National Archives from making most of its records available for research. We would have suffered an operational shutdown, thanks to GSA. And our own proposal for creation of a public documents commission was lost in the files at GSA. That commission would not exist today had not an extra copy of the proposal found its way to a member of Congress.

It is in part this long pattern of inept control and unresponsive service that led Wayne Grover in 1965 to recommend separating the National Archives and Records Service from GSA. I did not agree with Grover about separation at that time, but I certainly recognized the need for radical reform of our present agency. Since 1965 things have not gotten better; they have gone from bad to worse.

During the administrations of Robert Kunzig and Arthur Sampson as Administrators of General Services, there was an insidious growth of political intrusion in archival matters. Bob Kunzig was appointed Administrator by Richard Nixon in 1969 and served until 1972 when he was appointed by the then President to the Court of Claims, where he remains a member. One has to have observed Bob Kunzig's style to believe it. His approach to management was a peculiar form of the conventional management by exception, but his style was closer to that of a tornado. He was indeed powerful and intimidating, and he moved GSA in a more partisan political direction than ever before in matters of both patronage and federal contracting expenditures. Although the archival program is not conducive to political intrusion in matters of either patronage or contracting, the Archivist found himself in an intensifying political crucible. In fairness to Kunzig and also to show Rhoads's great tolerance and versatility, I must add that the working relationship between the two men was satisfactory, but the political intrusion was always there.

When Arthur Sampson was named Administrator of General Services, the political intimidation of the Archivist of the United States came into full bloom, and the threat to the sanctity of our mission to preserve the nation's heritage became real. The members of our Society—and the entire American people—know the broad outlines of the abuses that occurred. I do not propose to describe them in detail; I shall only recall them to your minds and perhaps add some footnotes of interest.

1. The case of President Nixon's tax deduction and the fraudulent deed of gift for papers given to the National Archives has been aired and tried. At least one man has served time in jail, and the former President is under obligation to pay the related back taxes. My footnote is this: the deed of gift of questionable integrity was held by GSA lawyers for over a year and then returned to the White House legal staff. That deed was not delivered to NARS and therefore was never reviewed for acceptance or rejection by our professional program officials.

2. Later, after Richard Nixon's resignation, a formal agreement was signed concerning custody and partial destruction of Richard Nixon's tapes and other historical materials. You know the history—the agreement was unacceptable to the public and to the Congress, and a law was passed to preserve and protect the Nixon materials in permanent custody. My footnote is this: NARS staff had drafted the first version of that so-called agreement, and it was sound. Had Administrator Sampson consulted the Archivist before signing the agreement, we might have been able to correct the deficiencies in the final version and might have avoided a constitutional court battle whose solution no one can yet predict. But Sampson chose not to seek the advice and consultation of his program officers when he signed the infamous agreement. He was not forced to sign it; a deposition states that he was given the chance to consult, and that he declined.

3. Later, when the court suit began, Sampson again displayed a monumental distrust for his own program officials when he interposed a special personal representative to take custody and control of the Nixon presidential materials away from qualified archivists. Furthermore, he proposed at one time to disenfranchise the National Archives permanently from managing the Nixon papers by creating a position entitled "Special Archivist of the United States" answerable only to the Administrator of GSA. That arrangement was modified in the final proposal that went to Congress, but I can tell you this—Art Sampson left GSA last October with a public statement making perfectly clear that his departure was not voluntary. Yet it has taken GSA an additional nine months to remove Sampson's special representative from his peculiar function and restore to NARS its proper archival custody of the Nixon materials.

4. When Congress acted to seize the Nixon papers and GSA was obliged by law to draft implementing regulations, Sampson responded by creating a task force from among young management types in his staff offices; at first he ignored the need for representation on that task force by knowledgeable archivists. That lapse was corrected, and eventually regulations were produced that reflected the operational needs of archivists who would ultimately process the papers. A note of interest here is that the GSA staff continues to wrangle with congressional committees over disputed elements of those regulations, and they do so without the benefit of participation by archivists.

I have tried here to illustrate by examples the negative results of the long association of NARS with GSA. In response to the argument for administrative efficiency, I say that the association has not worked and will not work. In answer to the question, "Does the Archives really need independence?" I say that the events of recent years have demonstrated beyond any doubt the real threat of political interference in the work of archivists whose mission is to preserve the nation's heritage. The National Archives and Records Service must get out of GSA, and the sooner the better.

I reach this conclusion with some reluctance, after a long career filled with personal associations over at GSA that I regard as friendly and pleasant. I would also add that the present regime in GSA under Administrator Jack Eckerd is a welcome return to sanity and stability. *But that doesn't change the history and the demonstrated need for institutional independence.* The political intimidation of the Archivist that I have described in this paper is a fault of the system. Grover felt it, Bahmer felt it, and so would any other man who held the job!

I come now to the most difficult part of this discussion about the politics of placement of the National Archives: to examine the alternatives and to present a recommendation. As a retired public servant who is still interested in NARS and in sound management, I should be able to reflect on my experience and come up with a solution. I am painfully aware that there is no easy solution—but a solution must be found, for we must change what has been a disappointing and damaging relationship. Keeping in mind that NARS has a close working relationship with all of the federal government in the managing and disposition of records, that we serve the academic and lay research communities, and that we are a growing educational and cultural service for the general public, it seems to me that we have several alternatives.

First of all, there is the prospect of becoming an independent agency within the executive branch. From the NARS point of view this probably is the most desirable solution. Surely with budget resources approaching 70 million dollars and staffing by over 3,000 persons, NARS would not be among the smallest of federal agencies. And it has the maturity and the experience to carry the administrative burden and maintain an effective regional network of archives branches and records centers, not to mention presidential libraries.

A second prospect is to locate the National Archives within the legislative branch. Both the Library of Congress and the General Accounting Office have demonstrated the possibilities of effective service and operational relationships with agencies in the executive branch. It is well to note that until only recently Congress retained unto itself the authority to dispose of federal records, an authority emanating from a provision of the Constitution concerning control over government property.

A third prospect is an affiliation with the Smithsonian Institution. One of the alternatives in the Bureau of the Budget study of 1967 was to split NARS and transfer its cultural and educational activities to the Smithsonian. Some archivists have also advocated affiliation with that institution as more conducive to the development of archival programs. Certainly the commonality of historical and cultural elements between the two institutions makes this alternative worth considering seriously. But we should not agree to the functional split contained in the Bureau of the Budget study of 1967.

During this election year there has been a good deal of discussion of reorganization of the executive branch. Should this occur, perhaps a larger department could be created, a department representing the consolidation of smaller agencies whose functions are related primarily to culture and education. Some organizations that could be merged, for example, are the National Science Foundation, the Smithsonian, the Office of Education in HEW, the National Park Service, and the National Foundation on the Arts and Humanities. If such a merger were to take place, the National Archives and Records Service might very well find a home there.

I would say again that any of these prospects would work so long as the National Archives continued to deal with the full "life cycle of records." NARS may not need to serve as consultant to federal agencies in areas of general management, such as office landscaping and secretarial standards; others can do that. But we should continue to advise in files management, to act in records scheduling, to operate records centers, and to appraise and preserve the permanently valuable records of the United States.

I would say also that any of these prospects could work if the four essential elements for a sound National Archives are present. To recapitulate, they are:

- 1. Return of statutory authority relating to archival programs to the Archivist of the United States.
- 2. Appointment of the Archivist, as a matter of law, by the President and with Senate confirmation, and based upon a set of professional criteria.
- 3. Creation by statute of a governing body to oversee National Archives programs.
- 4. Submission by the Archivist of an annual report to be required by law.

The Public Documents Commission is now midway through its term and has indicated that it will examine the question of the proper organizational location of the National Archives within the framework of government. I trust that the Public Documents Commission in its review will take note of the growing consensus among professional organizations that the National Archives ought to be established as an independent and nonpolitical authority within the national government. Resolutions have been passed by the American Historical Association, the Organization of American Historians, the American Library Association, the Council of the Society of American Archivists, and the American Assembly. Now is the time for Congress and the Executive to take the steps that will rectify the organizational mistake made in 1949 and restore to the National Archives the pride of its profession and a high standing among the cultural institutions of the world.



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