

HISTORICAL DEVELOPMENT OF THE RECORDS DISPOSAL POLICY OF THE FEDERAL GOVERNMENT PRIOR TO 1934

THE acts of Congress of 1789 creating the executive departments of the federal government provided for the keeping of records pertaining to their functions. The secretaries of most of the departments were authorized to appoint principal clerks, whose duty it became to maintain records of the departments.¹

Little legislation pertaining to the disposal of records was enacted by Congress during the first hundred years though numerous laws relating to records were passed. By the act of March 27, 1804, the public records of one state or territory, when properly authenticated, were to have full force and effect in any other state or territory. A penalty for the willful destruction of records or the attempt to destroy them was provided for by "An act to prevent frauds upon the Treasury of the United States," approved February 26, 1853, which resulted from the detection of frauds in California land claims cases. The falsely making, altering, forging, or counterfeiting of public records for the purpose of defrauding the government was made a felony by the act of April 5, 1866.

Since there was no statute providing for the destruction of valueless papers, both these and the valuable ones were uniformly preserved. By 1810 the garret in the public building west of the president's house was filled with public records. The House committee appointed to inquire into the state of the ancient records and archives of the United States found them to be in a "situation neither safe nor convenient, nor honorable to the nation."² The recommendation of this committee resulted in the passage of the act of April 28, 1810, which provided for the removal of all offices except those of the Departments of State, War, and Navy from the public building and

¹ The attorney general, however, was not provided with official quarters or clerical assistance until 1818, consequently such records of his office as had been kept for the years prior to that time disappeared.

² *Report of the Committee, Appointed to Inquire into the State of the Ancient Public Records and Archives of the United States*. March 27, 1810 (Washington, 1810). This House committee was formed on the motion of Josiah Quincy of Massachusetts; its members were Josiah Quincy, Archibald Van Horne of Maryland, and Jacob Swoope of Virginia.

the construction therein of fireproof rooms for the convenient deposit of the records of those departments. Thereafter, for many years, Congress ceased to be concerned about the public records.

Not long after the Civil War the accumulation of noncurrent records in the executive departments began to force attention to the question of their disposition. In July, 1870, the Secretary of War appointed a board "to examine into and report upon the existing methods of keeping the records and transacting the current business of the War Department and its Bureaus."³ This board reported as follows concerning the "vast and steady accumulation of records":

The yearly accumulation of papers in the various public offices has engaged the attention of the board. Most of these papers possess no value whatever after the lapse of differing periods of time, while others are never likely, within reasonable probability, to prove of sufficient value to justify the care and expense of their preservation. Unsuccessful applications for office, mere letters of transmittal, the monthly personal reports of officers, changes of station or duty, applications for discharge of soldiers or remission of their court-martial sentences, and vast numbers of other papers will suggest themselves to the officers in charge of public records as falling within the view of the board.⁴

According to reports made by the offices of this department to its secretary in the latter part of that year, there were considerable quantities of old records on hand that could be disposed of.⁵

Similar conditions were pointed out by the other departments of the government. In their annual reports the secretaries called attention to the accumulation of files and made suggestions for alleviating conditions. In 1872 the Secretary of the Treasury stated that the increase of books and papers was so great as to interfere with the business of the department; the annual accrual of records was then requiring 7,688 cubic feet of storage space. Rooms that could be used for clerks' desks were filled with records, as were portions of the public halls. The secretary recommended the erection of a brick fireproof building on the public ground south of the Treasury for housing the records and for accommodating the Bureau of Engraving and Printing. The Department of the Interior, then housed in the old

³ Report [of] the Select Committee of the United States Senate . . . to Inquire into and Examine the Methods of Business and Work in the Executive Departments, etc., and the Causes of Delays in Transacting the Public Business, etc. (50 Cong., 1 Sess., Senate Report No. 507) (Washington, 1888). I, 240.

⁴ *Ibid.*, I, 241.

⁵ *Ibid.*, I, 250-253.

Patent Office building (now Civil Service Commission building), was also crowded with the records and asked for additional space. The Quartermaster General of the Army in 1875 recommended that Congress pass a law authorizing the destruction of worthless papers.⁶ But the preponderant opinion was for the provision of more storage space for the records rather than for the legalization of their disposal.

The records problem was brought to a focus by the fire of September 24, 1877, which destroyed part of the Interior Department building. Three days later President Hayes appointed a commission consisting of Lt. Colonel Thomas L. Casey, Corps of Engineers, J. G. Hill, architect of the Treasury, and Edward Clark, architect of the Capitol Extension, to consider and report upon the condition of all the public buildings in Washington. This commission found that

Generally the public buildings not of fireproof construction, and used for office purposes, are much endangered by the character of their contents. The files cases and boxes, books, papers, &c., belonging to the several departments of the government, have accumulated to such an extent as to crowd the spaces provided for them; and a fire fairly under way would be difficult to control.

On point five of the president's instructions for the conduct of the investigation, *i.e.*, "What provision, if any, should be made for the custody and safety of files not in constant use," the commission reported as follows:

While in some of the departments there are files in constant use that date back to the earliest days of the government, there are in all the departments large numbers of papers no longer needed for constant reference that only add to the quantity of combustible material in the structures, and the consequent danger from fire. The number of papers is increasing rapidly, and in the consideration of the care and preservation of the files this commission has met with the suggestion that many of the papers could well be destroyed. After a careful examination of this question, we do not consider it advisable to recommend this course with any of the records, however unimportant they may appear. Every paper worthy at any time to be recorded and placed on the public files may be of value at some future time, either in a historical, biographical or pecuniary way, to the citizen or the nation. Papers seemingly of the least importance have been connected with the proof of false demands against the government, and it is scarcely possible to arrive at a decision of what is important to be preserved and what is useless to be destroyed. We therefore recommend, for the relief of the overcrowded buildings,

⁶ U. S. War Department, *Annual Report*, 1875, 200.

and in view of the rapid increase of the public records, that a fire-proof building of ample dimensions be constructed for the accommodation of the archives of the government no longer required for constant use. This structure should be built in the most approved and thoroughly fire-proof manner, with walls of brick, and so designed that additions can be made from time to time without impairing the general architectural features. Its location should be so remote from all other buildings as to place it beyond danger from exterior fires.⁷

The quartermaster general submitted a plan in the following year, which was published in the annual report of the Secretary of War, providing for a Hall of Records to be constructed at the cost of \$200,000 near the new State, War, and Navy building for the storage of government records. When it was resubmitted in the next year, President Hayes gave it his support. Congress took up the matter, but it made no appropriation for a building; bills were presented in subsequent years with the same lack of success.

Failing to obtain relief in one direction, the departments sought it in another. If more buildings could not be obtained, something had to be done to reduce the crowded conditions in the existing buildings. In his annual report for 1879 the postmaster general called attention to the accumulation of records in his department which were occupying room urgently needed for other purposes. Not feeling authorized to order the destruction of these records, he recommended that Congress pass a law giving him the necessary authority. Accordingly the appropriation act of March 3, 1881, contained the following provision:

That the Postmaster-General is hereby authorized to sell as waste paper, or otherwise dispose of, the files of papers which have accumulated, or may hereafter accumulate in the Post-Office Department that are not needed in the transaction of current business and have no permanent value or historical interest; and the proceeds of said sales he shall pay into the Treasury, and make report thereof to Congress.

This act apparently makes the first use of the phrase "permanent value or historical interest," which has plagued all records disposal work ever since. A similar provision in the appropriation act of August 5, 1882, authorized the Secretary of the Treasury to sell worthless papers of the auditor of the Treasury for the Post Office

⁷ *Security of Public Buildings against Fire. . . . Report of the Commission appointed to Examine into the Security of the Public Buildings in the City of Washington against Fire.* December 10, 1877. (45 Cong., 2 Sess., House Ex. Doc. No. 10), 9.

Department. By an act approved two days later the clerk and door-keeper of the House and the sergeant at arms of the Senate were directed to sell valueless documents under the direction of the committees on accounts of their respective houses.

The action of Congress in passing large-scale pension legislation beginning in 1879 had an unexpected reverberation. Constituents complained to Congressmen early in the 1880's that payment of their pensions was being delayed. The reason for this delay was discovered to be in the inadequacy of the records of the War Department, which was obliged to investigate each pension application and produce evidence of service and hospitalization.⁸ Not even by adding new clerks and working its employees overtime could the Record and Pension Division of the Surgeon General's Office keep up with the flood of applications. The introduction of an index record card system by Capt. Fred C. Ainsworth, who was appointed chief of the Record and Pension Division in December, 1886, gradually eased this situation. But in the meantime it led to the formation on March 3, 1887, on the motion of Senator F. M. Cockrell of Missouri, of the Select Committee of the United States Senate to Inquire into and Examine the Methods of Business and Work in the Executive Departments, etc., and the Causes of Delays in Transacting the Public Business, etc.⁹ This committee undertook an investigation into the organization and business methods of the departments which extended over several years.¹⁰

During the course of its work the committee learned of the existence of large masses of noncurrent records which had accumulated over a long period of years. In its opinion these records were not needed or useful in the transaction of current business and lacked permanent value or historical interest. Various offices of the War Department reported in 1887 having large quantities of records which could be destroyed.¹¹ The quartermaster general in 1887 had 575 boxes of records which had been stored in his office in Washington shipped to the Schuylkill Arsenal in Philadelphia for permanent

⁸ Siert F. Riepma, "Portrait of an Adjutant General," *Journal of the American Military History Foundation*, 11 (Spring, 1938), 26-35.

⁹ Gustavus A. Weber, *Organized Efforts for the Improvement of Methods of Administration in the United States* (New York, 1919), 57-58.

¹⁰ Its report, referred to in note 3 was published in three volumes and contains much valuable data as to record keeping methods practiced by the executive departments at the time.

¹¹ *Methods of Business in the Executive Departments*, 1, 241-250.

storage as he did not favor the destruction of any of the records of his office.¹² The register of the Treasury on the other hand recommended in the same year that measures be taken to destroy part of the records in his custody.

The result of the inquiry conducted by the Cockrell committee was the passage of the first general act for the destruction of worthless records of the federal government. The committee ascertained that there were only three laws, those passed in 1881 and 1882, previously referred to, relating to this subject. On March 8, 1888, Senator Cockrell on the instruction of the committee introduced a bill in the Senate to authorize and provide for the disposition of useless papers in the executive departments. The result was the act of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments":

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever there shall be in any one of the Executive Departments of the Government an accumulation of files of papers, which are not needed or useful in the transaction of the current business of such Department and have no permanent value or historical interest, it shall be the duty of the head of such Department to submit to Congress a report of that fact, accompanied by a concise statement of the condition and character of such papers. And upon the submission of such report, it shall be the duty of the presiding officer of the Senate to appoint two Senators, and of the Speaker of the House of Representatives to appoint two Representatives, and the Senators and Representatives so appointed shall constitute a joint committee, to which shall be referred such report, with the accompanying statement of the condition and character of such papers, and such joint committee shall meet and examine such report and statement and the papers therein described, and submit to the Senate and House, respectively, a report of such examination and their recommendation. And if they report that such files of papers, or any part thereof, are not needed or useful in the transaction of the current business of such Department, and have no permanent value or historical interest, then it shall be the duty of such head of the Department to sell as waste paper, or otherwise dispose of such files of papers upon the best obtainable terms after due publication of notice inviting proposals therefor, and receive and pay the proceeds thereof into the Treasury of the United States, and make report thereof to Congress.¹³

¹² Fifty years afterwards these records were found in the Schuylkill Arsenal by the Survey of Federal Archives and transferred to the National Archives. Portions of them have since been destroyed.

¹³ 25 U. S. Statutes at Large, 672.

By a provision of the appropriation act of March 2, 1895, the foregoing law was amended "to include in its provisions any accumulation of files or papers of a like character therein described now or hereafter in the various public buildings under the control of the several Executive Departments of the Government." This amendment was apparently adopted in order to cover records of the departments in storage in buildings other than those occupied by the departments themselves. The act of 1889 remained the principal statute under which records were destroyed until the passage of the National Archives act of 1934.

After the passage of the disposition act the Treasury department took immediate steps to weed its accumulated files. Circular letters were sent out to officials in the department on February 19, and May 7, 1889, directing the preparation of detailed reports of the character and condition of records that could be disposed of. In the case of some of the subdivisions of this department, such as the Office of Internal Revenue and the Register's Office, the segregation of papers for disposal involved a considerable amount of labor. On January 29, 1890, however, a list was submitted to the Senate which comprised 118 printed pages. Some of the records in this list went back to the early years of the nineteenth century; others were as recent as one to four years prior to the date of the report. The quantity of records covered by the list was huge, amounting to about four hundred tons, which was sold for over \$8,000. No other department made as wholehearted a response to the opportunity presented by the new law. Again in 1893 the Treasury department circularized its officials for another scheduling of valueless papers. Since that time this department has regularly presented lists to Congress. Despite its activity in disposing of worthless files, the department was obliged in 1898 and later years to rent buildings in which to store records having permanent value.

The War Department presented its first list on February 26, 1889, and in subsequent years it presented other lists at intervals of several years, except for the war years 1914-1921 when this work was suspended. This department, however, made no systematic efforts to purge its records of valueless papers. The depository at the Schuylkill Arsenal in Philadelphia continued to receive records from the Quartermaster Department, while another depository for Ordnance Department records was subsequently established at the Ordnance

Depot at Curtis Bay, Maryland. Huge volumes of the records of this department, without the previous weeding of worthless material, have been transferred to the National Archives, particularly since the beginning of the present national emergency. This task has been left for a time of greater leisure.

Other departments also disposed of their old files under the act of 1889. The first list of Post Office Department records was submitted to Congress in 1893. The quantity of records covered by this list was estimated at about 70 tons. Subsequent lists were infrequent until 1906 after which lists were presented about every year. The same practice was followed by the Department of the Interior after forwarding its first list in 1900. The Department of Commerce and Labor, which had been established in 1903, began presenting lists in 1906, and after 1908 these were made annually. A separate Department of Labor was created in 1913, and in the following year it began the regular presentation of lists of useless papers. Most of the records accumulated by the Department of State are of permanent character, so it has presented only a few lists, the first in 1921. After submitting an initial list in 1912, the Department of Justice presented five lists in 1939, sixteen in 1940, and thirty-two in 1941.

The procedure which was followed to secure authorization for the disposal of valueless papers under the act of 1889 was simple and underwent few important changes. Until 1902-1906, the lists were submitted to either the House or the Senate, which had them printed in a document. Pursuant to the act, a Joint Committee on the Disposition of Useless Papers in the Executive Departments was formed to consider the list. Until the late 1920's this committee was referred to as the Joint Select Committee (or Joint Committee) on the Disposition of Useless Papers in the Executive Departments, from then until 1934 as the Joint Committee on the Disposition of Useless Executive Papers, and after 1935 as the Joint Committee on the Disposition of Executive Papers. When the committee reached its decision, the authorization for the destruction of papers was published in a House Report, which was communicated to the agency. From the designation of the committee these reports came to be called "Useless Paper Reports." The House or Senate Report containing the authorization for the destruction of the records referred to the list previously published in a House or Senate Document or republished the list. Between 1906 and 1920 the lists were printed only

in House Documents or Reports. Since the latter date the communication from the department, the list, and the authorization have all been published in a single House Report.

Few of the lists are very useful, as they are generally limited to brief titles without dates and quantities. The years covered by the records have been included in some lists, but the quantities have usually been absent. For this reason it is impossible to determine from the lists the quantity of records destroyed for any department. The total quantity of records destroyed under the act of 1889 must have been enormous.

A significant modification was made in the foregoing procedure by Executive Order No. 1499 of March 16, 1912:

It is hereby ordered that before reporting to Congress useless files of papers to be disposed of under the provision of the Act of February 16, 1889, as extended and amended by Section 1, Chapter 189, of the Act of March 2, 1895, lists of such papers shall be submitted to the Librarian of Congress in order that the several Executive Departments may have the benefit of his views as to the wisdom of preserving such of the papers as he may deem to be of historical interest.

Thereafter the printed lists of records were usually accompanied by a statement from the Librarian of Congress to the effect that the list had been examined by the chief of the Division of Manuscripts. After this the disposition of useless papers was somewhat less perfunctory, for if the Division of Manuscripts had any doubts as to the advisability of destroying any items listed it would take up the matter with the clerk of the joint committee and study samples. This review was limited to records that might have possible historical value. The lists were so brief that they were poor instruments to work with. The review of the lists was continued after the passage of the National Archives act through July, 1935, by which time the National Archives had its machinery set up for handling the lists.

Although the Department of Agriculture had been established in 1862, it made no use of the act of 1889 for disposing of its obsolete files. This department secured the passage of a special act on March 4, 1907, by which the Secretary of Agriculture was "authorized to sell as waste paper, or otherwise dispose of the accumulation of Department files which do not constitute permanent records, and all other documents and publications which have become obsolete or worthless." Under this act the whole procedure of disposing of its

useless papers was handled by this department itself, requests for permission to destroy records being submitted to and approved by the secretary. The power conferred by this statute appears to have been used without proper discrimination at times, for it has been estimated that over half of the records of the Department of Agriculture, both valuable and worthless, for the period from 1862 to 1889 have been destroyed.¹⁴ This unusually high rate of destruction probably resulted from the desire of the custodians to rid themselves of the annoyance caused by historians desiring to use the records and from a lack of appreciation of the value of the records. In 1936 the Department of Agriculture began submitting lists of useless papers to the National Archives pursuant to the act of 1934.

The Department of the Navy disposed of its old records under the act of February 16, 1889, and several special acts. The Secretary of the Navy reported in 1900 that the available garret and basement space in the department was about exhausted. The accumulation of files also forced the construction of shelving against the walls of rooms and the utilization of the middle floor space of some offices. The first list to be submitted under the general act was not sent to the House, however, until February 16, 1915. This was not an extensive list, although it included some records as old as 1849. The lists compiled by this department were passed upon by the Office of Naval Records and Library, which was the archives and historical unit of the department, as well as by the Library of Congress. Only one list was submitted by this department during the period 1917 to 1921, but after the latter year lists were reported annually. Inasmuch as there were several shore establishments located in or near Washington in which accumulations of old records could be conveniently deposited there was not the necessity for cleaning out the non-current files that existed in some other departments. For this reason the Department of the Navy was slow about undertaking the problem of disposing of its old records, and only gradual progress was made.

Although several special acts were passed by Congress relating to disposition of records by the Department of the Navy, no enactment was made giving general authority to the Secretary of the Navy

¹⁴ T. R. Schellenberg, "Methods of Coordinating the Work upon Records by the Department of Agriculture and the National Archives," read before an in-service training group of the Department of Agriculture, August 21, 1939 [Washington, 1939], 2-3.

similar to that bestowed upon the Secretary of Agriculture by the act of 1907. The destruction of the proceedings of summary courts martial after being on file for a period of two years in the department was provided for by act of February 16, 1909. The commander-in-chief of the fleet was empowered by the act of August 22, 1912, to sell as waste paper the files of vessels of the Navy not needed or useful in the transaction of current business and having no permanent value or historical interest. No papers less than two years old and no correspondence or related papers with officers or representatives of a foreign government were to be destroyed under this authorization. A report of records disposed of was to be made to the secretary. The foregoing act constituted an amendment to the act of 1889; a further amendment was passed on March 3, 1915. According to this act accumulations of files more than two years old in navy yards and stations could be disposed of on the authorization of the Secretary of the Navy, who was required to submit reports concerning the records destroyed to Congress.

An examination of the lists of useless papers reported to the House of representatives by the Department of the Navy under the act of 1889 revealed the destruction of certain old records of the Bureau of Steam Engineering, which were no less valuable than others that have been preserved. Some of these records, indeed, are closely related to series now in the National Archives. The destroyed records were correspondence and reports of the Engineer Corps for the 1840's and similar records relating to the construction of the New Navy in the 1880's.¹⁵

Special acts for the destruction of records continued to be enacted after the approval of the general law of 1889. By the act of July 16, 1894, the Secretary of the Treasury and the Postmaster General were authorized to destroy after ten years all money order statements, paid money orders, and paid postal notes accompanying the same filed in the office of the auditor of the Treasury for the Post Office Department. Under this act 224 tons of papers for the years 1864 to 1884 were sold for \$1,650. The retention period on these records was reduced to seven years by the act of March 3, 1897, and on the first two classes to three years by the act of May 27, 1908. The latter act also authorized the destruction of descriptive lists of international money orders and all coupons of issued international money orders filed in

¹⁵ Listed in *House Report* No. 1175, Jan. 8, 1921, 66 Congress, 3 Sess., 2-3.

the General Accounting Office. Another act of June 13, 1898, gave the Post Office Department authority to destroy reports of arrivals and departures of the mails and certificates of oaths taken by carriers on mail routes, one year after the end of the contract term to which they related. More comprehensive was the act of May 11, 1906, which provided for the sale as waste paper of the files accumulated or to be accumulated in post offices, which were not of current use and which lacked permanent value or historical interest.¹⁶ The Secretary of State was empowered on February 24, 1903, to destroy invoices filed in consular offices for a period of over five years. By the sundry civil appropriation act of August 24, 1912, the chairman of the Panama Canal Commission was authorized to destroy or otherwise dispose of duplications in the files and other papers.

Other acts have been passed more recently. Paid check files of the Treasury department and the General Accounting Office were authorized for destruction by the act of June 22, 1926. By the act of May 29, 1928, the act of August 7, 1882, concerning useless documents of the House and the Senate was re-enacted. On April 11, 1930, the Commissioner of Patents was authorized to destroy pension applications and accompanying papers which were twenty years old. Duplicate accounts of United States marshals, attorneys, clerks, and commissioners, and other miscellaneous papers or records, not in cases, and proof of claims filed in bankruptcy proceedings on file for ten years or more in the offices of clerks of district courts of the United States were authorized for destruction by the Attorney General by the act of June 3, 1930, upon the recommendation of the clerks and the senior district judges.

An attempt to improve the methods used by the departments in handling the disposition of useless executive papers was initiated in 1925 by the Interdepartmental Board on Simplified Office Procedure. This board functioned under the Office of the Chief Co-ordinator, which had been created in the Bureau of the Budget in 1921 to effect co-ordination between agencies of the government in the conduct of its business transactions.¹⁷ Under Executive Order No. 3578 of

¹⁶ These acts and those in the following paragraph are digested in the following: *Disposition of Certain Records of the United States Government. Hearing before the Committee on Disposition of Executive Papers House of Representatives Seventy-fifth Congress First Session on H. R. 7504. July 1 and 2, 1937 (Washington, 1937).*

¹⁷ U. S. Office of the Chief Co-ordinator, *The Federal Service of Coordination; a Brief Outline of Its History, Organization and Operations, 1927*, in Office of the Chief

November 8, 1921, which defined the duties of the Chief Co-ordinator, the Bureau of the Budget created by Circular No. 137, dated May 16, 1924, the Interdepartmental Board on Simplified Office Procedure. The purpose of this board was to promote economy and efficiency in the routine office procedure in departments and establishments through simplicity and uniformity of practice as to matters not already assigned elsewhere by law or executive order. The board was to consist of the chairmen of departmental committees on simplified office procedure, which the circular directed should be established by the heads of each department and establishment.

Among the procedures dealt with by the board was that having to do with the disposition of useless executive papers. During a visit to the New York Custom House an investigator of the Bureau of the Budget observed shelf after shelf of what appeared to be worthless records, an opinion which was concurred in by the officials there, who agreed to take immediate action to report for destruction the records determined to be valueless.¹⁸ Upon his return to Washington the investigator prepared a memorandum for the Director of the Bureau of the Budget, which was referred by him to the Chief Co-ordinator and by the latter to the Interdepartmental Board on Simplified Office Procedure. This memorandum was the basis of the following circular, which is about as pertinent today as when it was issued, and which for that reason is reproduced.

INTERDEPARTMENTAL BOARD ON SIMPLIFIED OFFICE PROCEDURE

Washington

July 14, 1925

MEMORANDUM No. 16.

TO THE HEADS OF ALL DEPARTMENTS AND ESTABLISHMENTS:

SUBJECT: Disposition of useless Executive papers.

The Interdepartmental Board on Simplified Office Procedure believes that a general policy governing the destruction of useless Executive papers should be established in each department, establishment, bureau and administrative office of the Executive Government.

Co-ordinator, Interdepartmental Board on Simplified Office Procedure, file 230.432, disposition of useless executive papers (The National Archives) (hereafter cited as I.B.S.O.P. file); Edward F. Rowse, *The Beginnings of Standardization of Forms and Procedures in the Federal Executive Departments* (MS in the National Archives). The writer is indebted to T. R. Schellenberg for an indication of the existence of this board.

¹⁸ C. C. Van Leer, memorandum, April 17, 1925, I.B.S.O.P. file.

A report to Congress, dated March 3, 1925, of useless papers recommended for destruction in accordance with the provisions of the Act of February 16, 1889 (25 Stat., L. 672), by one Department shows that of 46 field offices only 17 reported any papers, and the offices reporting varied in the number of classes of paper reported from one class at one station to 220 classes at another; the time varied in one class of papers from all on file to 1900 to all on file prior to 1922; in other words one office considered that this class of papers should be retained 25 years before destruction while another considered it useless after three years; the opinion of officials in other offices reporting varied between these periods.

It is natural that so long as the question of how long any class of papers should be retained is left to individual opinion or to the decisions of different committees there will be a wide variation in the class of papers retained, as well as the length of time they are retained.

While it is no doubt true that owing to different conditions, the same class of papers should be retained for a longer period in one office than in another, it is equally true that there are many classes of papers which from their very nature will not have any value after a certain time at any station.

In order to determine definitely which class of papers should be permanently retained and which destroyed after designated periods, it has been suggested that a procedure along the following general lines be followed:

A committee of experienced employees to be appointed in and for each bureau; a list and sample of each kind of paper or document in the files of such bureau, including its field stations and offices, be submitted to the committee for consideration and recommendation; the committee to submit to the head of the bureau or office a *tentative* recommendation showing which classes of papers in its opinion should be retained permanently and which destroyed after, say—one, three, five, etc., years; these recommendations to be mimeographed and copies sent to each official, including those in the field, having charge or expert knowledge of such papers, with the request that comments and recommendations for improving the tentative plan be submitted; after sufficient time for plan to be again considered by the committee in the light of the comments and a final recommendation made to the head of the bureau by whom, if approved, it would be submitted to the head of the Department for approval.

If the plan be approved by the head of the department it would become a fixed and uniform policy and made a part of bureau or office regulations.

All officials will know exactly what papers may be recommended for destruction each year, and there would be an even flow of useless papers to destruction, freeing and keeping free for current use many

thousands of square feet of filing or storage space now used for records that should be destroyed.

The vexing question, always a deterrent to prompt action, of determining anew every time papers are to be destroyed just which should be retained and which recommended for destruction, with the inevitable differing results at different field stations and in different years, would be avoided.

It is known that at least one of the military services, in order to maintain the mobility of its field organizations and free them from a long accumulation of old and useless records, has after study definitely determined those papers that may be destroyed after retaining them for specified times and has made the policy a part of the departmental regulations.

While it is not a question of mobility with the civil organizations of the Government, there is the question of the ever increasing demand for more and more costly space in which to file useless records.

With the approval of the Chief Coordinator, your comments and suggestions are desired as to the adoption of the above or some similar practicable policy within your Service for determining definitely those papers which shall, after retention for specified times, be reported annually for disposition and for insuring that such reports are made annually.

FRANK L. WELLS

*Assistant Chief Coordinator
Secretary*

For several months after the issuance of the foregoing circular, responses were received from the agencies to which it had been addressed. The departments of Commerce, Navy, and Treasury, and the Government Printing Office, the Office of Public Buildings and Public Parks of the National Capital, and the Panama Canal Commission indicated that they were following a procedure similar to that outlined in the circular. The Department of Agriculture replied that the bureaus of the department were generally in favor of the suggested plan, that in three of them it was already virtually in effect, and that three others were initiating it. From the Department of the Interior came the report that all of its activities had considered the plan and generally approved of it, and several bureaus had already appointed committees. The War Department, the Interstate Commerce Commission, and the United States Shipping Board expressed approval of the proposal. The replies from the Post Office Department and the Civil Service Commission gave some information about their own procedure, but made no direct comment on the board's suggestion. The Department of State and the United States Tariff

Commission informed the board that their records were mostly permanent in character and that their useless papers were regularly disposed of. The Veterans' Bureau stated that it was preparing an order and that the procedure outlined in the circular would be considered in doing this. As a result, this agency issued General Order No. 341 on January 27, 1926, which modified the previous procedure for the disposition of useless papers by placing it in the hands of a committee whose recommendations when approved by the director were to be the authority for reporting the records for destruction.

The board did not follow up its attempt to secure the adoption of a general policy governing the destruction of useless executive papers. It concluded from the responses received from the departments that their interest had been aroused and that the plan outlined in the circular would be generally followed.¹⁹ The appointment of committees by some agencies placed the handling of lists of useless papers upon a better basis. The procedure, however, remained much the same. It is doubtful if any agency made the extensive survey and appraisal of its records which would have been necessary to have fulfilled the scheme proposed by the board. If carried through, this scheme would have furnished the data necessary for the preparation of a retention and disposal schedule. Unless the Forest Service was influenced by the circular, no schedules appear to have resulted.

The visit of the Bureau of the Budget investigator to the New York Custom House appears to have been the cause of the issuance of a circular by the Treasury Department on the disposition of useless papers. This same circular was also issued on June 3, 1925, by the Department of Labor and was worded as follows:

DISPOSITION OF USELESS PAPERS

TREASURY DEPARTMENT,
Office of the Secretary,
Washington, May 16, 1925.

1925

Department Circular No. 358

Chief Clerk

To Heads of Bureaus and Offices, and Chiefs of Divisions, Secretary's Office, Treasury Department.

Your attention is invited to the provisions of the act approved Febru-

¹⁹ A. H. Erck, assistant chief co-ordinator, Memorandum for the Chief Co-ordinator, Dec. 23, 1926, I.B.S.O.P. file.

ary 16, 1889, concerning the disposition of useless executive papers in the departments, which reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever there shall be in any one of the executive departments of the Government an accumulation of files of papers which are not needed or useful in the transaction of the current business of such department and have no permanent value or historical interest it shall be the duty of the head of such department to submit to Congress a report of that fact, accompanied by a concise statement of the condition and character of such papers. And upon the submission of such report it shall be the duty of the presiding officer of the Senate to appoint two Senators, and of the Speaker of the House of Representatives to appoint two Representatives, and the Senators and Representatives so appointed shall constitute a joint committee, to which shall be referred such report, with the accompanying statement of the condition and character of such papers, and such joint committee shall meet and examine such report and statement and the papers therein described, and submit to the Senate and House, respectively, a report of such examination and their recommendation. And if they report that such files of papers, or any part thereof, are not needed or useful in the transaction of the current business of such department, and have no permanent value or historical interest, then it shall be the duty of such head of the department to sell as waste paper or otherwise dispose of such files of papers upon the best obtainable terms, after due publication of notice inviting proposals therefor, and receive and pay the proceeds thereof into the Treasury of the United States and make report thereof to Congress.

Also to the provisions of Executive Order No. 1499, dated March 16, 1912:

It is hereby ordered that before reporting to Congress useless files of papers to be disposed of under the provisions of the act of February 16, 1889, as extended and amended by section 1, chapter 189, of the act of March 2, 1895, lists of such papers shall be submitted to the Librarian of Congress in order that the several executive departments may have the benefit of his views as to the wisdom of preserving such of the papers as he may deem to be of historical interest.

From the reports submitted by the various bureaus, offices, and divisions of the department, it appears that no uniform method of procedure has been followed in carrying into effect the provisions of the above act. In some instances, especially in activities having field services, it has been observed that the decision as to what documents should be retained or destroyed is left largely to the discretion of the field offices, notwithstanding the fact that the bureau, office, or division in Washington is in a better position to direct what classes of papers on file in these various field offices are of no further value to the Government.

The benefits to be derived from systematic and periodic surveys of the

files of the department are obvious, in that each activity will have available at regular intervals an appreciable amount of filing space and filing equipment for current files. Not only will the Government receive a regular income from the proceeds of the sale of useless papers but a considerable saving would be effected through a reduction in the purchase of new filing equipment and less demand for additional floor space. The space situation, both within and outside the District of Columbia, is such that the retention of useless files in either rented or Government-owned space becomes an extravagance and should be corrected at once.

It is thought that a complete survey of the files at this time will prove extremely beneficial and should begin at once. To accomplish this, you are requested to designate a committee in your bureau, office, or division to effect this investigation at the earliest possible moment. This committee should have permanent status and handle from time to time all questions relating to the subject of useless papers.

It is suggested that each bureau, office, and division instruct its committee to obtain a sample of each kind of paper or document in its files, list such samples, and after mature consideration submit to the head of the activity a tentative recommendation showing which classes of papers should be recommended for destruction periodically after a lapse of a specified number of years. When such a list has been approved, copies should be sent to each official having charge of such file papers with the request that the classes of papers noted thereon as recommended for destruction be incorporated in the annual or semiannual report on the subject to be made by the head of the activity to the Secretary of the Treasury.

Exception may be taken by the congressional committee or the Librarian of Congress to certain classes of files contained in the report submitted to the Congress, and these should be carefully noted by the respective departmental committees, so that a definite policy regarding the retention of these papers may be kept on file for the benefit of the activity involved. It is particularly desired of activities having field offices that every effort be made to set up a systematic method of procedure in the immediate future in order that the next report to the Congress will reflect a more uniform method in the recommendations of the department to the Congress than has heretofore been the case.

Another feature in connection with the disposition of useless documents which has not been handled properly by some of the department bureaus and offices is the prompt elimination of such papers as are authorized for destruction by Congress and the immediate reporting of their disposition to the department. Particularly is this true of activities having field offices. While such authority is usually granted in the early part of March of each year, reports of disposition are often received 8 and 10 months later. This condition should not exist, and while it is recognized that a certain period of time must elapse before papers to be destroyed can be grouped and sold, it should be known that reports of disposition are consolidated

in one departmental report and transmitted to the Congress usually at the beginning of each regular session. In the future, when a report of disposition is delayed more than 90 days a letter of explanation must accompany the report.

GARRARD B. WINSTON,
Acting Secretary of the Treasury

The Interdepartmental Board on Simplified Office Procedure again interested itself in the useless papers problem in 1932. It was motivated this time by a desire to reduce the space occupied by records. To accomplish this end, it requested the departments to provide it with information as to their procedure in regard to the disposal of useless records.²⁰ A number of letters were received in reply, which were hardly detailed enough to do anything with. On April 21, 1933, the Chief Co-ordinator sent out a circular calling attention to the act of 1889 and the executive order of 1912 relating to the disposition of useless executive papers and suggesting that Treasury Department Circular No. 358 of May 16, 1925, be examined for the proper procedure. The efforts of the board and of the Chief Co-ordinator were soon brought to an end, for on June 10, 1933, when the Federal Coordinating Service was abolished, it ceased functioning.²¹ In more recent years considerable progress has been made along the lines proposed by the board, as will be indicated in the section of this paper pertaining to schedules.

A recent development in the procedure for the disposal of valueless papers—the use of records retention and disposal schedules—apparently had its germ in early lists of useless papers submitted to Congress by the department of the Treasury. The Office of Internal Revenue on November 2, 1889, submitted a schedule of papers, showing in columnar form the room number, form number, description of papers, cubic feet, and recommendation as to disposition.²² This schedule, which might be called a disposal schedule, since it listed only records that were to be disposed of, was arranged according to form number and indicated under the recommendation the period of time the record was to be kept before disposal or some other disposition. Similar schedules were submitted by the Public Health Service and the supervising architect from time to time.

²⁰ Jack W. Heard, Executive Chairman, I.B.S.O.P., to all members of the I.B.S.O.P., Dec. 15, 1932, I.B.S.O.P. file.

²¹ Rowse, *loc. cit.*, 6.

²² 51 Congress, 1 Sess., *Senate Executive Document* No. 44.

An improvement on the foregoing schedules was made in 1917 by the United States Coast Guard. It submitted a schedule to the department of the Treasury which listed three classes of records: (a) to be permanently retained, (b) for destruction after the lapse of the indicated periods, and (c) those that may be destroyed at once.²³ This schedule went further than the earlier ones prepared in the department of the Treasury and included records that were to be retained as well as those that were to be disposed of. It is the earliest records retention and disposal schedule that has been found.

The first agency to make effective use of the retention and disposal schedule was the Forest Service of the Department of Agriculture. Exercising the authority given him by the act of 1907, the Secretary of Agriculture conferred upon the head of the Forest Service in 1917 the power to destroy its records. By 1930 the procedure developed by this agency included the use of a schedule covering all its records. In 1938 a revised schedule was prepared with the cooperation of the National Archives and issued in the *Forest Service Manual, General Administration*.

The advantages of the employment of schedules in connection with the disposition of records are that this method ensures the systematic and efficient elimination of the worthless records. These cannot be disposed of without considering their relation to the rest of the records that are being produced by an agency. The chief reason for the destruction of records is the fact that they are duplicated in some manner in other records which are to be retained. By scheduling all of the records it is ensured that the valuable ones will be retained.

Since the initial schedule was prepared in the Forest Service, others have followed in the Department of Agriculture. Schedules now exist for the Agricultural Marketing Service, the Bureau of Agricultural Economics, the Bureau of Animal Industry, and the Soil Conservation Service.

A number of other agencies have also begun the use of schedules. The Bureau of Supplies and Accounts of the Department of the Navy became interested in scheduling its numerous forms in 1939, and during the year 1942 this was accomplished. All of the records of this department are to be scheduled during 1943. The War Department has undertaken a similar program. Progress has been made in sched-

²³ 66 Congress, 1 Sess., *House Executive Document* No. 194.

uling the records of the Bureau of Old Age and Survivors Insurance of the Social Security Board and other schedules are being developed in that bureau. In the Federal Security Agency the records of the Food and Drug Administration have been scheduled.

The scheduling of records promises to be the best method to be used in their disposal. It has been facilitated by the passage of a recent act of Congress relating to the disposal of records.²⁴

HENRY P. BEERS

The National Archives

²⁴ For suggestions resulting from reading the manuscript the writer is indebted to the following persons: P. C. Brooks, O. W. Holmes, J. R. Masterson, Thad Page, T. B. Rowland and E. F. Rowse.