

Testimony before the Committee on Government Operations
B22-842
“Commission on Archives and Record Management Act of 2018”
Thursday, September 27, 11:30AM RM412

The Association of the Oldest Inhabitants is the District of Columbia’s oldest civic organization. Founded in 1865, we have long promoted the preservation of and access to the District’s history. The city’s evolution and history are preferred topics at our well-attended monthly luncheon meetings. We were the driving force in preventing the DC War Memorial on the Mall from being re-designated as the national WWI Memorial, directing attention to recognizing and improving Pershing Park and promoting the preservation and maintenance of both the L’Enfant and McMillan plans.

We have strongly supported the requests of multiple administrations to rehabilitate or replace the DC Archives. We are encouraged that plans seem to be progressing which would stabilize the current facility on Naylor Court to protect its contents while efforts continue to design, build and staff a new facility to permanently house the District’s historic records and, for once, help to ensure compliance with legislation regarding the city’s administration of its public records.

Today we are testifying in support of Council Member Todd’s legislation to create a Commission on Archives and Record Management. For many years, we have been calling for robust oversight and enforcement of the Public Records Management Act. Thirteen years ago we met with the District Auditor’s office to urge them to include adherence to agencies’ record management efforts part of their annual audit. At several opportunities to testify before the Council on matters regarding the administration and funding for the District’s archives, we have pointed out the importance of enforcing and strengthening the city’s regulation for record management, retention and deaccession. While we believe these policies are being adhered to better than in 2005, this needs to be part of the proposed Commission’s charge.

On a related matter, the AOI of DC continues to be perplexed as to why the District (either at the initiative of the Executive Branch or at the insistence of the Council) has not reestablished its Historic Records Advisory Board. I don’t believe I am exaggerating when I say it has been nearly 2 decades since this appointed board was convened, met or reestablished. By not having this entity as part of the District’s efforts to manage its archives and public records, the city is missing the opportunity to receive hundreds of thousands of dollars in grants and assistance from the National Archives. How difficult can it be to reconstitute this body and rely on its advice?

Since 2005, the AOI has sought to call attention to the ‘plight’ of the District’s historic records -- the DC Archives, the Historical Society of Washington, the Recorder of Deeds, the Washingtoniana Division and the Sumner School Museum and Archives. The condition of many of these repositories has improved during the intervening years. The AOI and other preservation groups are thoroughly behind these efforts.

In order for all of these historic repositories to be successful, they each need to be recognized for their unique mission and plans for each of them should separately address their individual needs and the funding for each should be approved and applied appropriately.

Thank you on behalf of our members, our Board of Directors, other preservation organizations with shared goals and on behalf of the District's citizens for your attention to this important matter.

Respectfully submitted:



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Submitted via email

For reference, when AOI considers matters regarding the District's records management regulations, we rely on:

The Public Records Management Act of 1985 (DC Law 6-19) included all media in its definition of "public records":

Any document, book, photographic image, electronic data recording, electronic mail, paper, video recording, sound recording, microfilm, computer disk, or other material, regardless of physical form or characteristic, that documents a transaction or activity made, received, or retained pursuant to law or in connection with the transaction of public business by or with any officer or employee of the District. The medium upon which such information is recorded shall have no bearing on the determination of whether the record is a public record.

Mayor's Order 86-28 established the Office of Public Records Management, Archival Administration and Library of Government Information (Office of Public Records) in the Office of the Secretary on February 11, 1986, in accordance with the Public Records Management Act, to collect and preserve the history of the District government.

DC Code 2-1709 requires elected and appointed officials to relinquish public records to their successors or administrators:

- (a) On or before the expiration of the term of office of an elected or appointed official, all public records, books, writings, and letters in the custody of the official shall be promptly transmitted or relinquished to the official's successor or, if there is none, to the Administrator.
- (b) Any official who maliciously destroys, defaces, or removes any public record, as defined by this chapter, shall be subject to the penalties established in section 14. [Note: section 14 of the Public Records Management Act establishes that this action could lead to civil action.]

DC Code, Title 2, Chapter 17, establishes the responsibilities of the Office of Public Records and its divisions -- Public Records Center, D.C. Archives, and Library of Government Information

DC Municipal Regulations and DC Register, Title 1, Chapter 15 establishes procedures for each agency to maintain its records.