

The Association of Oldest Inhabitants of The District of Columbia

Established Dec. 7, 1865 – Celebrating our 150th year!

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April 14, 2015

D.C. Council Chair Phil Mendelson
D.C. Council Member Mary Cheh, Chair, Cmte. on Transportation & Environment
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Council Chair Mendelson & Committee Chair Cheh:

The membership of the AOI of DC remains resolute in its support for the design, construction and operation of a new facility to replace that on Naylor Court to serve as a new, state-of-the-art District of Columbia Archives.

We are, however, concerned that current budget proposals under consideration by the Council do not provide adequate staffing to fulfill the requirements of the D.C. Code to comply with public record retention. I am writing to you today to express our ongoing concerns regarding the application and enforcement of the following (I have included more details on the last page):

DC Municipal Regulations and DC Register, Title I, Chapter 15 (maintenance of public records)
The Public Records Management Act of 1985 (DC Law 6-19)
DC Code 2-1709 (relinquishment of public records to successors)
DC Code, Title 2, Chapter 17 (Responsibilities of the Office of Public Records)

Our interest in these regulations is rooted in our continuing concern about the condition, maintenance and operation of the D.C. Archives located on Naylor Court. This has become even more critical that while the process of soliciting proposals for a new facility continues, the District does not have a full-time, professional Public Records Administrator and the Naylor Court facility is inadequately staffed. While the collections, documents and artifacts that are held in this repository represent more than 214 years of our city's history and require preservation, the lack of a Public Records Administrator puts at risk today's and all future records created by the District and its agencies.

The Association of the Oldest Inhabitants of the District of Columbia -- the District's oldest civic organization -- was established on December 7, 1865, to preserve memories and matters of historic interest. By virtue of our long presence and participation in the city's prosperity and improvement, we continue to work and strive for the city's stability, security and advancement -- to aid in every way the prosperity and well-being of the District while preserving the heritage of its past.

Since 2005, the AOI of DC has called attention to the “plight of the District’s historic records”... the Archives, the Washingtoniana Collection, the Historical Society’s Kiplinger Library, the Sumner School Museum and Archives and the records of the Recorder of Deeds. Now, 10 years later these issues are still foremost on our minds as a large appropriation has been approved by the D.C. Council to invest more than \$40 million to build a new D.C. Archive facility. It also needs to staff and administer it to the highest standards required to meet 21st century accepted standards for document collection, control, retention, preservation and accessibility in all formats (paper, digital, electronic). We do not want this important capital project (and the positive impact it will have with adherence to the aforementioned statutes) to be re-programmed to address some budget shortfall. This is a long-term investment on behalf of the District’s residents.

An organization that the AOI of DC is in partnership with – the Friends of the DC Archives – has met with newly-elected Attorney General Racine to call to his attention these same concerns and has met, too, with the newly appointed Secretary of the District Lauren Vaughn and her Deputy Joy Holland.

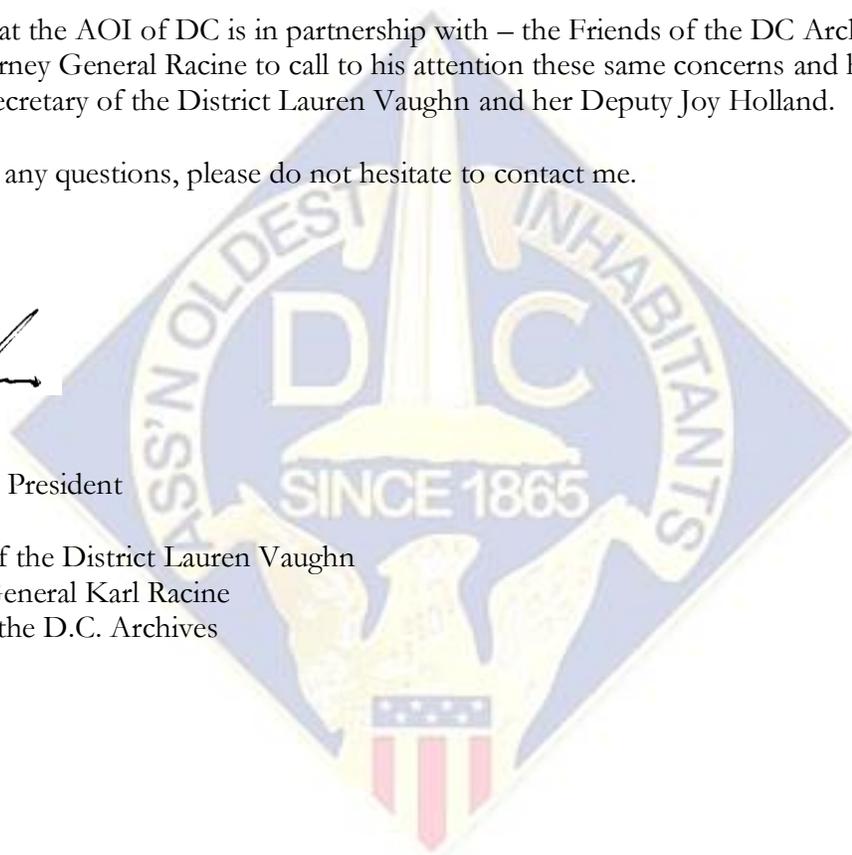
If you should have any questions, please do not hesitate to contact me.

Sincerely,



William N. Brown, President

Cc: Secretary of the District Lauren Vaughn
Attorney General Karl Racine
Friends of the D.C. Archives



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Summary of Laws Governing the Office of Public Records
(Provided by the Friends of the DC Archives web site – friendsofdcarchives.org)

[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.

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