

**Calendar No. 914**

106TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
106-466 }

A BILL TO AMEND TITLE 44, UNITED STATES  
CODE, TO AUTHORIZE APPROPRIATIONS  
FOR THE NATIONAL HISTORICAL PUBLICA-  
TIONS AND RECORDS COMMISSION FOR  
FISCAL YEARS 2002 THROUGH 2005

---

R E P O R T

OF THE

COMMITTEE ON GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE

TO ACCOMPANY

H.R. 4110

TO AMEND TITLE 44, UNITED STATES CODE, TO AUTHORIZE AP-  
PROPRIATIONS FOR THE NATIONAL HISTORICAL PUBLICATIONS  
AND RECORDS COMMISSION FOR FISCAL YEARS 2002 THROUGH  
2005



OCTOBER 3 (legislative day, SEPTEMBER 22), 2000.—Ordered to be printed

---

U.S. GOVERNMENT PRINTING OFFICE

79-010

WASHINGTON : 2000

COMMITTEE ON GOVERNMENTAL AFFAIRS

FRED THOMPSON, Tennessee, *Chairman*

WILLIAM V. ROTH, JR., Delaware

TED STEVENS, Alaska

SUSAN M. COLLINS, Maine

GEORGE VOINOVICH, Ohio

PETE V. DOMENICI, New Mexico

THAD COCHRAN, Mississippi

ARLEN SPECTER, Pennsylvania

JUDD GREGG, New Hampshire

JOSEPH I. LIEBERMAN, Connecticut

CARL LEVIN, Michigan

DANIEL K. AKAKA, Hawaii

RICHARD J. DURBIN, Illinois

ROBERT G. TORRICELLI, New Jersey

MAX CLELAND, Georgia

JOHN EDWARDS, North Carolina

HANNAH S. SISTARE, *Staff Director and Counsel*

SUSAN G. MARSHALL, *Professional Staff Member*

JOYCE A. RECHTSCHAFFEN, *Minority Staff Director and Counsel*

PETER A. LUDGIN, *Minority Professional Staff Member*

DARLA D. CASSELL, *Chief Clerk*

## Calendar No. 914

106TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
106-466

### AMENDING TITLE 44, UNITED STATES CODE, TO AUTHOR- IZE APPROPRIATIONS FOR THE NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION FOR FISCAL YEARS 2002 THROUGH 2005

---

OCTOBER 3, (legislative day, SEPTEMBER 22), 2000.—Ordered to be printed

---

Mr. THOMPSON, from the Committee on Governmental Affairs,  
submitted the following

### REPORT

[To accompany H.R. 4110]

[Including cost estimate of the Congressional Budget Office]

The Committee on Governmental Affairs, to whom was referred the bill (H.R. 4110) to amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### CONTENTS

	Page
I. Background and Need for the Legislation .....	1
II. Legislative History .....	3
III. Section-by-Section Analysis .....	3
IV. Regulatory Impact Statement .....	4
V. CBO Cost Estimate .....	4
VI. Changes to Existing Law .....	5

#### I. BACKGROUND AND NEED FOR LEGISLATION

The National Historical Publications and Records Commission (NHPRC), provides grants to archivists, historians, State and local governments, and non-Federal agencies and institutions across the Nation to support a wide range of activities to preserve, publish, and encourage the use of documentary sources relating to the history of the United States. H.R. 4110 would reauthorize the Commission to continue its important work, setting an authorization

cap at \$10 million annually from fiscal year 2002 to fiscal year 2005. The NHPRC, which is affiliated with the National Archives and Records Administration (NARA), complements National Archives' work in protecting vital American documents. Unlike the National Archives, which maintains Federal records, the Commission assists non-Federal historical societies, institutions, non-profit organizations, universities, State and local governments, and individuals.

In 1934, both NARA and the Commission, then called the National Historical Publications Commission, were formed with the latter charged to support the publication of the papers of America's important people and events. In 1974, 40 years after the creation of the Commission, (under Public Law 93-536) Congress expanded the Commission's focus to include archival records, giving the Commission authority to work for the collection, preservation, and increased access to records, in addition to its work with historical publications.

The Commission is composed of 15 members and is chaired by the Archivist of the United States. Seven of the members are appointed by the Judicial, Executive, and Legislative branches of the Federal Government. Professional societies of archivists, historians, documentary editors, and Government records administrators, and the Librarian of Congress appoint the remaining Commission members. Commission members review all eligible project proposals, recommend to the Archivist those grants they believe should be funded, and are instrumental in developing the goals and programs for the Commission. The Commission's administrative staff implements Commission policies and recommendations, provides assistance and advice to potential applicants, advises the Commission on proposals, and supervises the grants they award.

The NHPRC is the only national grant-making organization in the Nation whose sole focus is the preservation and publication of America's documentary history. This year, the Commission received \$6.25 million of its maximum \$10 million available appropriation. Sixty percent of this money was awarded to projects addressing the Commission's three major goals, and the remaining 40 percent helped fund other projects, including documentary editions, and archival preservation and cataloguing projects (e.g., papers and photographs). The Commission supports the professional development of archivists, documentary editors, and record-keepers through fellowships, institutes, conferences, workshops, and other programs. In addition, the Commission has undertaken a number of projects that focus on the records of under-documented groups, such as Native Americans, African Americans, Asian Americans, Pacific Islanders, and other ethnic and interest groups, and social and political movements.

The Commission's Strategic Plan has identified three major goals over the next three years:

(1) The NHPRC will continue its work toward the timely completion of its Founding Fathers Projects, which includes collecting, transcribing, annotating and publishing the papers of George Washington, John Adams, Benjamin Franklin, Thomas Jefferson, and James Madison. It will also continue to work on papers that document the Ratification of the Constitution, the First Federal Congress, and the early Supreme Court.

(2) The NHPRC will promote broad public participation in historical documentation by collaborating with State Historical Records Advisory Boards (SHRABs) to plan and carry out jointly funded programs to strengthen the Nation's archival infrastructure and expand the range of records that are protected and accessible. Commission grants help fund these advisory boards in the States and U.S. Territories. The Commission also awards the States re grants, (funds that are matched by the States) that the State then provides to projects within the State. Over the past five years, the NHPRC awarded more than \$3.7 million in re grants, which funded 600 projects.

(3) Finally, the Commission provides leadership in funding research-and-development programs on appraising, preserving, disseminating, and providing access to important documentary sources in electronic form. The NHPRC has awarded \$425,000 in grants to support the non-Federal portion of the United States team working on International Research on Permanent Authentic Records in Electronic Systems, known as the InterPARES project. The InterPARES project is an international project in which countries, including Italy, China, and Japan, work together with the United States on the permanent preservation of authentic electronic records. In addition, the NHPRC awarded \$300,000 to the San Diego Supercomputer Center for a project to continue the Center's work; and, specifically, to look at the scalability and usefulness of the technology it is developing to maintain and provide long-term access to electronic records in archives smaller than NARA. The NHPRC recently launched a major initiative to broaden the base and raise the level of archival expertise in electronic record-keeping throughout the Nation. Without this work, Federal, State, and local records could be lost, due to the dynamic growth and sophistication of new technology.

Reauthorizing the Commission will ensure the Commission's continued work on these and other important projects.

## II. LEGISLATIVE HISTORY

No hearings were held on H.R. 4110 by the Committee on Governmental Affairs. The committee marked up the bill September 27, 2000, without objection or amendments. On March 29, 2000 Chairman Stephen Horn, Subcommittee on Government Management, Information and Technology introduced H.R. 4110, a bill to reauthorize the National Historical Publications and Records Commission from Fiscal Year 2002 through Fiscal Year 2005. On April 4, 2000, the Subcommittee on Government Management, Information and Technology held a legislative hearing on the bill. Chairman Horn heard testimony from archivists and historians working to preserve documents of historical significance.

No amendments were offered at the subcommittee level.

## III. SECTION-BY-SECTION ANALYSIS

### *Section 1. Short title*

Section 1 authorizes funding for the National Historical Publications and Records Commission.

It amends Section 2504(f)(1) of title 4 of the U.S. Code in subparagraphs (J) and (K), adding "and" to include new subparagraphs

(L O), which would fund the Commission for fiscal year 2002 to fiscal year 2005.

#### IV. REGULATORY IMPACT STATEMENT

H.R. 4110 would reauthorize the appropriation of \$10 million—the amount authorized for fiscal year 2001—to the National Historical Publications and Records Commission for each of the fiscal years 2002 through 2005. The Commission received an appropriation of \$6.25 million in 2000, and the President has requested \$6 million for the Commission in fiscal year 2001. The Congressional Budget Office estimates that implementing H.R. 4110 would increase costs by \$34 million over the fiscal years of 2002 through 2005, assuming appropriations of the authorized amounts. Because the bill would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

H.R. 4110 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs to State, local or tribal governments.

#### V. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 29, 2000.*

Hon. FRED THOMPSON,  
*Chairman, Committee on Governmental Affairs,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4110, an act to amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

*H.R. 4110—An act to amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005*

Summary: H.R. 4110 would authorize the appropriation of \$10 million—the same amount authorized for 2001—to the National Historical Publications and Records Commission for each of fiscal years 2002 through 2005. The Commission received an appropriation of \$4.25 million in 2000. CBO estimates that implementing H.R. 4110 would cost \$34 million over the fiscal year 2002–2005 period, assuming appropriations of the authorized amounts. Because the legislation would not affect direct spending or receipts, pay-as-you-go procedures would not apply. H.R. 4110 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 4110 is shown in the following table. This estimate assumes that the amounts authorized will be appropriated and that spending will occur at historical rates. The costs of this legislation fall within budget function 800 (general government).

	By fiscal year, in millions of dollars—					
	2000	2001	2002	2003	2004	2005
SPENDING SUBJECT TO APPROPRIATION						
Commission Spending Under Current Law:						
Authorization Level <sup>1</sup> .....	4	10	0	0	0	0
Estimated Outlays .....	6	8	5	1	0	0
Proposed Changes:						
Authorization Level .....	0	0	10	10	10	10
Estimated Outlays .....	0	0	5	9	10	10
Commission Spending Under H.R. 4110:						
Authorization Level <sup>1</sup> .....	4	10	10	10	10	10
Estimated Outlays .....	6	8	10	10	10	10

<sup>1</sup> The 2000 level is the amount appropriated for that year.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: The legislation contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Previous CBO cost estimate: On May 25, 2000, CBO transmitted a cost estimate for H.R. 4110 as ordered reported by the House Committee on Governmental Reform on May 18, 2000. The two versions of the legislation are identical, as are our cost estimates.

Estimate prepared by: Federal Costs: John R. Righter. Impact on State and Local Governments: Susan Sieg Tompkins. Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

## VI. CHANGES TO EXISTING LAW

Changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

### SECTION 2504 OF TITLE 44, UNITED STATES CODE

2504. Duties; authorization of grants for historical publications and records programs; authorization for appropriations

(a) \* \* \*

\* \* \* \* \*

(f)(1) For the purposes specified in this section, there is hereby authorized to be appropriated to the National Historical Publications and Records Commission—

(A) \* \* \*

\* \* \* \* \*

(J) \$10,000,000 for fiscal year 2000; and

(K) \$10,000,000 for fiscal year 2001; and

(L) \$10,000,000 for fiscal year 2002;

(M) \$10,000,000 for fiscal year 2003;

(N) \$10,000,000 for fiscal year 2004; and  
 (O) \$10,000,000 for fiscal year 2005.

\* \* \* \* \*

NATIONAL ARCHIVES AND  
 RECORDS ADMINISTRATION,  
*College Park, MD, July 25, 2000.*

Hon. FRED THOMPSON,  
*Chairman, Committee on Governmental Affairs,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: I would like to ask for your assistance in a matter of great importance to the historical preservation community and by extension to the American public. As you are aware, H.R. 4110, a bill to reauthorize the National Historical Publications and Records Commission (NHPRC), was passed by the House of Representatives today and is being sent to the Senate for consideration. The NHPRC provides grants to archivists, historians, State and local governments, and non-Federal agencies and institutions across the nation to support a wide range of activities to preserve, publish, and encourage the use of documentary sources relating to the history of the United States. H.R. 4110 would authorize the Commission to continue its important work, setting an authorization cap at \$10 million annually through 2005, identical to the current funding cap. The NHPRC, which is affiliated with the National Archives and Records Administration (NARA), complements National Archives' work in protecting vital American documents. Unlike the National Archives, which maintains Federal records, the Commission assists non-Federal historical societies, institutions, non-profit organizations, universities, State and local governments, and individuals. Your colleague, Senator Jeffords, is currently serving with distinction as the Senate representative on the Commission.

Whatever could be done procedurally to ensure Senate action on H.R. 4110 this session would be greatly appreciated by the Commission and the many publics that it serves. If we may be of assistance in providing further information to you or your staff, please call on us.

Sincerely,

JOHN W. CARLIN,  
*Archivist of the United States.*

---

DEPARTMENT OF STATE,  
 TENNESSEE STATE LIBRARY AND ARCHIVES,  
*Nashville, TN, August 2, 2000.*

Hon. FRED THOMPSON,  
*U.S. Senator from Tennessee, Dirksen Senate Office Building,*  
*Washington, DC.*

DEAR SENATOR THOMPSON: H.R. 4110, reauthorization for the National Historical Publications and Records Commission (NHPRC) is pending before the Governmental Affairs Committee. Continued NHPRC grant funding for local archives preservation projects is crucial to encouraging state and local investment to preserve the historical experience of Tennessee citizens. I affirm this from my experience as Assistant State Archivist and chair of the



Tennessee Historical Records Advisory Board that recommends projects to NHPRC for funding.

In the past two years I have examined records and records keeping practices of more than half the courthouses in Tennessee. Again and again I have noted a direct connection between the trust that local citizens have in local government and the confidence they have in the local government record keeping system and archives. In communities where records are in dire peril of extinction through neglect and decay, the frustration of local citizens with their government is high. The very idea that there is national concern and the availability of competitive funding grants to improve local records keeping helps me greatly to encourage local governments to do right by their own records and their own citizens.

I hope you will do everything necessary to move the legislation along and to encourage your colleagues to improve support of the work of the NHPRC. Tennessee will most surely benefit thereby.

Sincerely,

WILLIAM W. MOSS,  
*Assistant State Archivist,  
 Chairman, Tennessee Historical Records Advisory Board.*

---

THE STATE EDUCATION DEPARTMENT,  
 THE UNIVERSITY OF THE STATE OF NEW YORK,  
 Albany, NY, August 31, 2000.

Hon. FRED THOMPSON,  
*Chairman, Senate Committee on Governmental Affairs, Dirksen  
 Senate Office Building, Washington, DC.*

DEAR CHAIRMAN THOMPSON: On behalf of the New York State Board of Regents and Education Department, which includes the State Archives, we write to encourage your support to reauthorize the National Historical Publications and Records Commission (NHPRC). Federal NHPRC support has been an important source of funding for statewide strategic planning for New York's historical records. This support enabled our State to create strong strategic plans that have become national models and to establish a framework for garnering support for New York's documentation priorities.

Like other states across the nation, New York has limited resources to make historical records accessible to the public. Additionally, many of our archival holdings are not accessible to the public due to lack of enabling tools and technology. NHPRC funding, coupled with our State funding, has and continues to build capacity within New York's historical records community. Our combined funding is a catalyst; it is often matched and sometimes doubled by local funding.

State and local documentary records hold essential information regarding our national heritage. There are many areas of our public life—in health, education, transportation, natural resources, economic development, lands and property, etc.—that are only documented at the state and local levels. This information also provides in-depth understanding of how federal policies affect localities. We urge your strong support of NHPRC reauthorization.

Sincerely,

CARL T. HAYDEN,

*Chancellor, Board of Regents.*  
 RICHARD P. MILLS,  
*Commissioner of Education.*

---

THE SOCIETY OF AMERICAN ARCHIVISTS,  
*Chicago, IL, September 10, 2000.*

Senator FRED THOMPSON,  
*Chairman, Senate Government Affairs Committee, Dirksen Senate  
 Office Building, Washington, DC.*

DEAR SENATOR THOMPSON: On behalf of the Society of American Archivists, we urge you to support H.R. 4110, a bill for the reauthorization of the National Historical Publications and Records Commission (NHPRC), a statutory body affiliated with the National Archives and Records Commission that supports a wide range of activities to preserve, publish and encourage the use of documentary sources relating to the history of the United States. By making grants to state and local archives, colleges and universities, libraries, historical societies and other nonprofit organizations in the United States, this small, but very effective granting body ensures that the various levels of American history are preserved and used by our citizens.

The Society of American Archivists is the oldest and largest association of archivists in the United States, representing more than 3,000 individuals and 400 institutions. It is the authoritative voice in the United States on issues that affect the identification, preservation, and use of the historical record.

The National Historical Publications and Records Commission, in its 66 year history has ensured that the documentary history of this country is not lost, by making the papers of our founding fathers and other prominent Americans widely available through the publication of their documents. The figures represented include the Founding Fathers, such as George Washington, Thomas Jefferson and Benjamin Franklin and Presidents, such as Andrew Jackson, James K. Polk, and Andrew Johnson.

The Commission has served a vital role in providing the funding to state boards for the creation of a national archival infrastructure. The focus for these state grants has been on strategic planning, implementation and statewide collaboration. An excellent example of providing services to the local small historical societies is the NFACE project, the National Forum on Archival Continuing Education, which seeks to determine the continuing education needs of the nation's historical records keepers and to develop an action agenda to meet those needs.

NHPRC serves as the venture capitalist for the archival work necessary to ensure our historical heritage: by providing seed money for new ideas; by taking risks on experimental programs, such as the work being done by the San Diego Supercomputer Center to develop a method to preserve electronic records; and by providing expertise for fledgling programs, helping to move these local programs forward. It would be a great loss if the National Historical Publications and Records Commission were not reauthorized. We urge you to move forward and approve this bill by the end of

this legislative session to ensure the continuing effectiveness of this outstanding program.

Sincerely,

LEON J. STOUT,  
*President.*

○