

Historical Records

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“A people who cannot document their rights cannot exercise them.”

--John W. Carlin, Archivist of the United States, September 15, 2000

Records are the Infrastructure of responsible decision making, accountable government and institutions, and an accessible past. The State Archives views its mission is to ensure ready access to essential evidence for current and future researchers, and these works of art provide information about actions of state officials and help define the state’s historical experience.

NEVADA STATE LIBRARY AND ARCHIVES

Archives and Records Management

The State Archives and Records Management Program oversee comprehensive and cost effective programs for the creation, use, maintenance, retention, preservation and disposition of records of the executive branch of government. The Archives and Records section of NSLA has three distinct programs: the State Archives, Records Management and Micrographics and Imaging. Each program provides technical assistance to the Nevada Supreme Court, Legislative Counsel Bureau, tribal and local governments, and the University and Community College System.

The State Archives program is the institutional memory of the State of Nevada. It preserves and provides access to the records that document the history of state government dating back to 1851, including many records of the legislative, judicial and executive branches of government. There are more than 12,000 cubic feet of territorial and state government records and over 10,000 images of Nevada people and places, providing visual information that complements the Archives' documentation of Nevada history.

The Records Management program establishes the standards, procedures and practices for managing public records and serves as the primary records management resource for state and local governments. In conjunction with the Committee to Approve Schedules for the Retention and Disposition of Official State Records (the State Records Committee) and, in accordance with NRS 239.080, the program manages the Retention and Disposition Schedules of official state records. The program provides staff to the Nevada Electronic Records Committee (NERC), a subcommittee of the State Records Committee, which develops the Nevada standards and guidelines for the creation, maintenance, accessibility, and long-term preservation of electronic records. The program also operates the State Records Center in Carson City, which offers cost-effective storage of inactive state records in paper, electronic, and microfilm formats.*Legal Value of Archives*



1994 - In 1983, the State Purchasing Division sold old state bonds and warrants like they would “surplus property.” The old bonds were pretty, had nice art work and were suitable for framing. Most of them were sold them to the public. The State Archives was able to keep a few bonds from each issue as examples and for exhibit purposes. The bonds sold for \$85.00 each. A Montello couple named Wilson sued the state 10 years ago, claiming that an 1865 bond was not paid and was now worth \$52 million. The lower court ruled against them and they appealed to the Supreme Court. In 1994 the State Supreme Court ruled that the bond had been paid based on the evidence provided by the State Archives and that even if it was not paid, the statute of limitations had run out long ago.

1989 - In 1989 an indigent male was admitted to Washoe Medical Center with a life threatening illness. He told hospital staff he was a World War One veteran and called the Veteran’s Hospital. The VA hospital called the archives and we were able to provide proof of his honorable discharge. He was admitted and successfully treated at the VA hospital. The archives provides free certified copies of veteran’s discharge papers to the Commissioner on Veterans Affairs and to veterans individually seeking benefits.

1998 –ARCHIVES HELP JAPANESE AMERICANS CLAIM MILLIONS

A 1941 letter found in the Nevada Northern Collection at the East Ely Railroad Depot Museum proved the claims of hundreds of Japanese-Americans for millions of dollars in reparation funds from the federal government.

The Justice Department's Office of Redress Administration awarded more than \$ 4 million to descendants of Japanese Americans who lost their railroad and mining jobs on orders of the FBI. In 1988 Congress passed the Civil Liberties Act providing \$20,000 in reparations to internees or survivors who had been deprived of their civil liberties for being Japanese.

Fumie Shimada, a Sacramento school teacher who was born in Sparks, Nevada remembered her father, Kametaro Ishii, being fired from his job on the Southern Pacific Railway on February 11, 1942 after twenty-two years and being rehired one day after the war had ended. He went on to work for the railroad for eighteen more years until he retired.

Although Ms. Shimada saw a connection, the Federal Government did not. She went off on a mission to search for the truth even though her father died in 1976 and her mother three years later. She was denied the funds because, the Justice Department reasoned that railroad fired her father, not the federal government. Southern Pacific officials told her there had to be a federal order.

She was certain her answer would be in Nevada. When she called the State Library and Archives, archivists searched the records of Governor Edward P. Carville, the Attorney General's Office, State Council of Defense and the Adjutant General. She was looking for a presidential order and we had none. Archivist Chris Driggs called Archeologist Gene Hattori in the State Historic Preservation Office, who heard a talk by a University of Nevada, Las Vegas graduate student, whose master's thesis was about Japanese Americans in Nevada during World War II. This led to the UNLV Special Collections Department, whose staff also searched the Southern Pacific Railroad collection for information.

Fumie and her husband Sam Shimada made fifteen trips to Nevada to look through the records in the State Archives, the Nevada Historical Society and University of Nevada, Reno's Special Collections. She found Andy Russell's thesis at the Nevada Historical Society and archivists helped track him through his faculty advisor at UNLV, History Professor Sue Fawn Chung. She contacted Russell and he told her he had found a letter by H. M. Peterson, a Nevada Northern Railway official in eastern Nevada dated, December 14, 1941 that spelled out the FBI directive. Russell had research his thesis at the State Archives and at the East Ely Depot Museum, where he found the letter in the Nevada Northern Railway collection. Copies of the letter and Russell's thesis were sent as evidence to the Office of Redress Administration and it was evidence for more than

250 claims.

Realizing the importance of the discovery, State Archivist Guy Rocha asked if the Shimadas wanted to speak to the press about their story. With their permission, Rocha contacted Brendon Riley with the Associated Press who wrote the story. The news story went national and carried the information about who was eligible and who to contact in the Department of Justice. Rather than being a local story with individual benefits, the story reached a national audience. It was a departmental effort on the part of staff from three of the four divisions of the Department of Cultural Affairs and Nevada's two Special Collections Departments, but the results aided in the distribution of millions of dollars in reparation money to Japanese-Americans.

2004 – Archives staff found Marlette Lake Water system easement in State Attorney General's Files. A former head of PERS was building his dream home and found a pipe running under where he wanted to put his driveway. The attorney general's office uses the archives records 156 times a year preparing for cases. For about six months, Archives staff had inquiries from the Division State Lands for maps of the State Water System and requests for documentation of the State ownership of the system. Staff replied that all the deeds, easements, etc. should have been filed with the county recorders of Washoe and Storey Counties as well as Carson City. It wasn't filed. Buildings and Grounds asked about it as did the State Engineer's Office. Just before it went to court, we were asked specifically for evidence of an easement for the water line. Using forensic study on the state bureaucracy, we ascertained that no legal document is written unless written or at least reviewed by the Attorney General's office. We tracked the files in the AG's correspondence records and found the signed and notarized easement with a note attached. The note said that the document was ready to go and should be sent to the State Engineer for filing. The next day deputies brought the document into court and saved the state \$150,000.

2004 – Archives assisted a Douglas County ranch owner in proving his vested water rights using historical records kept in the State Archives.

2007 – Provided documentation to the costs of every state building built in the past 40 years for State Budget Division Auditors to determine a starting point for amortizing the cost of buildings.

2007 - The question came from the Attorney General's Office on behalf of NDOT. This was a court case in Clark County -- Nevada Dept of Transportation V. Virgin River 140 LLC. It was a right of way dispute between homeowners and NDOT over who owned the land on an approach to a bridge over the Virgin River. If the river was navigable at the time of statehood, then the state owned it and the homeowners would have to pay some mitigation costs. If it was not navigable, the state would have to pay. The amount was between \$150,000 and \$250,000. I provided the proof of navigability based on documentation found in Utah Historical collections. I conducted the initial research in

October and November 2007, the court case was delayed until April or May 2008. They settled the dispute out of court.

2008 - At the beginning of June 2008 the Budget Division, Governor's Office, individual members of the State Legislature and members of the press all asked questions about budget cuts and layoffs from the voluntary cuts in the early 1980s and the layoffs in 1991. No one remembered what happened and no one's office records went back that far. The Budget Division asked first, so the Budget Director could prepare the briefing for the Governor. Archives supplied press releases, reports, summaries of what happened during the budget cuts and we provided bibliographies of taxation, reorganization and budget studies, so their offices could anticipate questions. (This is my 4th budget cut and we have been accumulating information from times such as this.) After the Governor's announcements, I was asked by individual legislators and the press for copies. I also suggested that the information be passed on the SAGE Commission so the members would have a starting place in their work.

Nevada State Historical Records Advisory Board (SHRAB)



The State of Nevada promotes the establishment and proper maintenance of archives and public records programs throughout the state. The governor appoints a state historical records advisory board, consisting of the state library and archives administrator and nine members to advise him and make recommendations to the legislature.

The board's duties include:

Examining and assessing archives and public records programs and the facilities, professional staffs and auxiliary personnel that support such programs;

Reviewing and evaluating grant applications made by political subdivisions and private organizations to improve the preservation of their historical records; and

Making recommendations to the state historical records coordinator for approval of applications for grants from the National Historical Publications & Records Commission.



In 1974 Congress created the Records Program of the National Historical Publications and Records Commission (NHPRC) to provide grants to State and local governments, historical societies, archives, libraries and associations to preserve, arrange and describe historical records and for archival training and development programs.

NHPRC receives an appropriation from Congress every year to make these grants. The Commission meets in November and in May to establish policy and to recommend to the Archivist of the United States grants it believes should be funded.

Since 1981, the SHRAB has supported the grant projects to study the conditions of historical records, strategic plans, projects for local and tribal governments, museums and historical societies, churches and the court system in Nevada.

Nevada's SHRAB supports grants with the following objectives:

- To develop archives and records management programs to improve the management of historical records including electronic records.
- To identify records of archival value, especially those that are not currently under archival control.
- To prepare inventories and finding aids for records not currently accessible.
- To provide for records needing restoration, preservation, duplication and protection.
- To provide for education and training in the fields of records management and archival practices and administration.

Who Keeps Nevada's History and Why?



State government, cities, counties, special districts, businesses, individuals, churches and religious clubs, colleges and universities, libraries, museums, professional societies, Native American tribes, historical societies, and fraternal orders all keep Nevada's history.

Whether an organization is a church, a scout troop, a support group, a volunteer fire department, a softball league, or a hobby club, it makes **history** with everything it does.

Whether an organization has been organized for 100 years or just a few months, it has a history. Whether an organization's purpose is charitable, business, educational, religious, or recreational, it generates historical documents.

From railroads to nuclear waste; from Spanish traders to international tourists and business people from every corner of the planet, documentary heritage is of, by, and for every Nevadan.

We think of "documents" in terms of the Declaration of Independence, the Constitution, or even diplomas, licenses, deeds and certificates, but "documents" can encompass a much wider assortment of papers or formats.



Challenges to Nevada's Documentary Heritage

Nevada is changing -- almost daily. So, too, are the means to record and register those changes.

Imagine -- That forty years from now a developer may wish to buy and develop a tract east of Las Vegas; will he be able to find out whether he has

bought the water rights and whether there are any unexpired mineral leases?



OR -- imagine sixty-five years from now someone living in Baltimore has lost her birth certificate but knows she was born in Elko. She needs a copy of her birth certificate for social security; will she be able to get one?

Will it be possible to link information from both paper and electronic records? Will the record of an Elko birth, recorded electronically, be readable sixty-five years from now?

Will historical records escape being lost to future fires and floods? County records have been lost in courthouse fires in Virginia City in 1875, Ely in 1885 and Dayton in 1910. And many businesses and families lost their history in the Truckee River flood of 1997.

Records Are Infrastructure



Few people understand that like highways, streetlights and water systems, records are the indispensable infrastructure of responsible government and institutions. They are part of the decision-making process of those we elect to govern us. Without records and accountability people lose faith in their governments and institutions.

Nevada's breath-taking growth and changes in population, economy, and built environment should convince us all that last week's planning board minutes or last month's print-out of the Clark County water tables are already the stuff of history, documenting a Nevada that was.

Few people have yet to understand that electronic records really are records, and unless they are taken care of and migrated from older to new formats, the information they contain will become as inaccessible as the music on an 8-track tape or 45 rpm record. We need to plan now for the future preservation of our historical records whether they are paper, audio or videotape, analog or digital.



10 reasons why electronic records need special attention

In recognition of Electronic Records Day 2013, here is a list of reasons why everyone should be thinking more about electronic records.

1. Managing electronic records is like caring for a perpetual toddler: they need regular attention and care in order to remain accessible.
2. Electronic records can become unreadable very quickly. While records on paper can sometimes be read after thousands of years, digital files can be virtually inaccessible after just a few.
3. Scanning paper records is not the end of the preservation process: it is the beginning. Careful planning for ongoing management expenses must be involved as well.
4. There are no permanent storage media. Hard drives, CDs, Magnetic tape or any other storage formats will need to be tested and replaced on a regular schedule. Proactive management is required to avoid catastrophic loss of records.
5. The lack of a "physical" presence can make it very easy to lose track of electronic records. Special care must be taken to ensure they remain in controlled custody and do not get lost in masses of other data.
6. It can be easy to create copies of electronic records and share them with others, but this can raise concerns about the authenticity of those records. Extra security precautions are needed to ensure e-records are not altered inappropriately.
7. The best time to plan for electronic records preservation is when they are created. Don't wait until software is being replaced or a project is ending to think about how records are going to be preserved.
8. No one system you buy will solve all your e-records problems. Despite what vendors say, there's no magic bullet that will manage and preserve your e-records for you.
9. Electronic records can help ensure the rights of the public through greater accessibility than ever before, but only if creators, managers and users all recognize their importance and contribute resources to their preservation.
10. While they may seem commonplace now, electronic records will form the backbone of the historical record for researchers of the future.

Remember, archivists are here to help you tackle these difficult problems. Contact your state, local or college archives to find out what they are working towards and what they need in order to make sure that electronic records remain accessible for generations to come!

Select Bibliography

A Glossary of Archival and Records Terminology (Archival Fundamentals Series) by Richard Pearce-Moses. (Society of American Archivists, 2005)

A Glossary of Archival and Records Terminology is for anyone who needs to understand records because they work with them. It contains more than 2,000 defined entries and more than 600 lead-in terms, and nearly 700 citations from some 280 sources. It also incorporates terms from archival preservation, electronic records, law, and micrographics, as well as common form and genre terms from architectural and technical drawings, motion picture and video, photography, and sound recording.

Managing Archival and Manuscript Repositories (Archival Fundamentals Series) by Michael Kurtz. (Society of American Archivists, 2004)

Managing Archival and Manuscript Repositories presents a holistic synthesis of theory and practice viewed in the context of the complexity of modern organizations. More than that, it is an indispensable reference uniquely geared to the specifics of working in the archives environment.

Selecting and Appraising Archives and Manuscripts (Archival Fundamentals Series) by Frank Boles. (Society of American Archivists, 2005)

This text provides a thorough review of diverse theories and offers a guide to the process, addressing appraisal's thorny issues, such as reappraisal and the appraisal of non-textual records. The opening chapter on "Why Archivists Select," provides a strong foundation for the overview of appraisal theory that follows. It examines the nuts-and-bolts decision-making process for archivists unfamiliar with the selection process.

Archives and the Public Good: Accountability and Records in Modern Society edited by Richard J. Cox and David A. Wallace (Quorum Books, 2002)

Struggles over control, access, preservation, destruction, authenticity, accuracy, and other issues demonstrate time and again that records are not mute observers and recordings of activity. Fourteen powerful case studies illustrate the importance records play for accountability in society. Focused around four closely related themes—explanation, secrecy, memory, and trust—this volume demonstrates how records compel, shape, distort, and recover social interactions across space and time.

Libraries, Museums, and Archives: Legal Issues and Ethical Challenges in the New Information Age edited by Tomas A. Lipinski (Scarecrow Press Inc., 2002)

Although legal and ethical issues have always permeated the information environment, traditional responses no longer meet the broad needs of libraries, museums and archives. Issues related to the components of the collection, gifts, and donations (real property and tax implications), rights to privacy, users' rights of access, copyright and information control, and responsibility for safety in public spaces are covered in depth. A complete chapter is devoted to a discussion of the proper structure and elements of library, museum, or archives policy content—a superb blueprint for effective policy drafting at all levels of the institutional life cycle.

Emergency Management for Records and Information Programs by Virginia A. Jones and Kris E Keyes (ARMA International, 2001)

Five sections provide a step-by-step guide through the essential phases of emergency management—prevention, preparedness, response, and recovery—and address the basic concepts of emergency management and insights on selling it to top management; vital records, risk management, and disaster prevention planning; preparation of the emergency management plan; recovery and resumption of operations. "Chapter Checklists" at the end of each chapter review major concepts and guide you in forming your emergency plan, and "Small Business Tips" give information of special importance to small organizations.

An Ounce of Prevention: Integrated Disaster Planning for Archives, Libraries, and Record Centers by Johanna Wellheiser and Jude Scott, with the assistance of John Barton (Scarecrow Press, Inc. & Canadian Archives Foundation, 2002)

This new edition of an award-winning publication provides a broad-based approach to "integrated disaster planning." It explains each phase of disaster planning, with chapters covering prevention planning, protection planning, preparedness planning, response planning, and recovery planning. Also considered are collections, records, facilities, and systems and post-disaster planning. Also includes list of federal and local assistance programs and other sources for financial assistance.

Managing Electronic Records (3rd ed.) by William Saffady (ARMA International, 2002)

Provides a comprehensive discussion of records management concepts and methodologies as they apply to electronic records. This practical book is intended for professional records managers, archivists, computer systems professionals, office systems analysts, administrative system specialists, data center managers, librarians, and others responsible for the creation, maintenance, management, control, and use of electronic records created by computer, audio, and video systems.

Electronic Records Retention: New Strategies for Data Life Cycle Management by David O Stephens, Roderick C Wallace (ARMA International, 2003)

Building on their 1995 groundbreaking book on electronic records retention, David Stephens and Roderick Wallace have authored a comprehensive new book that defines a practical methodology for applying the principles of records retention to computer-based recordkeeping environments. The book includes chapters on the business case for electronic records retention, a cost-benefit analysis for retaining versus scheduling and purging electronic records, e-mail retention, legacy data, legislation and court cases and case studies.

Preservation Management of Digital Materials: A Handbook by Neil Beagrie and Maggie Jones (The British Library, 2001)

Digital information is increasingly important to our culture, knowledge base, and economy. This handbook provides an internationally authoritative and practical guide to the subject of managing digital resources over time and the issues in sustaining access to them. Of interest to all organizations and professionals involved in the creation and management of digital materials.

HELPFUL WEB SITES

Council of State Archivists (CoSA) www.statearchivists.org

CoSA Emergency Preparedness Initiative

"**Safeguarding a Nation's Identity**," CoSA's report on the readiness of state archives to protect the records that identify who we are, secure our rights, and tell our story as a nation.

Get PReP-ed! about CoSA's efforts to help all state archives and records management programs prepare for natural disasters and other records-related emergencies by conducting **Assessments** of statewide preparedness and creating a customized **Pocket Response Plan™ (PReP™)** for their agencies.

"**Closest to Home**" project is focusing on Local Government Archives. An NHPRC grant is supporting a project designed to lay the groundwork for stronger local government archives in each state.

National Association of Government Archives and Records Administrators (NAGARA) www.nagara.org

The National Association of Government Archives and Records Administrators (NAGARA) is a professional organization dedicated to the effective use and management of government information and publicly recognizing their efforts and accomplishments.

NAGARA Local Government Records Technical Publications Series

Archival Programs for Local Governments, Kaye Lanning Minchew, CA

The Daily Management of Records and Information, David O. Stephens, CRM

Managing Records on Limited Resources, Stephen E. Haller, CRM

Protecting Records, Harmon Smith

Using Microfilm, Julian Mims, CRM

Northeastern Documents Conservation Center <http://www.dplan.org/aboutdplan.asp>

dPlan is a *free* online tool that will help you simplify the process of writing a disaster plan. Enter information about your institution using the comprehensive fill-in-the-blank template. This template will guide you through the steps necessary for effective disaster planning.