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Reviews

Luke Meagher
Wofford College

Ryan Speer
Georgia Institute of Technology

Carol Waggoner-Angleton
Augusta State University

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Book Reviews

Electronic Records in the Manuscript Repository. By Elizabeth H. Dow (Lanham, Md.: Scarecrow Press, 2009. 189 pp.).

This book is short and economically written and organized, which is an accomplishment, considering the enormity of literature available on the subject of electronic records management. The actual body of the work is a mere 137 pages divided into eight well-partitioned chapters, while much of the remainder of the book (39 pages) is an exhaustive bibliography thoughtfully annotated by Dr. Elizabeth H. Dow. Many readers will find this annotated bibliography alone worth the purchase price.

But all who pick up this book should read the Preface and the very helpful Introduction, which contains the indispensable section “How I’ve Organized This Book” (page xiii), which acts much like a “how-to-use-this-book” section at the beginning of a reference work. In this section Dow reveals that the organizational scheme of the book moves from the abstract to the practical. Chapters 1 through 4 deal with foundational knowledge and terminology while chapters 5 through 8 get down to brass tacks.

An understanding educator—a member of the faculty at Louisiana State University’s School of Library and Information Science—Dow advises readers to attack the book’s contents in whatever manner works best for them: “If you learn better by moving from the practical to the abstract, I suggest you quickly scan chapters 1 through 4 and then dive into chapters 5 through 8” (page xiii). Such advice was welcome to this reader, and I imagine it will be appreciated by the “lone arranger” for whom this book is intended.

I found the tone of this book refreshing—it was informal and sometimes even colloquial, and Dow unabashedly uses the personal pronoun “I” throughout, which is a nice change from the classic dispassionate, disembodied academic narration or the tedious bureaucratise of white papers, standards, or government documents. Likewise, Dow not only deals with the book’s subjects with candor, she is also candid with the reader about what her book is—and is not. In the appropriately brief Preface, she sets the tone and admits the limited scope of the work: “I do not want to talk down to you; I don’t want to talk over your head; I don’t want to overwhelm you with information and concepts. Consequently I have weighed very carefully what I include and what I leave out. I do not pretend to tell you everything you need to know—only what you need to know to get started” (page viii).

That objective is both admirable and necessary. The field of study that supports the archival management of electronic records has needed a book like this for some time, and it will continue to need books like this if the speed of the field’s development over the last few years is any indication. (Dow is aware of this as well. Again, from the Preface: “In time, some of [the resources I’ve provided] will go out of date. Others will not.” (page viii)) Another feature of this book that I appreciated was that the author acknowledges but does not get bogged down in the substantive but relatively minor disagreements that occur in the scholarly literature. In addition, she often boils down a concept into plain English devoid of jargon. For instance, at the beginning of Chapter 2, she writes: “In other words, digital documents aren’t real documents” (page 21). As she freely admits, simplicity of expression in this field can lead to imprecision in understanding, but Dow’s words are calibrated and considered in such a way that they often fall within an archival educator’s tolerances. But this book isn’t intended for academics (though they would do well to

read it), but rather for the “lone arranger” and/or the electronic records neophyte. In addressing that audience and providing an introduction to the subject, I feel this book succeeds admirably. It will stay by my desk for handy reference and as a resource for further investigation.

Luke Meagher
Wofford College

Navigating Legal Issues in Archives. By Menzi L. Behrnd-Klodt (Chicago: Society of American Archivists, 2008. 329 pp.).

Archivists and other information professionals usually depend on their own personal interpretation of matters at hand when making decisions regarding the acquisition and use of collections. Barring an emergency hire made necessary by some imminent or actual litigation involving their own institution, most archivists do not have recourse to legal counsel. They must make spot decisions based on amateur opinion. Considering the preponderance of lay interpretation in the disposition of such matters, one would think that legal research materials aimed specifically at archivists would be more common. Unfortunately, Menzi L. Behrnd-Klodt’s offering is one of just a few significant general works in this field since the publication of Gary and Trudy Peterson’s *Archives & Manuscripts: Law*, a 1985 entry in the old SAA basic manual series, which it both updates and supplants. The information presented here is useful, but a more thoughtful commentary on archivists’ daily activities and their ramifications is wanted.

Navigating Legal Issues in Archives consists of four primary sections: “The ‘Legal’ Framework,” “Acquisition and Ownership Legal Issues,” “Access and Administration Issues,” and “Copyright and Intellectual Property Law and Considerations: Their Effects on Archival Access and Use.” The “Access and Administration” section is the largest, at ten chapters and almost one hundred pages. However, the author’s removal of much substantive discussion to the endnotes means that some of the chapters within these four sections appear to be quite brief. Chapters 4 and 10, dealing respectively with transferring of ownership of archives and administering access to collections, are

among the most extensive portions of the book. Other chapters are extremely abbreviated. For example, the treatment of public records is limited to a discussion of two federal laws and neglects the rich, infuriating, and often-contradictory array of records laws passed by individual states, and ignores the complexities of administering access to public records in government archives and other institutions with those holdings.

Navigating Legal Issues in Archives functions best as an introduction to a wide array of legal issues, legislation, and cases. The profusion of short, easily digested chapters suits this approach. On the whole, the book provides a comprehensive overview of many topics germane to the archival enterprise. But the author mostly draws attention to pertinent legal issues without offering substantial practical advice on managing the risks involved. With the exception of the section on acquisition and ownership of records, there is very little constructive thinking regarding the administrative regimes made necessary by the laws under discussion. Well-known problems, such as the unclear relation to archival holdings of the Family Educational Rights and Privacy Act (FERPA) or any of the numerous state or federal records laws conceived with current records in mind, are given thorough factual treatments. However, definitive pronouncements or other value-added inclusions are mostly absent. Familiar sticky questions are referred to your lawyer (a chapter on selecting and working with legal counsel is included).

So what we are left with is a solid factual introduction to laws and cases relevant to archivists. *Navigating Legal Issues in Archives* is a valuable one-stop reference for professionals with limited time or without access to more substantial legal information. It provides up-to-date information relevant to all archivists. But it is a shame that the author's thorough knowledge of and experience operating in the legal environment of archives could not have been communicated to the reader in a more imaginative way. For instance, it would be interesting to see more documentation of actual cases wherein archivists found themselves in court as a result of conflicts with the various laws discussed here. The section on replevin actions contains a good deal of actual case law; it would be interesting to see a similar approach in other chapters. Has an archivist ever been taken to court for accidentally revealing someone's Social Security number? Has an archivist ever been prosecuted for providing

access to a dead person's medical records, or an inactive student's test scores? The discussion of risk management, as such, is limited to a discussion of protecting physical materials. In real life many archivists (for better or worse) conduct an ad hoc risk management regime, usually without recourse to counsel. Reliance on superstition and questionable reasoning is an ongoing problem in American archives, and it would have been interesting and useful to consider when archivists are taking real risks, and when they are dealing with legal bogeymen.

Ryan Speer
Georgia Institute of Technology

Managing Congressional Collections. By Cynthia Pease Miller (Chicago: Society of American Archivists, 2008, 138 pp.).

Cynthia Pease Miller provides an overview which allows archivists to understand the functions of the individual legislator within the governing process. This clearer understanding is what the successive chapters build on to provide insight into the tasks and philosophies that lead to successful management of a collection of legislative papers. Miller focuses on the management of federal congressional collections, but there is enough detail in her checklists, bibliographies, and appendices detailing workflow that this book could be successfully used as a resource in managing any political individual's papers—for example, those of a mayor or city council member.

Miller covers familiar topics in collection management—access arrangements, deeds of gift, and donor relations, for example—but she shows how a reader's thinking on these issues might need a little twist or a refresher to handle particular situations in managing congressional papers. The pages on appraisal decisions provide detailed lists of the types of papers to consider for retention, along with a quick checklist for appraisal decisions. Such aids would help the neophyte manager grapple successfully with the task of collection management. Appendix D, "Congressional Office Staff List," lists individuals who should be approached to obtain files to make the collection as complete as possible. Appendix E gives good advice on the retention, review, and disposal of certain types of congressional files.

Common access restrictions are enumerated and clearly defined. A secondary theme, covered in Appendix A, "A Chronology of Advances in Managing Congressional Collections," outlines the history of caring for congressional papers, tracing the subject until the present time, when it is a distinct specialization in archival practice.

One thorny problem unique to congressional records is the presence of classified files. Clear information is given for the receiving archivist on handling classified files, especially concerning who to contact for advice and proper procedure.

The bibliography serves most importantly as a checklist of the government documents that cover the best practices for retaining congressional records. Splitting the bibliography into two sections, first, background and statistical material, and second, selected archival literature, allows the reader to match sources more accurately with questions.

Unfortunately, not enough detail is given to the discussion of handling irradiated mail. Since October 2001, congressional mail has gone through an irradiation process to protect against bioterrorism threats. Miller advises that irradiated mail not be kept as part of a congressional collection, as it poses a safety risk to staff and researchers. However, the nature of the threat is not detailed. Singling out irradiation as a specific threat seems to contradict archival practice as gamma irradiation is suggested as an appropriate, though not necessarily preferred, measure to deal with pest and mold infestations. A quick search through newspaper databases by the reviewer revealed that congressional mail has been subjected to electron irradiation (e-irradiation). Does the danger to staff and researchers lie in differences between these two types of irradiation, e-irradiation and gamma irradiation? Perhaps, the danger lies in the level of irradiation used on congressional mail. Is it significantly higher than the irradiation levels used to control mold and pests? Readers need to understand the rationale for the warning about irradiated mail.

The book's strength lies in adequately conveying the complexity and size of workload taken on when a repository commits to caring for a congressional collection. It is easy to imagine being bowled over by the prestige and glamour inherent in acquiring congressional papers. Miller hammers home the magnitude of the commitment in the sections "Calculating Costs," "Space, Personnel and Budgets," "Planning for Transfer," and

“Reference Services and Outreach.” Should concern for the well-being of the collection and professional pride fail to temper out-of-control enthusiasm, Miller provides a quick calculation of the bottom line: typical donations range from 1800 to 2500 linear feet and as of 2007 costs for adequate processing were estimated at \$150 to \$350 per linear foot. There’s nothing like a hefty bottom line to pull one up short and force one to give serious thought to the complexities and responsibilities inherent in a project.

If ever presented with the opportunity, the archivist should suggest Miller’s book as required reading to administrators so they will understand the commitment of time, resources, and money necessary upon accepting such a collection. Future managers will enjoy having a clear rubric against which to measure their own project.

Carol Waggoner-Angleton
Augusta State University