Society of American Archivists  
Council Conference Call Minutes  
February 6, 2017  
2:00 – 3:30 pm EST

Agendas and background materials for SAA Council meetings are publicly available via the SAA website at: http://www2.archivists.org/governance/reports. Each Council meeting agenda comprises Consent Items, Action Items, Discussion Items, and Reports, and the number/letter in the minutes (e.g., II.A.) corresponds to an item listed on the agenda. The minutes summarize actions taken and the outcomes of discussions. Reports generally are not summarized in the minutes, but provide a wealth of information about the work of appointed and component groups and the staff. To view the reports—and all other background materials—see the SAA website.

President Nancy McGovern called the meeting to order at 1:03 p.m. on Monday, February 6. Present were Vice President Tanya Zanish-Belcher; Treasurer Cheryl Stadel-Bevans; Executive Committee Member Rachel Vagts; Council members Courtney Chartier, Amy Cooper Cary, Pam Hackbart-Dean, Kris Kiesling, Erin Lawrimore, Michelle Light, and Bertram Lyons; and SAA Executive Director Nancy Beaumont, Education Director Kara Adams, Publications Director Teresa Brinati, Finance/Administration Director Peter Carlson, and Governance Program Coordinator Felicia Owens.

Absent: Council member Bergis Jules and Web and Information Systems Administrator Matt Black.

I. COUNCIL BUSINESS

A. Adoption of the Agenda

McGovern introduced the agenda; no revisions were suggested. Zanish-Belcher moved adoption of the agenda as presented, Kiesling seconded, and the agenda was adopted unanimously (MOTION 1).

Move: Zanish-Belcher  
Second: Kiesling  
Vote: PASSED (Unanimous. Absent: Jules)

B. Status of Council Action List

McGovern called for updates to this internal working document. None was mentioned.

II. CONSENT AGENDA

The following items were adopted by consent (MOTION 2).
Move Consent Items: Stadel-Bevans
Second Consent Items: Cooper Cary
Vote: PASSED (Unanimous. Absent: Jules.)

A. Ratify Executive Committee Interim Actions

THAT the following interim actions taken by the Executive Committee between December 7, 2016, and January 26, 2017, be ratified:

- Agreed to join with the Council of State Archivists, the National Association of Government Archives and Records Administrators, and the Regional Archival Associations Consortium to submit “Recommendations on Federal Archives and Records Management Issues” to the Trump presidential transition team. (December 7, 2016)
- Voted “no” to the NISO Ballot N920.NWIP. Description and Presentation of Rights Information in Digital Collections, based on the research and recommendation of SAA’s Intellectual Property Working Group. (December 29, 2016)
- Approved a response, drafted by SAA’s Intellectual Property Working Group, to the Librarian of Congress’s solicitation regarding the qualities she should consider as she selects the next Register of Copyrights. (See Appendix) (January 26, 2017)

B. Ratify Council Interim Actions

THAT the following interim actions taken by the Council between December 9, 2016, and January 6, 2017, be ratified:

- Reviewed the report of Peter Gottlieb, SAA’s Representative to the National Historical Publications and Records Commission (NHPRC), from the November 30, 2016, NHPRC meeting. (See Appendix) (December 9, 2016)
- Adopted the November 14-16, 2016, Council meeting minutes. (January 6, 2017)

III. ACTION ITEMS

A. Issue Brief: Confidentiality of Private Information Held in Records Created by the Federal Government’s Executive Agencies

Under development and review since 2015, a version of this issue brief was presented for approval by the Council in November 2016. At that meeting, additional concerns were raised regarding freedom of information and survivors’ right to privacy. The Committee on Public Policy addressed those concerns in the brief presented below.

MOTION 3

THAT the following issue brief on “Confidentiality of Private Information Held in Records Created by the Federal Government’s Executive Agencies” be adopted (strikethrough = deletion, underline = addition).
Issue Brief: Confidentiality of Private Information Held in Records of the Federal Government’s Executive Agencies

Privacy is a fundamental right that is enjoyed by all. Similarly access to public records created by the federal government’s executive agencies is a fundamental right that is necessary to all within a democratic government. To resolve the inherent tension between these two rights, SAA recommends that:

- All laws and policies regarding access to public records created by executive agencies containing Personally Identifiable Information (PII) should include appropriate language that the right to personal privacy ends upon the death of an individual the right to privacy generally ends with death (although family members may, in some circumstances, retain the right of survivors’ privacy).

- Because of the difficulties that can be encountered in determining if an individual has died, access to public records containing PII should be made possible through a legally established date of presumed death. This date should be 72 no more than 100 years after the date found on an individual record that includes personal information.

- This general recommendation should not be understood to recommend closing records containing personal information available for public use through more liberal access laws or through specific exemptions to existing law, such as the “safe harbor” exemptions found within the Health Insurance Portability and Accountability Act (HIPAA). Nor should this general recommendation be understood to interfere with legitimate needs for information for reasons of public safety. The standard proposed here is the maximum reasonable period that SAA believes is necessary to protect personal privacy. It does not imply that shorter periods of closure, where they exist or may be proposed, are unwise encouraged.

- This recommendation applies only to records created by or submitted to the executive branch of the federal government in the normal course of business, or to non-federal records over which federal law has placed specific restrictions on access for reasons of privacy. Although this may have implications for other types of public records that are closed for reasons of privacy, public records held outside of executive agencies of the federal government, records that are public property through a deed of gift (such as gifts to archival agencies), or records that are in the possession of non-federal governmental agencies or quasi-public bodies are not included in this recommendation.

THE ISSUES

Privacy is a fundamental right. The executive branch of the federal government, in the course of doing necessary work, collects large quantities of information about the lives of private citizens. For many good reasons, laws require that this information remain confidential for a period of time. For the same reasons, federal law also requires that certain records gathered by private organizations, such as certain medical or educational records, be closed to the general public.

This acknowledged, access to public records is also a fundamental right. Federal policymakers have long had to balance the individual’s right to privacy against a broader good that may be accomplished by sharing certain types of personal information, as well as the need to require that certain personal records be kept private regardless of which agency gathers them. This has resulted in a peculiar and sometimes contradictory patchwork of laws regarding access to private information found in public records.
American law has long made some personal information easily available in a timely manner. Federal law also allows certain otherwise closed PII to be made available to appropriate personnel for reasons of public safety.

Some types of personal information, such as that compiled in the decennial census, have been deemed confidential for a fixed period of time. For example, since 1978 individual data gathered in each decennial census is closed to the public for 72 years. After that period the needs and interests of researchers have been deemed to outweigh the personal privacy concerns of individuals enumerated in the census. The 72-year time frame was selected at that time because it correlated with life expectancy. Additionally, the courts have upheld that the Federal Bureau of Investigation (FBI) may use a 100-year rule in making its privacy protection; the FBI assumes that an individual is alive unless his or her birth date is more than 100 years ago. This also aligns with current practice regarding alien files (A-Files), which are maintained by the United States Immigration and Naturalization Service for 100 years after an individual’s date of birth before being transferred to the National Archives.

Other types of personal information, such as detailed information relating to a person’s education or individual health records, may be closed by federal law to the public for a longer period. In existing federal law it is often unclear when, if ever, these education- and health-related privacy rights terminate. SAA notes that the recommendations made in this document suggest that certain existing federal privacy restrictions, such as those found in HIPAA, should be shortened. SAA emphasizes the aspirational nature of this recommendation.

SAA believes that all personal information found in public records created by executive offices of the federal government can eventually be made public. Individual privacy is not a perpetual right. In determining when private information may be made public, SAA supports the following statements:

- Existing federal safeguards for the protection of PII found in public records should not be extended lengthened.
- Federal individual privacy legislation should favor public access over private closure of public records. In situations where there is disagreement over what PII should or should not be private, the burden of evidence should be placed on those who advocate for privacy, rather than those who advocate for open records. Federal laws and policies related to public records should explicitly state that any closures due to an individual’s privacy interest will be lifted upon the death of that individual.
- Whenever possible federal law should create a mechanism so that an appropriate waiver agreement or a consent of subject agreement may make records closed for reasons of privacy open to research at the earliest possible date.
- Access to public records containing PII should be made possible through a legally established date of presumed death. This date should be 100 years after the date found on an individual record that includes personal information.

Although an individual’s right to privacy ends at death, SAA notes that the survivors of someone who has died recently may desire to mourn privately, retain interest in their own privacy, and therefore the privacy rights of survivors must also be taken into account. Examples include sensitive health (especially genetic) information and a family’s right to control over the death images. Thus SAA supports the idea that the immediate family of a deceased individual may request that relevant federal records be temporarily closed during a brief period of mourning. But this right is subject to the same balancing test as are all privacy concerns, and occasionally a public need for information regarding the circumstances surrounding an
individual’s death will outweigh a family’s desire for privacy the survivors’ rights. Survivors’ rights should be limited to immediate family members (i.e., parents, spouse, or children) of an individual.

SAA also notes that the recommendations made in this document suggest that certain existing federal privacy restrictions, most obviously those found in HIPAA, should be shortened. SAA recognizes the aspirational character of this recommendation. While recommending this goal, SAA recognizes the need for all individuals who currently have access to records closed under HIPAA to comply with the law as it is written and currently interpreted.

Although the idea that privacy ends with an individual’s death is not a particularly radical one, implementation of the concept is complicated by the need to document an individual’s death. Because of the difficulty that can occur in proving that an individual has died, SAA believes that, in allowing access to personal records when death can be documented, a uniform date of presumed death should be established in federal law. The date of presumed death should be 72 100 years after the date found on an individual record that includes PII.

A 72-100-year rule, consistent with that established for personal data collected by the U.S. Decennial Census FBI, creates a reasonable compromise between an individual’s right to privacy, the amount of time and effort that may be necessary to document the death of an individual or a group of individuals, and the public good that may come from the use of personal data.

ADDITIONAL RESOURCES


Privacy and Confidentiality Bibliography, Society of American Archivists.

Support Statement: This issue brief supports SAA’s Public Policy Agenda by providing members and other prospective audiences with SAA’s considered opinion on the topic of privacy in public records, supporting a delicate balance between personal privacy and public access.

Impact on Strategic Priorities: Addresses Goal 1: Advocating for Archives and Archivists, Strategy 1.2. Educate and influence decision makers about the importance of archives and archivists, and 1.3. Provide leadership in ensuring the completeness, diversity, and accessibility of the historical record.

Fiscal Impact: Approval of the issue brief does not commit SAA to expend funds on any particular advocacy effort at this time.

Move: Chartier
Second: Hackbart-Dean
Vote: PASSED (Unanimous. Absent: Jules.)
B.1. TS-DACS Funding Request

At its November 2016 meeting, the Council reviewed a funding request from the Standards Committee’s Technical Subcommittee on DACS to hold a four-day in-person meeting to revise the principles underlying Describing Archives: A Content Standard. The Council determined that the initial request was too expensive to be funded out of the current fiscal year budget, and asked that TS-DACS reapply for funding if it was able to reduce the cost to $10,000.

**MOTION 4**

THAT funding in the amount of $11,007 be approved from SAA’s FY 2017 budget to support a four-day in-person meeting for 17 attendees to revise the DACS Statement of Principles.

**Support Statement:** The Statement of Principles in DACS has not been revised since 2004. Given the evolution of professional practice, including shifts away from physical arrangement, changes in technology, new discourse around diversity and inclusion, and a call for increased transparency of archival intervention, the principles are due for a substantial review. TS-DACS proposes to convene a group of experts in archival description for an in-person meeting to draft a revision of the principles and to foster a dialogue with the archives community regarding the proposed revisions. These revisions will take into account the International Council on Archives’ emerging Records in Context (RiC) Conceptual Model for archival description to help align U.S. and international approaches to archival description.

**Relation to SAA Strategic Plan:** Revising the DACS Statement of Principles cuts across all four strategic goals outlined by SAA for 2014-2018, but the project is particularly aligned with the following: 1.3 Provide leadership in ensuring the completeness, diversity, and accessibility of the historical record; 3.1. Identify the need for new standards, guidelines, and best practices and lead or participate in their development; and 3.2. Foster and disseminate research in and about the field.

**Fiscal Impact:** Direct expenses totals $11,007. The estimated staff time associated with handling logistics and reimbursements will be approximately 20 hours.

**Move:** Lyons  
**Second:** Chartier  
**Vote:** PASSED (Yes: Chartier, Cooper Cary, Hackbart-Dean, Lawrimore, Lyons, Stadel-Bevans, Vagts, Zanish-Belcher. Abstain: Light, Kiesling. Absent: Jules.)

B.2. Revise TS-DACS Description

Given an expanding work load, the Technical Subcommittee on DACS requested revisions in its structure to accommodate co-chairs (as needed) and an additional member.

**MOTION 5**
THAT the description of the Technical Subcommittee on Describing Archives: A Content Standard (TS-DACS) be revised as follows (strikethrough = deletion, underline = addition):

**Technical Subcommittee on Describing Archives:**
**A Content Standard (TS-DACS)**

**I. Purpose**

The Technical Subcommittee for *Describing Archives: A Content Standard* (TS-DACS) of the SAA Standards Committee is responsible for overseeing the timely and ongoing intellectual and technical maintenance and development of *Describing Archives: A Content Standard* (DACS). *DACS* is an output-neutral set of rules for describing archives, personal papers, and manuscript collections, and can be applied to all material types. *DACS* is compatible with ISAD(G): General International Standard Archival Description, 2nd ed. (International Council on Archives, 1999) and ISAAR(CPF): International Standard Archival Authority Records for Corporate Bodies, Persons and Families, 2nd ed. (International Council on Archives, 2003). *DACS* is an SAA-approved standard; documentation for *DACS* is available through the Society of American Archivists at [http://www.archivists.org/governance/standards/dacs.asp](http://www.archivists.org/governance/standards/dacs.asp)

**II. Committee Selection, Size, and Length of Term**

The technical subcommittee shall be composed of seven regular members (including as well as one or two chairs, depending on the needs of the technical subcommittee, at the prerogative of the current chair(s)). All members shall be appointed by the SAA Vice President / President-Elect for staggered three-year terms so that a minimum of two individuals are appointed by the Vice President each year. All members shall demonstrate significant knowledge of and experience with archival description generally, and with *DACS* specifically.

All members of TS-DACS shall be recommended by the Standards Committee for appointment by the SAA Vice President. The chair(s) will be selected from existing TS-DACS membership and appointed for a three year term. The chair(s) and members of TS-DACS may be reappointed for one consecutive term.

*Ex officio* members of the Technical Subcommittee on DACS shall include the following if they are not regular members of the subcommittee:

- Co-chairs of the Standards Committee;
- Chair of the Description Section;
- Society of American Archivists’ representative to Committee on Cataloging: Description and Access (CC:DA);
- Society of American Archivists’ representative to the MARC Advisory Committee;
- Society of American Archivists’ representative to International Council on Archives Experts Group on Archival Description (ICA-EGAD) [formerly International Council on Archives Committee on Best Practices and Standards].

**III. Reporting Procedures**

The chair(s) of the Technical Subcommittee on DACS shall report at least annually to the chair(s) of the SAA Standards Committee on the occasion of the SAA Annual Meeting. If extramural funding is obtained by SAA, the chair(s) shall provide all necessary narrative reports to the SAA office in order that the reporting requirements of SAA and the funding source are met.
IV. Duties and Responsibilities

To fulfill this mission, TS-DACS is specifically charged to:

- Carry out a review of *Describing Archives: A Content Standard* on an ongoing basis.
- Promote the understanding and use of DACS by the American archival community.
- Support educational efforts related to DACS by SAA.
- Develop members of the archives profession who are capable of promoting and maintaining DACS over time.
- Communicate its activities to relevant SAA components.
- Foster communication between other entities developing standards related to DACS.
- Work to ensure that DACS is compatible with other national and international descriptive standards.

TS-DACS shall work within the guidelines for ongoing review of an SAA-adopted standard, and may develop more detailed procedures for meeting those requirements.

VI. Meetings

TS-DACS shall carry out its charge primarily via electronic mail, regular mail, and conference calls. It shall meet at the SAA Annual Meeting and as necessary, provided that SAA Council-approved funding is available.

*Approved by the SAA Council: February 2010*
*Revised: January 2011; August 2013; February 2017*

Support Statement: *None provided.*

Relation to Strategic Plan: *None provided.*

Fiscal Impact: *None.*

Move: Kiesling  
Second: Stadel-Bevans  
Vote: PASSED (Unanimous. Absent: Jules)

C. Committee on Selection of Fellows

At its winter meeting each year, the SAA Council elects three individuals to serve on the Committee on the Selection of SAA Fellows. The Committee comprises the five most recent past presidents of the Society and three Fellows who are elected by the Council. Past presidents, current members of the Council, and SAA staff members are not eligible for election. The past president who has served longest on the Committee serves as its chair. It is permissible for elected Fellows to serve on the Committee more than once.

**MOTION 6**

THAT David Carmicheal, Rebecca Hankins, and Kathy Marquis be elected to serve on the 2017 Committee on the Selection of SAA Fellows.
**Support Statement:** Carmicheal, Hankins, and Marquis are well qualified to serve in this important capacity.

**Relation to Strategic Plan:** None.

**Fiscal Impact:** None.

**Move:** Stadel-Bevans  
**Second:** Lawrimore  
**Vote:** PASSED (Unanimous. Absent: Jules.)

**D. DAS Subcommittee Description Revisions**

The Committee on Education’s Digital Archives Specialist Committee proposed that the traditional three-year term of its members be extended to four years, as it takes more than a year to get acclimated and fully knowledgeable about processes and the curriculum. This change would mirror the term length of Journal Editorial Board and Publications Board members.

**MOTION 7**

**THAT the description of the DAS Subcommittee of the Committee on Education be revised as follows (strikethrough = deletion, underline = addition):**

---

**Digital Archives Specialist (DAS) Subcommittee**

**I. Purpose**

The Digital Archives Specialist (DAS) Subcommittee is responsible for ensuring that the Digital Archives Specialist curriculum remains up-to-date. Because the curriculum is likely to require frequent changes, the Subcommittee suggests and implements changes to the curriculum (including the examinations) as needed. In addition, the Subcommittee is responsible for ensuring the currency of the core competencies for a DAS certificate, overseeing the learning outcomes to ensure that they support the core competencies, and supporting the development of new courses.

**II. Committee Selection, Size, and Length of Terms**

The Digital Archives Specialist (DAS) Subcommittee consists of eight members (including a chair) appointed by the SAA Vice President for staggered three- to four-year terms. The subcommittee chair serves as an *ex officio* member of the Committee on Education. The SAA Education Director serves as an *ex officio* member of the subcommittee.

The membership of the subcommittee shall comprise a mix of practicing archivists with e-records/digital experience and or knowledge, teaching experience, technical skills, expertise covering the archival spectrum, and administrative or supervisory experience. Ideally, the subcommittee as a whole will reflect individual and institutional diversity. It is preferred that subcommittee members have a DAS certificate.
Members can expect to spend four to five hours per month on subcommittee work.

III. Reporting Procedures

The subcommittee reports to the Committee on Education, providing updates at each meeting and intermittently as appropriate.

The subcommittee works closely with the Education Director, serving in an advisory capacity on education-related projects and programs operated out of the executive office.

IV. Duties and Responsibilities

- Assess and recommend changes to the DAS curriculum as needed.
- Ensure the currency and relevance of the core competencies for a DAS certificate.
- Oversee course learning outcomes to ensure that they support the core competencies.
- Identify new topics for development.
- Liaise with developers/instructors to ensure high-quality offerings.
- Author the Comprehensive Examination and assure its integrity.

V. Meetings

When resources are available, the subcommittee meets up to two times each year and via monthly conference calls.

Approved by the SAA Council: May 2011

Support Statement: Extension of DAS Subcommittee members’ terms to four years will help to ensure that development and maintenance of the DAS Curriculum and Certificate Program proceeds as intended.

Relation to Strategic Plan: Goal 2: Enhancing Professional Growth: Archivists have access to the professional resources they need to be successful and effective in their careers.

Fiscal Impact: None.

Move: Kiesling
Second: Hackbart-Dean
Vote: PASSED (Unanimous. Absent: Jules.)

E. Other Action Items from Council Members

No other action items were brought forward.

F. Executive Session (as needed)

The Council did not hold an executive session.
IV. DISCUSSION ITEMS

A. Status of SAA Strategic Plan Review

At the November 2016 Council meeting, McGovern, Zanish-Belcher, Cooper Cary, and Hackbart-Dean agreed to do a preliminary review of the current Strategic Plan dashboard and propose revisions to the full Council. McGovern noted that a draft will be shared for Council discussion at its May 2017 meeting and a final revision will be completed for the July 2017 Council meeting.

B. Diversity and Inclusion 2020 Goal

McGovern discussed various activities and upcoming plans to continue developing diversity and inclusion goals through the organization. The next major step is to determine how to measure the improvement going forward and to understand what ideal progress looks like. She noted that the Council Working Group on Diversity and Inclusion is working to develop listening sessions with members on various matters related to diversity and inclusion.

C. Culture Assessment Tool

As follow up from the facilitated session on diversity and inclusion at the November Council meeting, DeEtta Jones shared with the Council resources for implementing a culture assessment tool to gauge the current landscape of SAA membership. Council members agreed that this assessment is important and necessary to inform future actions and decisions, and they will take time to consider how to develop and implement the project to the best effect. McGovern suggested that the Strategic Plan subgroup consider where best to focus the initial efforts of the assessment.

D. Inviting Other Organizations to the Annual Meeting

McGovern noted that she will be inviting the presidents of various allied organizations to attend SAA’s 2017 Annual Meeting to engage in conversations. She is considering holding a “town hall” meeting during the noontime forum block on Thursday, July 27, inviting these organizational leaders to discuss about how we might collaborate on advocacy work and in other areas.

E. NAGARA Joint Meeting Proposal (2018)

Beaumont informed the Council of a draft proposal from the National Association of Government Archives and Records Administrators (NAGARA) to hold a joint annual meeting in 2018. The Council discussed the ways in which such a collaboration could be beneficial and authorized Beaumont to enter into discussions with NAGARA.

F. Other Discussion Items from Council Members

No other discussion items were brought forward.
VI. REPORTS

Reports are discussed by the Council only as needed and generally are not summarized in the minutes (with the exception of the Executive Committee report, which details interim actions of the Executive Committee). They do, however, provide a wealth of information about the work of appointed and component groups and the staff. To view the reports—and all other background materials—see http://www2.archivists.org/governance/reports.

A. Executive Committee (Verbal Update)

Vagts directed Council members to review item II.A. Executive Committee Interim Actions. There were no questions on the interim actions.

B. President (Verbal Update)

McGovern noted the following:

- She is planning a visit to Washington, D.C., at the end of April, during which she plans to meet with Meg Philips, external affairs liaison at the National Archives and Records Administration (NARA).
- For the metadata and digital practices scan, project leader Mark Matienzo plans to have updates to the Council in March, July, and November.
- Efforts are continuing for the Try5 initiative.
- Planning for the Annual Meeting is underway.
- She is serving on The American Archivist Editor search team and will be reviewing applications soon.
- Zanish-Belcher and Light will lead efforts to coordinate with all SAA groups on future advocacy and position statements.

C. Vice President / President-Elect (Verbal Update)

Zanish-Belcher noted that the Appointments Committee has created a timeline and begun its work in making recommendations. A total of 172 individuals volunteered for an appointed position in 2017.

D. Treasurer

The Council reviewed, but did not discuss, this report.

E. Staff: Executive Director

The Council reviewed, but did not discuss, this written report.

F. Member Affinity Group Transition Work Plan (Verbal Update)

Owens noted that staff have been working through the transition plan. All roundtables have been contacted about the name change and staff will be transitioning all systems on Friday, February 17. Section logo designs are underway and will be shared with the Council as soon as possible.
The next, and final, step will be to revise the Governance Manual and sections’ individual bylaws. Per the plan discussed with the Council in November, Owens is developing a new structure that entails capture of the “standard” section bylaws document (applying to all sections) in Section IX. of the Governance Manual and then “standing rules” for each group that will indicate unique positions on their steering committees, Nominating Committees, or the like. She will send the Council samples as soon as possible.

G. Report: Work Intellectual Property Organization (WIPO)’s SCCR33

The Council reviewed, but did not discuss, this report prepared by William Maher, SAA’s representative to WIPO SCCR.

H. Other Reports from Council Members/What Are You Hearing from Members?

No other reports were presented.

I. COUNCIL BUSINESS (continued)

A. Review of February 2017 Action List / Talking Points

Council members reviewed the draft list of action items stemming from the meeting.

B. Meeting Debriefing

The Council briefly provided feedback on the timing and logistics of the meeting.

C. Adjournment

Stadel-Bevans moved adjournment, Kiesling seconded, and the Council meeting was adjourned by unanimous consent at 3:45 p.m. on Monday, February 6.