

A16 MONDAY, JANUARY 11, 1993

The Washington Post

AN INDEPENDENT NEWSPAPER

Saving Electronic History

WHEN OFFICIALS in the White House chatter back and forth on their electronic mail networks, is it part of the historical record? A federal judge now confirms that it is—and so are a mass of other, more substantive records that just happen to have been produced on computer terminals instead of on paper. It's an important decision for historians and for those who seek to hold government accountable—the first that makes clear the relevance to computers of the post-Watergate laws on preserving presidential records. Handed down Thursday, the order was just in time to block departing White House Republicans from wiping clean a huge backlog of computer files whose status was in dispute.

The decision by U.S. District Judge Charles Richey clears up at least some of the problems that have arisen around computer-record preservation in recent years, ever since the business of high-level government, like that of most other sectors, largely abandoned paper files for the seeming ephemera of transactions by phone, computer and fax. The Freedom of Information Act case against the Bush White House (by a group including historians and the public-interest National Security Archive) originally arose in connection with the Iran-contra investigations, since crucial Reagan-era information about who-knew-what-when and who-talked-about-what-to-whom had been preserved on White House computer “backup tapes” unbeknownst to the people using the system. While some of those records have now been released, subsequent ones up to

the transition date were of cloudy status; they could have been turned over to the National Archives as required in general for all government records, or destroyed on the theory (which the administration argued) that the computer tapes weren't necessary because staff people were under instructions to print out and save anything “significant” anyway. The other side argued that the tape records, though assuredly mostly chaff, have the same potential historical importance as the mass of routine paperwork that the post-Watergate legislation requires the government to preserve, and that deleting the files instead of turning them over to the National Archives would amount to using an “electronic shredder.”

The likely richness of this unwittingly compiled treasure trove produces understandable dismay. As Judge Richey's opinion makes clear, a computer record actually gives the potential investigator much more information than either a paper printout of it or, indeed, an old-fashioned paper memo could ever supply, such as who saw and sent it, when it was sent, who looked at it or made changes to it or when. Some issues concerning this kind of material remain unresolved—for instance, what should archivists do about reading this material a generation from now when all the machines have changed?—but at least the records that illustrate the various conundrums will still be around to be read when the courts resolve them.