



NATIONAL  
ARCHIVES

January 26, 2023

Andrew Block  
137517-02003774@requests.muckrock.com

RE: Freedom of Information Act Request NGC23-116

Dear Andrew Block,

This is in response to your Freedom of Information Act (FOIA) request to the National Archives and Records Administration (NARA), dated December 4, 2022, which we received in our office on the same day, via the [foia@nara.gov](mailto:foia@nara.gov) inbox. In your request, you asked for, “All policies, procedures, instructions, manuals, guides, or other written material that relate to or mention NARA's collection Congressional Records at the conclusion of a session of Congress.”

Following a search, we located 2 documents totaling 7 electronic PDF pages. These records are being released to you in full. These records relate to the copying and use of video recordings of House and Senate floor proceedings.

As to general records of the House and Senate: The statute governing the records of Congress (44 U.S.C. Title 44, Chapter 21, Section 2118) (see language below) makes it clear that the exclusive responsibility to collect records at the end of a Congress is assigned to the Secretary of the Senate and Clerk of the House of Representatives and is a function governed by Senate and House rules. NARA has no role in this internal Senate and House activity, exercised by two independent institutions in a separate branch of government, and has no policies, procedures, instructions, manuals or other written material that relate to it.

*The Secretary of the Senate and the Clerk of the House of Representatives, acting jointly, shall obtain at the close of each Congress all the noncurrent records of the Congress and of each congressional committee and transfer them to the National Archives and Records Administration for preservation, subject to the orders of the Senate or the House of Representatives, respectively.*

Similarly, it is entirely within the discretion of the Secretary of the Senate and Clerk of the House of Representatives to decide the appropriate time for the transfer of noncurrent records to the National Archives and Records Administration.

NATIONAL ARCHIVES *and*  
RECORDS ADMINISTRATION

8601 ADELPHI ROAD  
COLLEGE PARK, MD 20740-6001

[www.archives.gov](http://www.archives.gov)

This completes the processing of your FOIA request.

If you are not satisfied with our action on this request, you have the right to file an administrative appeal within ninety (90) calendar days from the date of this letter via regular U.S. mail or email. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. If you submit your appeal in writing, please address it to the Deputy Archivist of the United States (ND), National Archives and Records Administration, 8601 Adelphi Road, College Park, Maryland 20740. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." If you submit your appeal by e-mail please send it to [FOIA@nara.gov](mailto:FOIA@nara.gov), also addressed to the Deputy Archivist of the United States. Please be sure to explain why you believe this response does not meet the requirements of the FOIA. All correspondence should reference your case tracking number **NGC23-116**.

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact our FOIA Public Liaison Gary M. Stern for assistance at:

National Archives and Records Administration  
8601 Adelphi Road, Room 3110  
College Park, MD 20740-6001  
301-837-1750  
[garym.stern@nara.gov](mailto:garym.stern@nara.gov)

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is noted below:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, MD 20740-6001  
[ogis@nara.gov](mailto:ogis@nara.gov)  
[ogis.archives.gov](http://ogis.archives.gov)  
202-741-5770 or toll free 1-877-684-6448

You may also contact me directly if you have any questions or concerns regarding this request, thank you for contacting the National Archives and Records Administration.

Sincerely,

Brewer Thompson  
Deputy FOIA Officer/Archivist  
Office of General Counsel  
[brewer.thompson@nara.gov](mailto:brewer.thompson@nara.gov)