

The Roger R. Trask Award and Fund was established by the SHFG to honor the memory and distinguished career of the late SHFG president and longtime federal history pioneer and mentor Roger R. Trask. The award is presented to persons whose careers and achievements reflect a commitment to, and an understanding of, the unique importance of federal history work and the SHFG's mission. Marian Smith served for over 30 years as the Historian of the U.S. Citizenship and Immigration Services (USCIS), formerly the Immigration and Naturalization Service (INS), where she was responsible for records management projects and wrote on INS and 20th-century immigration policy. She delivered the Trask Lecture at the Society's annual conference in Washington, DC, on April 26 2018.

For the Records

Marian Smith

I want to thank the Society for History in the Federal Government for considering me for this award. Roger Trask was President of this society when I began my career, and it was he who convinced me to become a member. His and the society's work to educate decision-makers on the value—and variety—of history work in the federal government were especially important to small, isolated history programs like my own.



Marian Smith (right) accepts the Trask Lecture Award from Zack Wilske.

I thought long and hard about what I might say to you regarding the purpose of this award and what I might have contributed to the unique importance of federal history. If you read my biography for this session you will know much of my work involved my agency's official records, and a long struggle to ensure those records are available to researchers now and in the future.

The existence and availability of records is fundamental to historians and history. Without any records, we are left to surmise or assume. We can make our best guess as to what happened, or why. But it is difficult or impossible to prove without the evidence of records. When records are incomplete, or we have records representing only one point of view, our history is incomplete. Thus, I will share with you some of what drove me in that work. I will try to describe the problem I was trying to solve, one I believe is shared by many others involved in the work of federal history.

One simple story from early in my career provides a clear example of this problem. Shortly after I became the Immigration and Naturalization Service (INS) Historian in 1988 I worked on a short history of the ferryboat *Ellis Island*, the vessel used to transport immigrants from Ellis Island to the mainland. As part of that project, I researched the men who worked on the ferry in the early 20th century, including the captain, engineers, firemen, and deckhands.

In the course of that research, I made my way to the INS Personnel Records office to request some of the ferry staff's official personnel files. After I provided the crewmen's identifying information to the manager there she rejected my request because I did not include the men's social security numbers. I had to explain to her these people did not have social security numbers—they all died before the Great Depression. In response, she declared that everyone has an SSN and that everyone had to have one. The problem there was, of course, a form of presentism. She could not imagine a system or procedure other than the one she knew. When I insisted, she finally agreed to submit the request and "see what happened." Before long the files did arrive.

This story is not just about personnel file requests. It is about how researchers can be denied access to records that do survive merely because those people responsible for fulfilling the request do not know the records exist nor how to find them. Fixing this, at least for late 19th- and early 20th-century INS records, became my mission.

The INS created its first historian position because a records manager there became sick and tired of losing Freedom of Information Act (FOIA) lawsuits because the agency could not identify or locate records in its custody. He read an article in an airline magazine about a new thing called "public history," and he came away convinced that a historian could help him solve the mysteries of INS records. Thus my first task was to sort out what records survived, where they were, and how to retrieve them.

As you might expect, I began by reviewing the literature. This revealed three things. First, the agency had no written, organizational history. Second, older immigration historians tended to rely upon congressional or State Department records while younger ones preferred “immigrant voices.” In other words, the scholarly community showed little interest in INS records. Finally, constant throughout the bibliographic notes was a common understanding that INS had completely destroyed all its policy-related records and files. That explained the absence of INS sources in documenting immigration history.

Disappointed, I set about cataloging what records did survive at both the National Archives and in agency custody. At the Archives I found two problems. One was the amount of “undescribed” material among their INS record holdings. Those records are similar to museum collections stored in a warehouse and not put on display, and about which museum-goers are unaware. The public cannot ask to see those items because they don’t know the items exist. The other problem was in the description of cataloged items. Comparison of the descriptions to actual files repeatedly demonstrated how, without any knowledge of U.S. immigration and nationality law, one is not likely to recognize or understand the records they attempt to describe.

At the agency, there were similar problems. Documentation and guidance regarding the records had been repeatedly revised, cut, and rewritten by so many committees over time they became useless. And the pervasive presentism governing all operations in a law enforcement agency worked to dissuade anyone from caring about any record older than themselves.

Regardless, my next goal was to document and comprehend every box of records my agency stored at a Federal Records Center (FRC). This included reading every record schedule ever approved for the agency as well as months on end at the Suitland FRC opening boxes to look inside. And I should say here that my first federal training was a week-long Federal Records Management course, which turned out to be the most valuable and useful training ever delivered to this historian. I recommend at least a basic records management course to any federal history researcher.

One day, one of those boxes at the FRC changed everything. On that day at Suitland I was reading letters dated 1919 from the INS officer in charge in Pittsburgh. He received orders to arrest subversives and/or communists within his district. It took him some time, and repeated correspondence with Washington, to understand

his new mission. He had many reservations and was not sure this was the proper action for himself, his agency, or the nation to take. His letters, and the replies from Washington, **were the internal agency dialog about policy.** That is when I realized the literature was wrong. The INS had not destroyed all its policy records, they were just hidden away in warehouse storage.

What followed was my never-ending effort to raise awareness about INS records, get them transferred to the National Archives, and educate or create guidance to help other historians gain access to the files. It was not easy. The myth that all INS policy records had been destroyed was so ingrained it had become “fact.”

At first, my presentations of the records and how to access them were met with replies informing me “those records were destroyed.” But they were not destroyed, and over the years there were large and small opportunities to demonstrate the records’ value. For example, I provided documentary evidence and served as an expert witness in an original-jurisdiction Supreme Court case about jurisdiction over Ellis Island, *New Jersey v. New York* 523 U.S. 767 (1998). I also supported the Justice Department’s Office of Civil Rights implementation of Japanese American Redress for World War II internment, as well as implementation of the Nazi War Crimes Disclosure Act. There were also many opportunities to provide research and documents to support Smithsonian museum exhibits on World War II internment of enemy aliens, the Bracero Program, and many other topics.

All those records I used had been sitting in a warehouse for half a century, forgotten. In 1996 they finally transferred to the National Archives as permanent records, where today they are in Record Group 85, Entry 9, known as the Subject and Policy Correspondences Files of the INS, 1906–1957. I also worked with the agency records officer and NARA officials to ensure the records were placed in their proper context as a continuation of records already at NARA—not something completely separate. And I provided training and guidance to NARA reference archivists so they would be able to help researchers use the files.

Despite all this progress, it largely fell on the agency’s history program to perform much or most archival reference work. From the start, the history program I founded invited researchers to contact us, in person or through correspondence, so we could help them identify responsive records and navigate the NARA request process, and to later answer any questions they had about what they found. Over the years, we worked with countless graduate students, professors, journalists, documentarians, and anyone else who could demonstrate the value of adding INS records to the

sources for U.S. immigration history. No matter what their thesis or attitude toward the agency, my goal was to see citations to INS records in the footnotes. I wanted proof “on the record” that the INS policy files were not destroyed.

Over the course of some 20 years, it worked. As someone very nicely put it in my biography for this program, these efforts “led to the publication of several works on the history of federal immigration administration, many of which are now considered foundational to the field of US immigration history.” I do believe adding the Immigration Service’s “voice” to this history brought some attention to the practical application of the law. It is one thing to study an idea, immigration restriction for example, and how that idea became law. But It is another thing entirely to study how that law worked—or didn’t—when applied in the real world to real people.

There is another example of important INS records sadly forgotten and hidden by the mist of time. They were perhaps obscured by their archival title. In the 1950s the INS transferred to the National Archives a large set of nationality and naturalization policy correspondence files dated 1906 to ca. 1946. At NARA, they became identified as “Administrative files of the Bureau of Naturalization.” They are arranged in a system wherein a number identifies a subject or section of U.S. nationality law, including such topics as race, gender, education, moral character, literacy, and many more.

It should not be difficult to interest historians in those records. Unfortunately, many researchers overlooked the files because they wanted policy—as opposed to “administrative”—records Also, NARA had no finding aids or index to these Bureau of Naturalization Correspondence Files. We’ve provided NARA with a list of the file subject numbers, published guidance on our website, and delivered webinars on accessing the files, all in an effort to encourage individual researchers to take advantage of this rich resource.

Looking back on my years of work to raise awareness about these records, I learned two lessons: First, important records can be neglected or forgotten due to an inaccurate title or simple lack of finding aids. Researchers ignored or overlooked a large set of records documenting the history of U.S. citizenship because its label in the NARA catalog made no sense to modern researchers They want to see the word “policy” in the title before consulting records, just as the old INS Personnel Records staff demanded a social security number before they would request a file. And without any guidance, finding aids, or descriptive material, reference archivists did not recommend the record set to researchers. Even when a

subject index to the files became available to researchers on the Internet, archivists did not recognize the file numbers shown and so could not deliver the file to the requesting researcher.

I cannot discuss my work to make U.S. immigration and nationality records available for historical research without mentioning the genealogists. Family history researchers are important to me not only because they drive archival decisions that historians must live with, but also because they offered me some insight into how I can better communicate “policy history” in a way the general public can appreciate.

Most of you are familiar with the genealogy craze that began in the 1970s, sparked by Alex Haley’s *Roots* book and miniseries and influenced by the New Left’s emphasis on “people’s history.” The new genealogy no longer aimed to connect Americans with “Mayflower Ancestors.” Rather, the goal became to connect, over time, to “the wretched refuse” of some teeming shore—the poorest and most pitiful migrant who escaped to the promised land. Tracing their progress in the United States, and that of their progeny, re-tells the American story, the American Dream, and proves that the United States is the greatest country in the history of the world! It is a story Americans love and love to tell themselves.

This was the market the National Archives served when it began publishing immigration passenger manifest microfilm in the 1980s. Passenger lists soon became the second-most used records at NARA, second only to the census. This development placed INS records in the “genealogical” category (a label not unlike the “administrative” category mentioned above). Furthermore, when NARA expanded to Archives II in College Park, Maryland, in the 1990s they moved all the military, State Department, and other U.S. “policy” collections to College Park. They left all the newly acquired INS policy files downtown at Archives I, where it was assumed only genealogists would use them. NARA’s decisions reinforced the idea that all INS policy files had been destroyed, and firmly placed all surviving INS records in the genealogy category.

INS records remained in that category as the 21st century dawned and the big internet genealogy companies partnered with NARA to put records online. The records chosen for digitization were only those of interest to genealogists. Indexing of those records included only data genealogists wanted to search (i.e., names) None of this supported the policy research I was trying to encourage.

Nevertheless, working with genealogical researchers highlighted areas of opportunity for historians—especially a federal historian like myself—to educate the public. Most genealogists are intelligent professional people—doctors, lawyers, teachers, etc. My work with them revealed what average educated Americans understand about U.S. immigration policy, past and present. Much of that understanding is based on myth and magical thinking. This state of affairs is not encouraging, and given the present state of debate over current U.S. immigration policy, it is even dangerous.

Genealogists taught me long ago that lectures and writings on the history of immigration laws and regulations bore the general public to death. But when you present them with an old immigrant's file—maybe the transcript of their hearing before a Board of Special Inquiry on Ellis Island, or the transcript of their naturalization interview—the audience gets invested in that person and has a million questions. To answer those questions, one has to explain the law of the time and how the regulations worked to govern the process. Individual immigrant stories created opportunities to educate. They work as sugar, perhaps, to make the medicine go down. And maybe, just maybe, it will make them ask similar questions about how the law works—or doesn't work—today.

The problem I am trying to describe, the problem of how quickly records can be lost or forgotten, is actually more practical than academic, and it is ongoing. Living people face this problem every day with INS, now USCIS, records. In the early 1990s we had a terrible time when Social Security and Medicare implemented welfare reforms. INS saw a deluge of congressional requests about elderly women being kicked out of their nursing homes because they could not prove U.S. citizenship. These women were U.S. citizens, but had derived their U.S. citizenship by marriage prior to September 22, 1922. They lived so long they found themselves in a world where that reality was forgotten. Young INS clerks and adjudicators could not understand what her marriage had to do with anything, and so failed to direct them to the proper form to apply for a rightful certificate of citizenship.

The same thing happens to immigrants who arrived as children after World War II, or who came as a foreign student in the 1960s and adjusted to immigrant status in the early 1970s. Now they want to retire and claim retirement benefits, or they are sick and need medical benefits. For the first time in more than 50 years they must come back to USCIS (formerly INS), to request documentation. But if

their file has not been open and active since 1975 it likely won't be indexed by the agency's computer system. As a result, they are told there is "no record" or the file is "lost." All of this is shorthand for "we don't know what to do if you are not in the computer," and "we have lost the capacity to access earlier records."

Automation is a topic in itself, but at least at my former agency automation made the problem described here even worse. It moved research from archives and file rooms to desktops, but it did not move all the information to those desktops. The "transformation" of systems drops data, or mislabels it to make it fit in available fields. Even at an agency like USCIS—where the business model is to document an immigrant's admission, and usually naturalization, then wait some three decades for the person to come back—nothing is being done to prevent the problem. New systems are launched "day forward," and there is no plan to connect them to older, related records. Thus there is still much work to be done.

I spent my career trying to solve this problem with immigration and nationality records from the late 19th through mid-20th centuries. That work involved transferring as many records as possible to the National Archives; developing guidance on what records exist, where, and how to find them; and always working to educate both reference archivists and researchers about the records. I maintain that this kind of work is important to federal history because *the existence and availability of records is fundamental to historians and history. Without any records, we are left to surmise, assume, or make things up. When records are incomplete, or we have records representing only one point of view, our history is incomplete.*

For this reason, I encourage all of you, especially those in the younger crowd, to spend at least some time thinking about records at your agency or at the National Archives. When they bring you a nice box of records, all arranged beautifully within acid-free folders, ask yourself—what else is sitting in the basement, or in a warehouse somewhere, in a broken-down box collecting dust? Nobody knows it is there. You have to go find it!

Picture credit: SHFG staff

© Society for History in the Federal Government. Readers can download *Federal History* articles and share them but must credit the journal and author. They cannot change the articles in any way or use them commercially. This work is licensed under a Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License (CC BY-NC-ND).