



June 2, 2015

The Hon. Jason Chaffetz  
Chairman  
Committee Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C., 20515

The Hon. Elijah Cummings  
Ranking Member  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C., 20515

Dear Chairman Chaffetz and Ranking Member Cummings:

Mr. Chairman and members of the Committee, I am writing on behalf of ARMA International, a not-for-profit professional association comprising more than 27,000 records management (RM) and information governance (IG) professionals world-wide, many of whom are employed by the Federal government. On behalf of the association, I offer this statement in reference to the hearing on "Ensuring Transparency through the Freedom of Information Act," scheduled to take place on Tuesday, June 2, 2015.

ARMA International appreciates the Committee's focus on the need to create a more open and transparent government. The success of those objectives depends on ensuring that RM and IG professionals have the tools, authorities, and resources to manage a modern RM program.

In today's information-driven world, every computer or personal digital assistant creates, receives, uses, stores, and disposes of information. Appropriately managing this information throughout its life cycle is imperative to every organization's ability to achieve operational goals and minimize risks. Government records managers have the added responsibility of promoting openness, transparency, and access to public records. Without more resources and leadership, these Federal government objectives will remain unrealized.

The recent spotlight on high-ranking government executives using personal communication devices to conduct official government business without ensuring that the information those devices generated was captured highlights this need; additional resources and authority are essential for educating and training government personnel to comply with the Federal records laws and requirements that underpin public access, openness, and transparency.

### **Recent Initiatives to Promote Open Government through Information Governance**

Congress and the Obama Administration have put in place a number of foundational measures that will ultimately lead to a more efficient and cost-effective framework for identifying, preserving, and making publicly available the government's official records.

For example, the 2012 Managing Government Records Directive, issued jointly by the Office of Management and Budget (OMB) and the National Archives and Records Administration (NARA), initiated a multi-year process that requires Federal agencies to manage both permanent

and temporary e-mail records in an electronically accessible format by the end of 2016. The Directive also requires Federal agencies to manage all permanent electronic records in an electronic format by the end of 2019.

Last November, Congress enacted the Presidential and Federal Records Act (PFRA) Amendments of 2014 (H.R. 1233), sponsored by Ranking Member Cummings. Among other things, it updates an antiquated Federal Records Act that had made it difficult for Federal RM professionals to handle the growing volume of electronic communications. Until then, the focus of the Federal Records Act had been on the physical characteristics of how a record is preserved rather than on the actual information being stored. This resulted in confusion over RM policies, practices, and responsibilities, including about how to capture and dispose of e-mails and other electronic messages that may be official records. ARMA commends Rep. Cummings for his leadership in introducing and bringing about the enactment of this important legislation.

### **Additional Reforms to Improve Access, Transparency, and Compliance**

With the Managing Government Records Directive and the PFRA amendments in place, new policies and enforcement mechanisms will be developed to govern how agencies preserve, handle, and maintain electronic communications. This is a significant step toward giving RM professionals the tools they need to implement a modern recordkeeping system throughout the Federal government. But much more can and should be done.

First, ARMA International urges Congress to provide NARA additional authorities and resources to address its enormous challenge of implementing the Managing Government Records Directive. Effectively managing the government's information assets across myriad departments and agencies is a complicated endeavor, and NARA currently lacks both the authority and resources to compel consistent implementation and compliance.

Second, ARMA International urges Congress to enact the FOIA Oversight and Implementation Act (H.R. 653), which was ordered reported by the Oversight and Government Reform Committee on March 25. We support this legislation because 1) it will increase the amount of agency information made available through proactive disclosure and 2) it will allow agencies to be more efficient and cost-effective with their RM practices, especially with information that has been or could be determined to have value as a record and be made publicly available.

Compliance with the FOIA Improvement Act will require the development of policies and procedures to recognize electronic communications that qualify as government records and to make more of those records available for public access. As this critical information is more readily available and accessible for decision making, the effectiveness of government programs will improve. Enactment of this Act also will help improve the security of information and records that are considered private, confidential, secret, classified, or essential to the continuity of government programs.

Third, ARMA International urges Congress to conduct oversight of the implementation of a new occupational series for RM professionals in Federal departments and agencies. The Office of Personnel Management (OPM) was tasked with establishing this occupational series as part of the Managing Government Records Directive, and the agency released an internal memorandum for Chief Human Capital Officers on March 10, 2015, announcing its establishment.

ARMA International is pleased that OPM moved forward with the release, which finally recognizes the importance and unique skill set of Federal RM professionals. Effectively implemented, this new occupational series also will create accountabilities for those up the chain of command. Continued Congressional oversight will be needed, though, to ensure that these dedicated RM professionals have the appropriate authority to compel consistent implementation and compliance across programs, departments, and agencies. This is critical to the successful implementation of an open government agenda.

Finally, ARMA International encourages Congress to consider establishing a Chief Records Officer (CRO) position in Federal departments and agencies. NARA recognized the importance of such a position when it established the first CRO in the Federal government in 2011. While many Federal agencies identify senior officials as Records Officers, officials at this level are often disconnected from accountability for implementing and executing RM programs and policies.

The CRO would be accountable for that, as well as be responsible for 1) assisting the Chief Information Officer (CIO) in understanding his or her records-related role and 2) for integrating and aligning the use of information technology with the department or agency's use of information in the pursuit of its core mission. (ARMA would consider this to be an IG role, since it would "hold organizations and individuals accountable to create, organize, secure, maintain, use, and dispose of information in ways that align with and contribute to the organization's goals," as ARMA defines it.)

Establishing the CRO position would facilitate implementation of a recommendation made by the director of NARA's Office of Government Information Services at a March 11, 2014, hearing of the Senate Judiciary Committee: Federal agency program officers should consult with their RM professionals when procuring new technology, upgrading existing technology, or creating a new database.

## **Conclusion**

Americans deserve a government that operates transparently and protects and manages public records responsibly. The effectiveness of government policies, programs, and decisions that seek to promote those objectives depends on RM professionals having the tools, resources, and authorities they need to be successful in meeting their legal and regulatory responsibilities with regard to managing information in the digital age.

Thank you to the Committee for the opportunity to share the views of our association.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Pulzello". The signature is written in a cursive, flowing style.

Fred Pulzello, IGP, CRM  
President, ARMA International