

## **GOOD RECORDS MANAGEMENT AND OPEN GOVERNMENT: EQUAL PARTNERS**

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Thomas Jefferson may be the only founding father to focus on the importance of the preservation of our young democracy's records. In 1791, he stated that "time and accident are committing daily havoc on the originals deposited in our public offices." The next time a high-level public official focused on records management was not until 1934 when President Franklin Roosevelt established the U.S. National Archives and Records Administration (the Archives) to preserve and provide access to the records of the United States Government.

The Archives plays a critical role in the U.S. Government. Its holdings date back to 1775 and include the founding documents of our nation: the U.S. Constitution, the Declaration of Independence and the Bill of Rights. The Archives also holds in public trust the records of ordinary citizens: military service records, naturalization records and even letters written to our Presidents. At the heart of the Archives' mission is the notion that in a democracy, the government's records belong to the people. The Archives' slogan—Records Matter!—underscores the idea that preserving our nation's records is the backbone of open government.

The U.S. Freedom of Information Act (FOIA)<sup>1</sup>, passed into law in 1966, was the first open government law enacted by Congress and is a 20<sup>th</sup> century product of the Open Government principles developed by our nation's founders. FOIA provides the public with the right to access government records or information, with the goal of allowing anyone to learn about the inner workings of the U.S. government through its records. The 99 federal departments (our ministries) and agencies typically receive more than 500,000 FOIA requests each year and spend more than one-third of a billion dollars annually on administration and litigation. Forty-six years after becoming law, FOIA is recognized as a central tool for learning about the inner workings of the government.

### **The Importance of Good Records Management in an Open Government**

Good records management policies are essential to building an effective freedom of information program. Good records management ensures that the public can access government information and that the actions of government officials are documented and preserved. In other words, with good records management a nation can authenticate its

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<sup>1</sup> 5 U.S.C. § 552 (1966), Pub. L. 89-554, 80 Stat. 383.

history and that of its citizens. If records cannot be found, FOIA requests cannot be processed and the public is left in the dark about the operations and activities of the government. Open Government is out of reach without good records management.

The Archives is the nation's records keeper and establishes records management policies for the U.S. Government. The Archives preserves only those Federal records that are judged to have continuing value—about 2 to 5 percent of those generated in any given year. Today, the Archives maintains billions of pages of diverse material in all formats including 133 terabytes (each terabyte is about 98 billion pages) of electronic data. All of these materials are preserved because they are important to the workings of the U.S. Government, have long-term research worth, or provide information of value to the public. Electronic records pose special challenges; in response, the Archives is developing the Electronic Records Archives (ERA), which will help the agency preserve, manage, and provide access to the electronic records that are amassing at a startling rate.

### **Facing the Digital Dilemma**

While some agencies have had great success in managing their records, others have not, though recordkeeping is a requirement for all. Federal law<sup>2</sup> requires that the head of each Federal agency establish and maintain an active program for the “economical and efficient management” of the records of the agency; provide for effective controls over the creation, maintenance and use of records in the conduct of current business; and cooperate with the Archivist in applying standards, procedures, and techniques designed to improve the management of records. See 44 U.S.C. § 3102. The success of any records management program depends on a shared understanding at all levels within an agency that records management is important and is every employee's responsibility.

Digital technology has only increased the pressure on government agencies to improve their records management. The Archives has long recognized that the skyrocketing number of electronic records maintained by the U.S. government creates a monumental task for all departments and agencies to keep these records retrievable, readable and authentic for as long as they remain valuable. Never before in recorded history have government agencies held so much information. The groundswell of electronic data that is held by government agencies is popularly known as "big data." Private organizations and institutions also face the big data dilemma.

Against the backdrop of the big data dilemma, on November 28, 2011, President Barack Obama issued a [memorandum on managing government records](#) in which he stated that “[g]reater reliance on electronic communication and systems has radically increased the volume and diversity of information that agencies must manage [and] if records management policies and practices are not updated for a digital age, the surge of

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<sup>2</sup> Records Management by Federal Agencies, 44 U.S.C. §3102 (2007).

information could overwhelm agency systems, leading to higher costs and lost records.”<sup>3</sup> The President also recognized the interrelationship between good records management and open government, stating that:

[i]mproving records management will improve performance and promote openness and accountability by better documenting agency actions and decisions. Records transferred to the [Archives] provide the prism through which future generations will understand and learn from our actions and decisions. Modernized records management will also help executive departments and agencies minimize costs and operate more efficiently.<sup>4</sup>

The President’s memorandum launched an executive branch-wide effort to modernize records management policies and practices, and called for the development of a records management directive. In issuing the [Managing Government Records Directive](#) (the Directive),<sup>5</sup> the Archivist of the United States and the Acting Director of the Office of Management and Budget called on departments and agencies to eliminate paper and use electronic recordkeeping to the fullest extent possible. The Directive established two broad goals for Federal agencies:

- Require electronic recordkeeping to ensure transparency, efficiency, and accountability; and
- Demonstrate compliance with Federal Records Management Statutes and Regulations.

According to the Directive, agencies must manage all permanent electronic records and all permanent and temporary email records in an accessible electronic format by December 31, 2019. They must also designate a senior agency official who will have agency-wide responsibilities with respect to records management and who will ensure the agency’s compliance with records management statutes and regulations. The Directive also requires agencies to train all employees about their records management responsibilities in law and policy.

The Archives, in collaboration with the Office of Management and Budget and the Office of Personnel Management, will assist agencies in meeting the two central goals. The Archives will provide guidance on a wide range of policy issues from managing email to embedding records management requirements into Federal IT systems and commercially available products, including those that use “cloud” architecture. The Archives will also lead efforts to

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<sup>3</sup> Presidential Memorandum -- Managing Government Records at 1: <http://www.whitehouse.gov/the-press-office/2011/11/28/presidential-memorandum-managing-government-records>.

<sup>4</sup> Id.

<sup>5</sup> Managing Government Records Directive, August 24, 2012; <http://www.whitehouse.gov/sites/default/files/omb/memoranda/2012/m-12-18.pdf>.

create a robust records management framework that demonstrates compliance with Federal statutes and regulations, and a “community of interest” to solve records management challenges.

### **Changing the Culture of Records Management**

While the Directive sets the stage for substantive policy changes throughout the government, its real impact will be in changing the culture of how the government manages its records. This change will require that all government employees become familiar with their records management obligations and that agency leaders make records management a priority. The Directive creates the groundwork for moving the Federal government out of the 20<sup>th</sup> century paper world and into the digital century and beyond by highlighting the value of collaboration and the need to use cost-effective innovative technology to manage records.

As this new records management mindset becomes routine, agencies will reap benefits from greater opportunities to share information within and across agencies. This type of information sharing will encourage a collaborative approach to government decision making and allow for the development of more effective and cost-efficient policies and practices. Intra- and inter-agency collaboration may also lower the cost of agency operations by reducing redundant efforts and allow for more regular assessments of program effectiveness. As we all “do more with less,” good records management will present an opportunity for innovation through collaboration with internal and external stakeholders.

Records Matter! They form the foundation of open government and support the principles of transparency, collaboration and accountability. Records protect the rights and interests of people, hold officials accountable for their actions and authenticate a nation’s history. Well-managed records can be used to assess the impact of programs, to improve business processes, to reduce operating costs, and to share knowledge across the Government. All of these benefits reveal the wisdom of establishing good records management policies and practices that “bake in” a culture of open government.



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

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National Archives and Records Administration

# Records Matter

**NO RECORDS  
MANAGEMENT?**

**NO ACCESS!**

Freedom of  
Information Act  
(FOIA):  
the original Open  
Government law



# Can we...

- manage records now for agency business, legislative oversight, litigation or FOIA?
- preserve forever, if historical?

# The “Big Data” Dilemma

- 30 billion+ e-mails each year
- Multimedia documentation
- Photographs
- Maps, charts, architectural drawings
- Databases
- Web 2.0 applications

# Managing Government Records Directive

- Electronic recordkeeping
- Comply with records management statutes and regulations

# Records Management Directive

- Electronic recordkeeping
- Comply with RM statutes and regulations

**Change the culture of records  
management**

leadership  
+  
commitment =  
culture change

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