

TESTIMONY OF DAVID S. FERRIERO
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BEFORE THE SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT,
GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL
SECURITY
OF THE
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
ON
“REMOVING THE SHROUD OF SECRECY: MAKING GOVERNMENT MORE
TRANSPARENT AND ACCOUNTABLE”

MARCH 23, 2010

Chairman Carper, Senator McCain and members of the Subcommittee, I am David S. Ferriero, Archivist of the United States. Thank you for inviting me to participate in this hearing on making government more transparent and accountable. The last time I appeared before you was at my confirmation hearing last September, so it is truly an honor to return. I would also like to thank you for the opportunity to testify alongside two visionary leaders whose work I deeply admire, our nation's Chief Information Officer, Vivek Kundra, and Chief Technology Officer, Aneesh Chopra.

As this Subcommittee knows, on December 8, 2009, President Obama issued the Open Government Directive with the aim of making our government more accessible and accountable to the citizenry by improving transparency, public participation, and collaboration in and among federal agencies. This directive was enthusiastically received by the National Archives and Records Administration (NARA), for the core of our mission is serving democracy by providing access to the essential documentation of the rights of American citizens and the actions of their government.

NARA's own Open Government plan describes how we are providing guidance and services to assist federal agencies with carrying out their plans.

- **Our Records Management Program** (www.archives.gov/records-mgmt/) provides guidance for agencies on the records management issues highlighted in the Open Government Directive.
- **Our National Declassification Center** (www.archives.gov/declassification) is taking a leadership role in ensuring that over 400 million pages of classified records in NARA holdings are declassified and made available to the public by the end of 2013. It will take

the lead in streamlining the declassification process throughout the Federal Government by establishing common standards, policies, and training for all Federal agencies.

- **Our Office of Government Information Services** (www.archives.gov/ogis) has provided a Questions and Answers on the Open Government Directive: <http://www.archives.gov/ogis/open-gov-directive-qa.pdf>. This outlines transparency issues that are relevant to the Freedom of Information Act (FOIA) community, including what the public may expect to see as a result of the Directive.
- **Our Information Security Oversight Office** (www.archives.gov/isoo) plays an important role in open government by overseeing the implementation by agencies of the President's program to classify, safeguard, and declassify national security information. Striking the balance between protecting classified information and meeting the goals of transparency is a daunting, but important challenge.

Records Management: The Backbone of Open Government

The backbone of a transparent and accountable government is good records management. To put it simply, the Government cannot be accountable if it does not preserve – and cannot find – its records. I am concerned, however, that across the government we are falling short in our records management responsibilities, particularly in regard to the exponential growth in electronic records. The long-term success of the Open Government initiative – and the future of the National Archives – hinges on the ability of each Federal agency to effectively manage their records.

At the National Archives and Records Administration, our records management approach is grounded in these three principles:

- Federal agencies must economically and effectively create and manage records necessary to meet business needs,
- Federal records must be kept long enough to protect rights and assure accountability, and
- Federal records of archival value must be preserved and made available for future generations.

More tactically, we have a National Records Management Program made up of nearly 100 full-time staff members located in the Washington, DC area and around the country. These records and information management professionals actively work with the Federal records officers in over 250 different Federal agencies across the Federal Government.

These staff members develop electronic records management policy and guidance for Federal agencies. They provide records management training to Federal records officers, IT professionals, legal counsels, program managers, and private contractors who provide records management services to Federal agencies. They conduct studies and analyses of recordkeeping practices in Federal agencies so others can learn best practices and avoid the costly mistakes of

others. These staff members also work with Federal records officers to conduct self-assessments of their agencies' records management programs, using the Archivist's statutory authority to conduct inspections and report findings to the appropriate oversight committees and the Office of Management and Budget (OMB).

These staff members also work with the over 250 active Federal agencies (or agency components) to schedule and appraise the records that each agency creates. Working with Federal records officers, our staff schedule and appraise these records to ensure adequate and proper documentation of our Government's actions. This statutory authority – to grant Federal agencies disposition authority to manage their records – is the most important responsibility I exercise as Archivist of the United States, because it determines what records will come to the National Archives for preservation and access by future generations. I am grateful for the outstanding contributions NARA's National Records Management Program staff members make on behalf of our agency and our Government on a daily basis.

Given that the central values of Open Government are transparency, citizen participation, and collaboration, and that records management is the backbone of Open Government, the central question is: What is needed to ensure that the Open Government values are realized and that NARA's mission is accomplished, at least with respect to Federal records management?

First, Heads of Agencies and senior leaders across the Federal Government need to understand that the records and information they and their organizations are creating are national assets that must be effectively managed and secured so that the public can be assured of the authenticity of the record. Heads of Agencies and senior leaders need to be held accountable for managing these assets. Not only is it required by law in the Federal Records Act; effective records management – adequate and proper documentation of the Federal Government's activities and transactions – is Good Government and a necessary condition of an Open Government.

Today, Federal agencies are not doing an effective enough job managing their records and other information assets to meet their business needs; to protect rights or assure accountability for the citizen or the Federal Government itself; or to ensure records that document the national experience are preserved and made available for future generations in the National Archives.

Earlier, I mentioned my statutory authority to conduct records management inspections and studies, and then report findings to Congress and OMB. In the next thirty days, NARA plans to send Congress and OMB a report based on agency self-assessments carried out in September 2009 and on analysis of other data related to compliance with records scheduling requirements in the Federal Records Act and the E-Government Act of 2002. Our preliminary analysis of the self-assessment data alone suggests that 79% of reporting agencies have moderate to high levels of risk associated with their records management programs, particularly their management of electronic records. These levels of risk in agencies are a great concern to me. One of the central ways we can begin to deal with this risk is to make the case that these records and information are national assets, and then hold Heads of Agencies and senior leaders accountable for their management and protection.

Second, as Agency Heads and senior leaders are held accountable for managing their records and information, they also must work with NARA, OMB, and GSA, as well as with groups like the CIO Council, the Federal Records Council, and the Federal Web Managers Community, to develop the IT tools necessary to manage electronic records in cost effective ways.

The technical challenges associated with developing the IT tools for records management are not insignificant; however, these tools do not exist today because Heads of Agencies and senior leaders across the Federal Government have not been held accountable in meaningful ways for meeting their Federal records and information management obligations. The Federal Government spends over \$70 billion annually on information technology, most – if not all – of which create or receive Federal records in some form. Developing cost effective electronic records management tools that work – and then integrating them into agency IT systems – is essential to managing this national asset.

Toward this end, I look forward to building on existing work done by the leading information policy agencies like OMB and GSA – as well as formal advisory or policymaking groups like the CIO Council, the Federal Records Council, and others – to increase visibility and raise accountability around the electronic records management issue. With these other agencies and groups, NARA will take a leadership role finding and developing the cost effective IT solutions needed to meet the electronic records management challenges found in Federal agencies today. I look forward to our continued partnership with Vivek Kundra, as the Federal Government's CIO and the Director of the CIO Council, on this important work. Building on his professional expertise, and the combined wisdom of the CIO Council and the Federal Records Council, I am sure we can find, develop, and help ensure agencies deploy cost effective solutions to this challenge.

Improving NARA's Web and Data Services

Finally, I would also like to highlight a major NARA initiative to advance the President's Open Government Directive by developing web and data services that are worthy of the American people.

Openness at the National Archives is fundamentally about the vital role that records play in our democracy. The character of this role is changing as Government is seen more and more as a platform for citizens to use to develop tools and services. Records, unlocked, and available online, will allow citizen developers to innovate and develop tools and services that were previously unthinkable. The National Archives, in order to foster the public's use of our records, must develop web and data services that are up to this task.

One of my first priorities as the new Archivist is to vastly improve our web site – archives.gov – in order to foster the public's use of our records. My goal is a complete redesign to maximize public participation. To do this, we will “bake” the principles of open government into our redesign process, by seeking employee and public input on how to make our website a leader in access to government records. We'll provide a public comment space on our NARations Blog (<http://blogs.archives.gov/online-public-access>) and other public feedback mechanisms.

Additionally, we'll strive to be transparent about the process and collaborate with non-governmental organizations in designing a website for the 21st Century user.

Our first step in creating this experience will be a pilot rolled out to the public in December 2010. It will initially include all of the data from the Archival Research Catalog (ARC, www.archives.gov/arc), some of the series from Access to Archival Databases (AAD, <http://aad.archives.gov/aad/>), a sample of electronic records from the Electronic Records Archive and will link to archives.gov and a Presidential Library website.

Developing a new and improved National Archives web experience with a streamlined search capability is no easy task, because we already have millions of records available online; but this is what the American people expect when searching the National Archives, and, with their input, it is what we intend to deliver.

In conclusion, as Archivist of the United States and the leader of over 3,000 dedicated National Archives employees, I would like you to know that we are committed to doing all we can to carry out the National Archives mission to provide access to the essential documentation of the rights of American citizens and the actions of their government, and to build an Open Government that values transparency, citizen participation, and collaboration.

Thank you again for the opportunity to appear today and I look forward to answering your questions.