

Presidential Memorandum: Managing Government Records

Developing a Framework
for the 21st Century

Office of the
Chief Records Officer

January/February 2012

Overview

- Background
- Summary of requirements set out in the Presidential Memorandum
- NARA responsibilities and contributions in providing direction for Agency responses
- NARA timeline and additional information

Background

- Good records management is the backbone of open government
- Records need to be maintained:
 - To hold government accountable
 - To protect rights of citizens
 - To allow agencies to carry out their missions
 - Permanent records document the national experience

2010 Self-Assessment Data

- Federal Agencies asked to assess their records management programs
- 93% Response Rate (251 agencies out of 270)
- 95% of agencies at high to moderate risk of compromising the integrity, authenticity, and reliability of their records. Risks include:
 - improper management and disposition of records
 - saving their records but not taking the necessary steps to ensure that they can be retrieved, read, or interpreted.

Presidential Memorandum

- President Barack Obama signed the Memorandum on November 28, 2011 and said:

“The current federal records management system is based on an outdated approach involving paper and filing cabinets. Today’s action will move the process into the digital age so the American public can have access to clear and accurate information about the decisions and actions of the Federal Government”

Source: <http://www.whitehouse.gov/the-press-office/2011/11/28/we-cant-wait-president-signs-memorandum-modernize-management-government->

Presidential Memorandum

- Effort to reform records management policies and practices to improve performance and promote openness and accountability by better documenting agency actions and decisions.
- Agency commitments to Records Management Reform
- Development and issuance of a Records Management Directive

<http://www.whitehouse.gov/the-press-office/2011/11/28/presidential-memorandum-managing-government-records>

Agency Commitments to Records Management Reform

2(a) The head of each agency shall:

- (i)** ensure that the successful implementation of records management requirements in law, regulation, and this memorandum is a priority for senior agency management;
- (ii)** ensure that proper resources are allocated to the effective implementation of such requirements;
- (iii)** within 30 days of the date of this memorandum, designate in writing to the Archivist of the United States (Archivist), a senior agency official to supervise the review required by subsection (b) of this section, in coordination with the agency's Records Officer, Chief Information Officer, and General Counsel.

Agency Commitments to Records Management Reform

2(b) Within 120 days of the date of this memorandum, each agency head shall submit a report to the Archivist and the Director of the Office of Management and Budget (OMB) that:

(i) describes the agency's current plans for improving or maintaining its records management program, particularly with respect to managing electronic records, including email and social media, deploying cloud-based services or storage solutions, and meeting other records challenges;

(ii) identifies any provisions in relevant statutes, regulations, or official NARA guidance that currently pose an obstacle to the agency's adoption of sound, cost-effective records management policies and practices; and

(iii) identifies policies or programs that, if included in the Records Management Directive required by section 3 of this memorandum or adopted or implemented by NARA, would assist the agency's efforts to improve records management.

Focal Points

1. creating a Government-wide records management framework that is more efficient and cost-effective;
2. promoting records management policies and practices that enhance the capability of agencies to fulfill their statutory missions;
3. maintaining accountability through documentation of agency actions;
4. increasing open government and appropriate public access to Government records;
5. supporting agency compliance with applicable legal requirements related to the preservation of information relevant to litigation; and
6. transitioning from paper-based records management to electronic records management where feasible.

Records Management Directive

3(a) Within 120 days of the deadline for reports submitted pursuant to section 2(b) of this memorandum, the Director of OMB and the Archivist, in coordination with the Associate Attorney General, shall issue a Records Management Directive that directs agency heads to take specific steps to reform and improve records management policies and practices within their agency.

Records Management Directive

3(b) In the course of developing the directive, the Archivist, in coordination with the Director of OMB and the Associate Attorney General, shall review relevant statutes, regulations, and official NARA guidance to identify opportunities for reforms that would facilitate improved Government-wide records management practices, particularly with respect to electronic records.

Records Management Directive

3(b) (cont'd) The Archivist, in coordination with the Director of OMB and the Associate Attorney General, shall present to the President the results of this review, no later than the date of the directive's issuance, to facilitate potential updates to the laws, regulations, and policies governing the management of Federal records.

Records Management Directive

3(c) In developing the directive, the Director of OMB and the Archivist, in coordination with the Associate Attorney General shall consult with other affected agencies, interagency groups, and public stakeholders.

How will NARA meet the requirements of Section 3?

- Review past Records Management Self-Assessment submissions from 2009 and 2010
- Conduct agency stakeholder meeting (February 2012)
- Review required agency reports (April 2012)
- Meet with public interest/interagency groups (April 2012)
- Review all data and report statutory/regulatory provisions to identify opportunities for reforms
- Develop Directive in coordination with OMB and Assoc. Attorney General (May-June 2012)
- Issue the Records Management Directive (July 2012)

Due Dates

- December 28, 2011: Agencies submit Designation of Senior Agency Official
- March 27, 2012: Agencies submit Narrative Reports
- July 31, 2012: NARA issues Directive and Report to the White House

Thank you

- Updates on our progress can be found on the *Records Express* blog at <http://blogs.archives.gov/records-express/>
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