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PANELIST COMMENTS FOR DGI CONFERENCE ON
“THE DIRECTIVE IN 2015”
2:30 to 3:30 Thursday, March 19, 2015

[Publisher’s Note: These comments were written for oral presentation, but in light of the highly positive response they received at the event, they are being posted for the benefit of FIRM’s stakeholders who were unable to be present. ~ Owen Ambur, FIRM Webmaster]

Good Afternoon –

In addition to the original disclaimer that our comments DO NOT REFLECT those of our agency, I have a second disclaimer: Having been a part of the information management professions for 32 years and served on electronic records management committees as early as 1991 and 1992 when many of the same issues discussed today were being called “a crisis,” I participated in numerous focus groups conducted prior to the OMB Memorandum [M-12-18](#), and therefore am cognizant of what our colleagues HOPED to accomplish with this important guidance.

In numerous sessions conducted at NARA and GAO between the spring of 2010 and in the fall of 2011, the Federal records community formally enunciated three primary areas of concern that needed to be addressed as it continued its struggle to transform to meet the increasing volume of electronic records.

First, it recognized that the visibility / priority given to federal RM needed to be raised / increased;

The Memorandum sought to increase visibility by:

- 1) designating Senior Agency Officials,
- 2) requiring training and
- 3) creating guidance for the management of email...

Yet in DOE we are on our fourth SAO in three years and our seventh departmental records manager in ten years; the on-line training we created remains in a testing environment and has not been rolled out; and the shift to cloud technologies is taking place using commercial products that don't come anywhere near meeting the benchmark of the [5015.2 standard](#) and without metadata guidelines, a business justification, a risk assessment or an ROI.

Second, the records community required that the rhetoric of accountability, transparency, collaboration and open government demanded to be matched with compelling, passionate central governance and increased fiscal resources to aggressively enforce statutory compliance.

The Memorandum sought to improve governance and collaboration by:

- 1) creating a community of interest ([FIRM](#) already existed),
- 2) establishing a formal records management occupational series, and
- 3) improving NARA oversight.

Yet my own agency has resisted building records management compliance into senior manager performance goals; has developed a records governance charter – but hasn't approved it or appointed any members to the committee – and the entire budget for records management in FY15 is a tiny fragment (less than .05%) in an annual IT budget of \$15-17 million. Our agency built a state-of-the-art data center – that is the equivalent of a diamond encrusted file cabinet that, in the absence of a unified data management policy, houses much of what should have been disposed of years ago.

Third, the records community recommended that federal business processes designed to enhance knowledge sharing needed to be brought into focused alignment to leverage the opportunities and challenges raised by new technologies that valued cheapness, quickness and speed over scholarly deliberation, collegial partnership and legacy preservation.

The Memorandum sought to focus attention on email management, records scheduling and transfer of permanent records.

Yet in my own agency we continue to rely on generically worded and still debatably appropriate series descriptions from pre-web 1995; continue to disseminate web information of mixed value (ephemeral and permanent) in a mixed media manner that is not interoperable or consistent with NARA guidance. We do not have a central

trusted digital data repository, and senior managers have used the 2019 email deadline as an excuse to wait until the Department develops a tool before doing anything in-house with email backup tapes dating back to the mid-nineties ... most significantly, compliance with other OMB guidance like [M-13-13](#), the Open Data Policy, and [M-14-06](#), on Administrative Data, are managed independently in other organizational units – resulting in inconsistent approaches to record series which are comprised mostly of large datasets or shared by numbers of agencies or non-governmental third parties.

The Memorandum we discuss today attempted to (and here's the quote): “create a robust records management framework” that “reduced costs in the long term.”

However, Four years later - records management costs across the government are still largely unknown and the actual expenditures required to maintain a viable citizen centered information infrastructure far outweigh the minimal resources targeted toward responsibly managing content and context. Since we don't have reliable metrics to measure cost / benefit ratios, hardware and software expenses continue to spiral upward with no concerted effort to systematically justify, harmonize, consolidate and protect the life cycle management of knowledge assets across thousands of federal enterprise stovepipes.

The memorandum is failing in its claims to improve transparency... Citizens ARE NOT always finding

trustworthy information on agency websites (and if they are they have no way of ascertaining or understanding context). Hyperlinks break / data quality controls aren't funded; obsolete data is not revised, and the emphasis is on "look and feel" – not education.

Yesterday the Washington Post noted that in 2014 the U.S. set a record for denying access under FOIA. It takes longer to find files. Agencies more regularly couldn't find files and refused a record number of requests, which rose to 714,231. The U.S. spent \$434 million dollars to respond to FOIA requests last year and \$28 million on lawyer's fees to keep records secret. Last year, the Post went on to note, the U.S. denied 250,581 or 39% of requests and that the backlog of unanswered requests grew by 55%. For professional federal information managers, these statistics are unacceptable.

As the federal information management community moves forward our dialogue needs to:

- 1) Be less imperial and more democratic... more focused on archival concepts of appraisal and provenance than the whims of the powerful to flaunt the spirit of the law for personal motives;
- 2) Focus less on the distinction between temporary and permanent, active and inactive, and more on the difference between trustworthy / reliable and those which are NOT authentic or secure or complete or properly documented – especially as it relates to web content,

- email and social media handled by non-governmental commercial parties;
- 3) focus more on public access to data assets and system design and context documentation;
 - 4) put in place measures to impede the “national amnesia” that is taking place in the records community that threatens the integrity of our agency’s legacy. Our training and committees need face time, not remote webinars. Quality, product oriented collaboration requires human interaction, NOT cyber connection;
 - 5) endorse standards driven partnerships with private, educational, library and archives organizations; and
 - 6) elevate records management to mission critical status and place records officers on hierarchical par with technology managers.

So my “takeaways” from today’s sessions are:

- 1) As a community, as a nation, we have to start blaming someone... It isn’t enough to say the problem is everyone’s duty ... no one’s at fault ... it’s the technology culture or lack of civic trust or inability of any single individual to claim responsibility over a diverse set of business processes that is collectively too large or too complex or too multidimensional... IG’s, Auditors and Law Enforcement entities need to begin agreeing on liability and culpability and imposing penalties for neglect and inertia...
- 2) Capstone is an OPTIONAL APPROACH. Whether it is “legal” is NOT the point. There are many “legal” guidelines that are not in the public interest...

Capstone is another facet of an ongoing dialogue that has been going on for twenty years. It may eventually lead to a more lasting solution. It is NOT a stand alone and is best implemented within the context of a full electronic content management system that meets all of 36 CFR's requirements.

- 3) We need to begin – after 239 years of national memory – to reach consensus on what we owe the past and the what our obligations as record custodians are to the future. In a time known as “The Information Age,” why do policy drivers continue to be marketplace hype and spin rather than rational, cost effective, standards-driven solutions independent of proprietary products and special interests?
- 4) Self-Assessment needs to become Peer assessment; COOP / Disaster Recovery and Vital Records need to be approached as a single program – not three competing budget targets; and since change is inevitable and politics is inevitable and personality quirks are inevitable, a revised memorandum MUST include qualitative metrics that allow us to know how many agencies, i.e., how much of the government has risen to the bar and can legitimately claim success, failure, or ignorance of the requirements.
- 5) Finally, as a community we must embrace the notion that HOPE is NOT the same as optimism. I hope the records future is better than the its recent past. My HOPE is a product of idealism, but I am optimistic

that regardless of the difficulties we will continue to confront as a community, you, my esteemed colleagues, will persist in your determination to overcome the shortsightedness of the barbarians that have always been lurking at the gates. That you will always champion and celebrate the triumphs inherent in efficient, responsible, citizen centered government.

THANK YOU!