

FOIA Advisory Committee Meeting – July 20, 2017 10:00 am

David Ferriero:

>> Good morning and welcome to the National Archives. I am David Ferriero, Archivist of the United States. It's a pleasure to welcome you to today's meeting of the 2016–2018 of the FOIA advisory committee. Two and a half weeks ago I hosted the annual celebration of our nation's independence, the 241st anniversary of the Declaration of Independence. The annual 4th of July celebration is a highlight of the National Archives. It was our pleasure to forgo the day off and, thanks to many staff volunteers, keep the doors open late so that visitors could view the Declaration of Independence and reflect on this special day. As many of you in this room know the National Archives is also the home of the Freedom of Information Act, signed into law by president Lyndon B. Johnson in 1966. The FOIA serves as a critical vehicle for helping the public access agency records and improve our understanding of our government. This committee has the critical task of ensuring it continues to be a useful tool, despite changes in technology that change the way government operates and

the way the public expects government to operate.

Before I turn the program over I want to welcome a new member to the committee and thank him for his willingness to contribute to this important effort. Michael Bell joins us as a representative of the Department of Health and Human Services. He has served as deputy director of the Freedom of Information Privacy Act division and the FOIA Public Liaison since 2013. He has also held leadership positions at the Department of Defense and Department of the Treasury's Office of Financial Stability. Since becoming the HHS FOIA public liaison he emphasized increased responsiveness to the concerns of all FOIA requesters part of the HHS leadership team that received the 2017 Sunshine Week award for exceptional service by a team of FOIA professionals. DOJ presented the award to HHS in recognition of meeting or exceeding the backlog reduction goal for the entirety of the Obama administration.

I would like to thank our guest speaker Laurence for being here today. There is an undeniable link between agency's records management process and ability to locate and make accessible records accessible under FOIA. Laurence I appreciate your willingness to share your knowledge with the committee. I will turn it over to Alina to begin today's meeting

Alina Semo:

>> Thank you David. Good morning everyone thank you all for joining us for today's quarterly meeting of the FOIA Advisory Committee. Whether here in person or via telephone or live streaming, we are all happy to have you here. As director of the Office of Government Information Services and the Committee Chair it is my pleasure to welcome you to the McGowan Theater and National Archives and Records Administration. I want to join the Archivist in thanking Michael Bell for joining the committee. Michael told us he is very eager to help, and plans to sign up for all three subcommittees.

(LAUGHTER)

Michael Bell:

>> Lead them all too.

(LAUGHTER)

Alina Semo:

>> We look forward to working with you. Thank you. I want to begin by acknowledging our Argentinian delegation. I had the pleasure of meeting them earlier this week and Melanie did as well. They are just getting started with their FOIA program. Their statute just passed, so they

have a lot to learn. We have a little bit more experience in 50 years.

This is the fifth meeting of this committee's 2016–2018 term which means we are now past the halfway point of this Committee's tenure. As most of you know NARA OGIS convened this body of experts inside and outside of the government to consider greatest challenges to administration of FOIA and develop recommendations that will be sent to the Archivist. Earlier this month I emailed you all to layout an aggressive but necessary schedule of targets dates we want you to keep in mind in the coming months. The schedule is designed to assure the Committee has sufficient time to develop the ideas generated. We want them to do the heavy lifting necessary that shape the subcommittee's draft recommendation and hope each of the subcommittees will have draft recommendations for the Committee to discuss at your next meeting on October 19, 2017. OGIS will continue to provide you with any administrative support that you may need to meet the goal.

And I in particular I want to recognize our Designated Federal Official Amy Bennett who, as required, has been heavily involved with the subcommittees as they continue their work. I know you will be keeping her very busy in the

next few months. Give her a round of applause for the great work she has done so far.

(LAUGHTER)

I believe you all will enjoy the great insights of our great speaker Laurence Brewer the Chief Records Officer. He will provide us with that shortly. I look forward to hearing all of the updates from each of the subcommittees. Shortly I will go through basic housekeeping rules, review our general agenda and set expectations for today's meeting.

First though let's spend a few minutes introducing committee members participating in the meeting starting with those on the telephone. And then we will follow-up with those who are sitting around the table today. So, folks on the phone, Stephanie Carr?

Stephanie Carr:

>> Hi there this is Stephanie Carr I am here representing the office of secretary of defense joint staff Freedom of Information office.

Alina Semo:

>> Jim?

James Hershberg:

>> Hi historian of the cold war and nuclear arms race based at George Washington University used to be the director of the cold war international history project of the

Woodrow Wilson center.

Alina Semo:

>> All right. Sarah Kotler?

Sarah Kotler:

>> Hi FOIA officer at the U.S. Food and Drug

Administration.

Alina Semo:

>> Raynell Lazier?

Raynell Lazier:

>> Hi I am the FOIA manager at Consumer Financial

Protection Bureau.

Alina Semo:

>> Okay and James Valvo?

James Valvo:

>> . I am counsel and senior policy advisor at Cause of Action Institute.

Alina Semo:

>> Is Michael Bekesha on the phone with us? Lynn Walsh I understand was unable to call in but indicated she would be trying to tune in via live stream I hope she will chat with us and send us any comments that she might have; did I miss anyone else on the telephone? Okay let's hear from everyone in the room starting with the end of the table to my right.

- >> Good morning Logan Perel Department of Treasury
- >> Nate Jones National Security Archives.
- >> Ginger McCall, Department of Labor.
- >> David Pritzker Administrative Conference of the

United States.

- >> Chris Knox,
- >> Melanie Pustay Department of Justice
- >> Alina Semo Director of OGIS
- >> Sean Moulton Project On Government Oversight.
- >> Margaret Kwoka University of Denver
- >> Jill Eggleston, U.S. Citizenship and Immigration

Services

- >> Tom Susman American Bar Association.
- >> Michael Bell, Department of Health and Human

Services

- >> (inaudible)

Alina Semo:

>> I would like to remind you to identify yourself by name and affiliation whenever you speak. Please keep in mind there will be a slight delay between the time the members on the phone speak and when the microphones in the room are turned back on so this ensures that the live stream captures all audio. It's hard for me to remember I like to speak very fast. The committee provides a forum

and offers members of the public the opportunity to weigh in on the administration and to provide ideas for improving the process. We encourage the public to share their written comments and suggestions with the committee, and to learn more about submitting public comments visit our updated website at www.archives.gov/ogis. We will have time for public comments and look forward to hearing from non-committee members with thoughts and comments they would like to share. We are pleased to see so many of you with an interest in FOIA in McGowan and we appreciate your feedback. We are monitoring this Committee session live stream, and we will be monitoring live chat for those watching us on YouTube if you have questions or comments, send them in now so we can bring them up during the public comment period. There is someone tracking questions coming in.

We update information to the website on blog and Twitter at @FOIA_Ombuds. The URL is on the slide behind me. No? They are not – they usually are. Stay up to date on the latest OGIS FOIA Advisory news events following us on Twitter. Information about the Committee, including members' biographies, documents and public documents are on the OGIS website. We are live streaming we will make the transcript and materials available on the web page

as soon as possible. There is a little bit of a delay be patient with us we expect to have it up in approximately 30 days. So thanks for your patience.

We will take one 15-minute break halfway through the meeting, around 11:30 but it may be sooner. You may wish to purchase food or drink from the café. Last time it was closed but it's now open. No food or drink is allowed in the theater. Please note there are restrooms directly outside of this theater and another set downstairs near the cafe. Let's turn our attention to the approval of the April meeting minutes. I am advised committee members have had a chance to review a copy of the April minutes. They are received and incorporated and I have certified the minutes. I will entertain a motion to approve the minutes do we have a motion? Do we have a second? All in favor?

>> Aye

>> All opposed? Okay the minutes have been approved. And will be available for public inspection on the committee's website. Okay. Moving right along we are very happy to welcome our colleague Chief Records Officer Laurence Brewer today. He will give us a great presentation on the important work that he has been doing to ensure that agencies are managing their records properly. Laurence hold on, I have a long introduction, long build up.

As a component of the National Archives and Records Administration it is hopefully -- hopefully not surprising to hear us place strong emphasis on strong records management. It's important to ensure agencies can carry out the daily work and critical for a successful FOIA operation. After all if an agency cannot locate records they cannot review them for release. Good records management is a backbone of a good FOIA program.

He was appointed as the chief records officer on May 1, 2016. Laurence served as acting chief records officer since 2015 and joined the National Archives in 1999 as an appraisal archivist and worked as an electronic policy analyst.

Within the National Archives he worked as director of the life cycle management division. And as director of the records management operations program. In these positions Laurence was responsible for overseeing the scheduling and appraisal of federal records, developing records management regulations and guidance, supporting records management training for employees across the federal government, and evaluating the effectiveness of management programs and agencies.

Before joining National Archives, Laurence was a records management consultant and was responsible for

managing programs at EPA and Virginia Department of Transportation. He has more than 25 years of experience in records and information management.

Laurence earned a certified records manager designation and completed the excellence in government fellows program. He holds an MA in political science from University of Georgia and a BA in government from the College of William and Mary. I will now turn the floor over to Laurence and you're are on. Thank you.

Laurence Brewer:

>> Thank you Alina. One thing that I know I need to do now is figure out a way to shorten that bio -- way too long. But very, very well presented, Alina. I appreciate it.

So, I am here to talk to you about records management and open government. And like the Archivist said at the beginning, they are very much related and connected but they are different things. We feel records management is central to making sure records can be found and accessed in agencies but also central to the open government initiative that that we at the National Archives have done and across the government. So, it's a very, I think, timely topic, and important topic that we should be talking about today. So, I am going to talk a lot about open government but I want to touch on a number of things we

might be interested in working on in records management. So it's sort of the past present future of what is going on records management. So it's like Charles Dickens Christmas Carol: we will go through the ghosts of records management past, present and future so you can see where we are focusing on where we are going in the years to come.

So, I understand that while there are a lot of federal people here there are a number of folks who are not federal and may not know necessarily what we do in the National Archives in the Office of the Chief Records Officer.

On the left side of the slide you can see the basic information about NARA, we are an independent federal agency. However, the background to that is in 1985 we staged a revolt and gained freedom from GSA overlords. We are a free-standing agency and we have our own budget, and about 3,000 employees. Of which a hundred of those employees are within my office and doing records management working very closely with federal agencies.

The things that we work on in the Office of the Chief Records Officer are listed here on the slide essentially four programs. We have records management training program where we provide face to face courses and a lot of online content and learning management systems to federal

agencies who train without the requirements related to records management. We also have a growing oversight program. This is the program where we do inspections of federal agencies and collect a lot of the reporting data, some of which I will talk about in a minute. We have a policy outreach program. This is the program that developed the NARA bulletins and worked on regulations and issued guidance to agencies on what they should be doing to make sure they are doing effective records management so records can be bound accessed and retrieved. As part of the program we have small outreach staff who help me with meetings with other agencies with senior officials and doing a lot of the meetings that we do to get the word out about records management. And finally we have our records management operations program, which is our largest program within this program. This is where we do appraisal and scheduling working directly with agencies to review and process records schedules. It's also where we have an agency assistance team working directly with agencies to help them with implementation issues. It's also where we have our general records schedules team which is the team that is updating revising and will be developing new general records schedules. In fact just this morning a new transmittal memo was issued to agencies

with the latest batch of records schedules that agencies can use destruction of temporary records.

So, I wanted to put this quick slide in here sort of to outline what we are focusing on from a high level vision perspective. The top of it is NARA's vision which, if you read it, focuses on engagement and discovery, and really gets that sort of message about connection with the public on the record our stakeholders but then at the very end talks about archives in a digital world. So, there is a very strong connection with that vision to what we do in focusing on electronic records. Our vision within our office is much more specific. It's definitely focused more around technology, understanding the implications of technology within agencies and what that does for records management to make sure that records are managed effectively. One of the things that we talk about a lot -- I know I talk about with my staff -- is we want to get to this place, definitely visionary. Where records are viewed as integral or essential to every agency's mission. We know if you think about NASA their mission is putting people on the moon. We want other agencies to think about records management in the same vein. Now, this is why it's a vision. We don't expect that it's going to happen any time soon but it is a challenge that we continue to work on to try

and elevate the profiles of records management within agencies. As part of that, we also are talking more about governance of information, where records management is a part of that larger information governance perspective. When we talk to the CIOs within agencies, who are responsible for information at large, we want them to understand the records management is a critical piece of that strategy. I will talk more about managing electronically when we talk about the managing records directive.

I want to say more on the slide about having records management be transparent to the user. One of the things that we are trying to get to is figuring out how to make technology work to the extent where records can be managed consistently more effectively with minimal intervention on the part of the user. We recognize that certainly in the past when we -- when agency staff was printing and filing it was burdensome to have agencies do records management and do it well. We want to really work with the other communities and private sector within other agencies to see how we can get to a place where records can be managed at best transparent to the user or maybe in the interim more practically with minimal intervention on the part of the user.

The first thing I want to talk about is our

modernization goals. And the goals that you see up here are the two high level goals from the managing government directive. Hopefully now everyone is familiar with the OMB NARA issuance. The directive was issued in August 2012 and was the follow on to the presidential memorandum issued in November 2011 by President Obama. The high level goals and really the first one is the key one requiring electronic record keeping. We are trying to make the transition across the government and in doing so we hope agencies will be able to better meet the second goal, which is to be compliant with the existing records management statutes and regulations that are out there. That has been our focus since 2011–2012 and we continue to work on these goals. This slide we call them transformational goals some argue calling them targets because they are deadlines, doesn't really matter to me though. They are all goals and all things that we are working on or have worked on.

These are the two high level ones in the directive, 2016 is the requirement that agencies manage all their E-mail permanent and temporary in accessible electronic format. That goal was due December 2016. I will talk more about that in a second. The one still there, is the 2019 goal which is a much broader more complex goal. It requires that

agencies manage all permanent electronic records in electronic format. The point of both of these goals is really to get the agencies away from printing and filing process and require that if something is created, born, digitally, it remains digital. This is the challenge and this has been the work and the directive we have been working on to really move the government in that direction we have been collecting a lot of data. I will talk to you in a minute about the progress on the two goals.

There are also 18 other targets in the records management government directive, most of which are complete. I think the ones outstanding are the overhaul of the general records schedules. We expect to have that completed by the end of the calendar year and the 2019 goal for managing all permanent electronic records electronically.

So, I want to talk a little bit about the 2016 goal and email in particular. I call this the geometry slide because there are a lot of triangles and circles on it. I realize that some of you in the back of McGowan Theater may not read the text on there. I will very quickly explain what the story is that we are trying to tell with the slide. First, NARA issued this capstone approach to managing email which is a new and innovative way introduced to agencies for

managing their email. So, what it does, in contrast to the way email managed in the past by content where a person and agency look at the content of the email print it and file it in the related records series now we are moving from that content based approach to a role-based approach looking to identify email accounts within agencies where permanent or temporary records are likely to be found.

So, what this slide shows is that the triangles show where there are permanent historically valuable email accounts. And the point is it doesn't necessarily mean that all of the permanent emails are at the highest levels of the agency. You will see there are triangles at other parts of the agency where important functions processes are being carried out where we would expect permanent email to be managed. Also you will notice there are circles where there were not be permanently valuable email accounts at the highest levels are agency there are email accounts not permanently valuable. That is the same throughout in agency. What we have found and what we have issued through the general record schedules through Capstone is the vast majority of email accounts within an agency are being retained for 7 years and then a lesser percentage of permanently valuable email and also more administrative routine emails kept for three years. So, the bottom line in

the title of the slide is the interim approach we definitely feel there is a good approach for now. If technology keeps getting better and better the tools getting better and better we expect there will be something new coming along to replace Capstone. We are continuing to educate ourselves about what is going on in the community and see how we can leverage some of that research and some of those tools to get to the next level.

This is some of the reporting data we received from our annual reports from agencies that tells the story about what agencies are doing to manage their email. This slide focuses on Capstone, and I know you can't read it especially if you are in the back the labels on the pie chart. I will tell you in shorthand, green is good. Red is bad. So, the numbers that indicate that is about 88% of agencies are in the green, which means they either have a Capstone schedule a pending Capstone schedule or are in the process of implementing it. The red indicates that agency replied to us I don't know what I am doing and that's the smallest percentage in dark red. And then, the other part of the red are agencies that do not have either agency specific schedule or Capstone covered under our Capstone general records schedule. So, that's 12% of the agencies that we really need to focus on to follow up and find out what they

are doing, and how they plan to meet the goal which has already passed. We are actively and aggressively following up on the agencies working on more letters. We are meeting with agencies to find out what they are doing, and how they plan to manage their email going forward. So, it's still a work in progress. It's actually you know, very comforting to see that 88% of agencies might be even a little more ahead at this point are -- are getting implementation of Capstone and email management in place. It's just always going to be you know, part of the story that we have to identify where it's not happening. I can say the red -- the red part of the pie where it's not happening, none of those are departmental level agencies. They are typically smaller agencies not as heavily resourced in records management -- lower staff that always takes them a little bit longer to sort of get in line with the larger agencies.

The last thing I want to say about email is a document we issued in April of last year and this was issued to sort of answer the question: How will you know if agencies are successful in meeting that December 2016 goal for email. We call this in shorthand our success criteria document and actually it has a much longer title than that. And it really identifies criteria in four areas: Do agencies have the

policies in place around email? Do they have the systems in place to manage those emails? Can they provide access to those emails for as long as they need to be accessed to which they to the point where they can either be destroyed or transferred to the archives? And last, do they have the capability to execute disposition either permanent or temporary on those body he those emails?

Within each of the four categories we have specific questions, and another attachment where we map to the requirements around email and we expect agencies to use these questions and this tool to do their own assessment within their own agencies about the progress that they are making around email. We then in turn took the same questions and the same approach and construct to require them to report to us on their progress. And I am happy to report that every agency, a hundred percent of agencies, replied to us with their email management report. We since posted all of the reports up on our website so anyone can go look at, for example, what the CIA is doing in terms of managing their email.

So, that sort of segues into the next thing that I am going to talk about quickly, reporting and oversight out of our reporting and oversight program. Typically when I talk about oversight I have a whole bunch of colorful charts in

addition to the pie chart I showed you – graphs, tables, that sort of give you different views of the data. So, the records that we do annually, and we added the email management report this year, the one in the middle. We have an annual records management self-assessment where they report on compliance around records management. The last several years we required the senior agency official to submit a report to us. The reports that are on the right. The email and senior agency official report, they are up on our website. The RMSA is in process. We are issuing a report this summer which will summarize and do trend analysis for all three of these records -- reports. That report is drafted, we need to do review internally. We expect sometime this summer we will get out the report. You will see the big picture of what records management looks like in 2017.

The only other thing I would say about this slide is that from what we have seen from the data so far, most agencies are in that low to moderate risk category for management of their records. So, there are agencies that are at high risk, we look at who the agencies are and we figure out how we might want to look at those agencies more closely through our oversight and inspection program. But it's good to see the progress and the trends with the RMSA are definitely showing gradual improvement over the years in terms of

lowering the risk within these agencies for managing records. Just very quickly how we use the results and what I wanted to emphasize on this slide is that the data we collect through these reports and tools is not just for NARA, we expect agencies are also using it as well to improve records management within their agencies. It's valuable for us so that we can see the trends, so that we can see which agencies we need to focus on but we expect every agency is using the data to determine their areas for improvement and then making those improvements where they are needed.

I also wanted -- I mentioned the senior agency official for records management -- I wanted to talk more about who that person is and why it's such an important position. So, we did identify the need and required the appointment of the senior agency official for records management in the managing government records directive in 2012. We have been learning ever since how to leverage the person so they can be more effective in their agencies to improve records management. Overall, the point of the senior agency official in an agency for records management is to improve accountability, to be an advocate for records management throughout the department for the agency. And in the past, we have had issues where records officer in an agency who

might be a lower graded employee, did not have the access to senior political appointees or other high level officials to brief member inform them what they should or should not be doing with regards to records. This position is designed to make that bridge between the records officer and records program. Those people are important in addition to providing strategic direction to an agency on what they should be doing as far as managing their records and information. So, we are very pleased when a year ago, OMB as part of their revision of OMB circular A-130 incorporated the work we have done with the directive and some of our thoughts we had been thinking about into A-130, managing information as strategic resource.

The important part of this slide is A, records management is much more prominent in official OMB guidance going to CIOs talking about privacy and security, now there is a much more robust section on records management as you can see in section 5H on the slide. That's where you go to find out all of that information. It also incorporates the major goals the 2016 and 2019 goals of the directive. It drops the 2016 and 19 dates, which is good going forward, it would be ongoing requirement that agencies need to do that. It also adds more than what we said in the directive about the importance of a senior

agency official for records management. It really gives us something to build upon. That's what we are doing. We are engaging with SAORMs during the transition when there is a lot of change over in senior agency officials records management. We found it very useful to have meetings with the senior agency officials post transition to brief them on the importance of managing records on the importance of not using personal E-mail accounts to conduct business. And on a lot of the emerging and trending issues related to for example social media, and encrypted messages apps and we will talk about some of those things later. There are other things in addition to the traditional things we think about in terms of good records management. It was an excellent opportunity to meet with senior officials and their staff to let them know we are here to help them and we have the resources that they can use and leverage so that they can go into their agencies and provide that leadership.

One of the things that I wanted to note, we are working on a new bulletin to send out to senior agency officials and records management to better define roles and responsibilities for the senior agency official community. And to take care of operational housekeeping things that we need them to do. More importantly that bulletin defines the roles and responsibilities we have something very firm

tangible and concrete we can talk to all senior agency officials going forward.

Okay. Now we get to open government. I wanted to spend time talking about what we are doing in records management related to open government. Because we have been doing it for years we have had successes and some areas where we continue to focus. So, just in case this isn't obvious open government is very much alive as far as our records management program is concerned. And we continue to work on the kinds of activities that will allow us to get more information out on our website that allows us to give the public more information about what agencies are doing in records management, so there is greater transparency and openness about what we are doing in our interactions with agencies. So, we are committed to making this information available we will continue to post information on our website, and we are looking forward to meeting with public advocacy groups and other stakeholders to see how we might be able to do this better.

On this slide you will see in the third National Action Plan, which is just wrapping up, we had three commitments. One was to process Capstone submissions from agencies and make them available on the website so the public could see who has adopted Capstone for managing email and

making that available. In addition we also had spreadsheet which is up on the website that shows for every agency in under the federal records act how they are proposing to capture and manage their email either Capstone the GRS or an agency specific schedule. The other thing that we have, the second commitment was really improving our reporting. I talked about that with email management report. We ask specific questions about email management. We produced a report and released publicly all agency reports related to how they are managing email. The third commitment is our records controls schedules repository. One of the things that we wanted to do was make improvements to the RCS repository to make it more usable for the public the stakeholders and for anyone who want to go to the portal and find information about agencies, records, in the way that they were scheduled and approved by NARA. We are trying to improve the searchability of it, the usability of it, and that is the item that is still ongoing. We still have work to do in that area although we have made a number of improvements so far.

The other slide related to open government relates to NARA's open government plan. There are five areas we are focusing on as part of the internal open government plan. In the area of reporting, as I already talked about,

publishing more reports, making them more available on our website. Continuing to work on oversight but more importantly, making a lot of our oversight work available publicly on the website. Now, we publish inspections of agencies, you can go to the website and see the inspection report for Department of Commerce, Veterans Affairs and so on. And see the kinds of issues that we found when we went into those agencies. We also did a lot of work around presidential transition. We produced a number of guidance products documents and a public service website. We even had videos, a lot of information targeted to political appointees and senior officials. You can see there is a lot of overlap between the internal plan and the national action plan. So, we -- the records control schedules repository -- that's an important effort for us, we wanted to include it here as well. The regulatory updates work is in progress with the new administration. We expect there are more regulations coming out, making sure they are updated revised and modern and get to the right requirements we want to have for federal agencies.

And then last just a slide that references where you might find the National Action Plan where the records management piece is you see on the title if you can read it records management the backbone of an open government

just wanted to highlight here, not only is records management the backbone of open government it's the backbone of a good FOIA program, right? So, that connection is important. We feel like records management is something that we -- every agency should be really focusing on. And not just for making sure that we are good stewards of the records and information that we have but also for making those records available to the public so they can be used.

How am I doing on time am I going to get the hook soon? I am all right? I have a couple more things to talk about, policies and guidance.

This is really like the ghost of records management present and future it talks about some of the things we are working on now but really the challenge that we are going to need to face going forward. So, I like this slide, one because there are no words on it that you have to sit there and read. Really what we are trying to say here is that if you are not sure who is driving that car, it's technology. And we in records management are continually trying to keep up with the fast pace of change that technology is imposing upon us in terms of producing policies and keeping them current and up to date it's a real challenge. We are always looking at innovative new approaches for

how we can create policy that will accommodate these changes in technology, and allow agencies to manage their records better. For example Capstone and that approach to managing email we feel was an innovative solution that really gets agencies closer to what we would want them to do in terms of managing their records. So, we need to continue to think about how we can do more things like Capstone and apply different approaches in different ways to make sure that we are leveraging the technology but that it's having the positive impact that we want it to have.

One of the things that I think about a lot about my staff within the Office of the Chief Records Officer and also the staffs within the records management programs within agencies we really need to be wider and deeper in terms of how we are learning, keeping abreast and interacting with agencies. So, what do I mean by that? So, wider, we need to -- we need to expand our knowledge of the various things that are out there that are driven by technology that have records management implications. So, one of the things, for example, I was at a conference not too long ago where they spent a lot of time talking about blockchain technology. Blockchain technology -- I will not go into the details about how it's a decentralized architecture providing better security for records. Really looking at technology

and seeing what are the records management implications of that. We need to really expand our consciousness around what are the other things that along the spectrum of what might affect records management we need to be aware of. The deeper part we don't need to necessarily get deep into each one of the things. But for the ones and the technologies of critical interest now -- email in the past several years perhaps, electronic messaging now. Managing records on websites, we do need to get deeper. We need to get more knowledgeable and collect more data so that we can really drill into what are the issues around those kinds of technologies that we need to be very well informed about so we can produce the right kind of guidance at the right level for agencies. So, that is the challenge. And you know, as you can tell from the kinds of things that we are working on the challenges going forward are increasingly technological. Our staff not only within NARA but also the agencies, we need to get to a point where they are comfortable with technology and complex technological subjects if we are all to be successful.

So, I mention messaging this slide the good the bad the ugly. The good is that we issued 2014 amendments to the act defining electronic records and messaging and provides new requirements around electronic messaging.

Now there is the requirement that if you send a message or email on your personal account it needs to be forwarded into the official account within 20 days. So, that was good. We tied up loose ends and added language and requirements for agencies around messaging. The bad is, I call this the three F's. So there are three approaches to the way agencies approach messaging. One, they forbid it. We have found this is not an effective way of proceeding within agencies because agencies will still use the tools or figure out a way to use them. The other F is forget it. I promise you I am not going to get to the F that you are thinking about. Forget it means you know I am not going to look over here and see what agencies are doing. I am going to just do what I am doing if I am the records officer I am going to forget about the fact that agencies are using messaging app and chatting away for business. The third is fudge it. So, this is the agencies who really want to try to do what they should be doing but they don't have the tools to actually do it right or do it effectively. So, some agencies -- I won't name them -- do things like cut and paste a text out of a chat into an email and then send the email into the official system. I am guessing and you know, it's a guess, that this is not being done consistently and effectively across agencies it's a very cumbersome way of doing

things. What we need to do we need to get to a place where the tools catch up, and become affordable and available to agencies and then we can write policy and do training for agencies so they can use the tools to manage the records more effectively. It's where we need to get so we don't have to worry about the three F's anymore.

Big data, quickly about big data. From appraisal perspective I talked about my staff this is really something that we are grappling with and other agencies are grappling with, the notion of big data as well as how it's not really about volume. Volume is a part of it but it's more about how information is being used today. The data is out there in data sets that are interrelated and agencies and customers are using all kinds of analytical tools to mine the data and use the data. And this really makes it a challenge for us as an agency who goes out to do appraisal of records. If you are trying to look at how to schedule that kind of information, using the traditional paradigm, you are going to get very quickly confused and lost. So, what we are seeing right now and it's been happening for many years is a paradigm shift, where the traditional notion of managing the content of records from a control perspective, has really morphed into how we can use the information and then provide the support from a records

management perspective that will enable that. To allow agencies to use information that is in big data sets so that they can do their business and be more effective. The notion of control while we still need to make sure records are well managed doesn't work in the new paradigm where agencies use information and leverage information in much different ways than they were in the past. This is an ongoing issue and something we are trying to get smarter about, working with agencies to find out what the issues are so we can issue guidance and training and bring everybody along with them.

Lastly, I just wanted to talk about some of the things that we are working on now. And this will be the ghost of records management future. 2019 success criteria. So, the last target in the directive is for agencies to manage all their permanent electronic records electronically. That goal is that target is up December of 2019. And we are working on similar construct to what I talked about before with the email success criteria, where the same kinds of things still apply. You need to have policies you still need to have, systems you still need to be able to access electronic records, and you have to be able to execute disposition so the records can be transferred to NARA. That kind of construct still works, and one of the things that we put

along with the criteria, that we are going to be issuing. Are requirements, electronic records management requirements, and use cases that give agencies more information about what they need to do first after they have identified their permanent electronic records but the requirements for which they need to make sure that they are properly maintained so that they can be preserved, accessed over time and transferred to NARA. Another thing that we have made a commitment to do, is update our web guidance. This is the guidance we issued in 2005 for how agencies should be managing records on websites. So, we are going to do at a minimum, a refresh of that guidance but we are thinking about what is the web guidance of 2017 and what does that need to look like we are looking forward to engaging some of our public and stakeholder groups to see what those issues, we will be talking to other agencies about those issues from implementation and use perspective. And I suspect that sometime in the very near future we will have new guidance for agencies how to manage those records.

Greater efficiency and effectiveness it means something very specific here. I am referring to OMB's memo M1722 where agencies are assigned the task of making their programs and functions and activities

streamlined more efficient and more effective. We are doing the same within the office of the chief records officer, in looking at what we are doing our processes, where we can get better where we can get leaner and where to make improvements for the benefit of the government and the public.

Finally, advocacy and outreach. That is something that continues. We will -- we are continuing to work with senior agencies officials with the larger management community with the communities of practice to get the message out about records management. And hopefully we will someday get to the point where we have a government where records management is considered essential and critical to mission effectiveness. That is the goal I believe we will -- hopefully we will get there soon. With that I will stop I don't know if we have time for questions or I am happy to take a few questions I will leave you a slide to the blog records express where you find everything new and current, and we also have the link here to our records management web page where we do post all of the guidance including the report that I mentioned in the presentation.

Alina Semo:

>> Nate?

Nate Jones:

>> Nate Jones National Security Archives. This is a great blog to everyone get it on the alerts because they explain complicated things like you do quite in a way you understand them. My question is with regards to searching for FOIA in addition to Logan and others on the FOIA search committee. Especially what we found tricky things is searching for emails seems to me as an outsider in 2017 it shouldn't be that tricky. I search Gmail easily. I know the government is not on Gmail. One of the points is Capstone is permanent access to the emails. My question is: Once an agency effectively implements Capstone to the A plus NARA judgement, can they search emails in response to a FOIA request easily and effectively. If so how, if not what else needs to be done so that can happen?

Laurence Brewer:

>> Yeah that's a good question. First I would like to say we are also on Gmail. So, for me when I have to do a search for FOIA, the search functionality in Gmail is great. I don't know about other platforms but I imagine they are similar. I think the answer to the question really is: We in this Capstone environment are going to be light years better than where we were in the past in terms of finding emails in response to FOIAs. I think it's going to be a little while before we see results, agencies are just now

implementing their Capstone approaches. We approved. There are about 260 federal agencies. We have approved or have pending soon to be approved roughly half of the agencies and trust me they are coming in every day for approval so the number continues to go up. But as they implement them, because they are asking agencies to justify those accounts, preserve those accounts, it's a much easier thing than what we were asking them to do years ago with the traditional approach to managing email. I suspect it's going to be easier, how individuals do searching is you know maybe the difference. Some people are more astute and knowledgeable in how to do individual searches for FOIA. I think most people now, because we are all much more familiar with email and systems that we work with and the environment that we now live, that I would expect they would improve especially with Capstone I think as we go on, for agencies that have implemented the Capstone approach, I think it's going to be you are going to get much better results.

Tom Susman:

>> Tom Susman, you talk about a binary system with paper and electronics, electronics is all sort of homogeneous. And you know, the technology advances and changes obviously affect electronics, come to my

basement tell me what to do with VCR tapes, vinyl records, cassette tapes. These are all forms of electronic and yet you have a hell of a time managing them. What happens next? I mean, you know, we all thought saving things on floppy disk was the wave of the future now they are gone. Cassettes or CDs next. Now it's the thumb drive. When that's replaced by -- how do you manage electronically when the electronics themselves, the format the electronic format itself, keeps changing so quickly.

Laurence Brewer:

>> Yeah that's a good question it is a challenge as I mentioned in my remarks. Technology is -- is the driver. It's a huge thing that we need to account for. One of the things that we have for the permanent records out there, we maintain and continually revise and update transfer format guidance so we have a suite of acceptable formats that agencies can use to transfer records to the National Archives. So what the agencies need to do and their responsibility is while those records are within their legal custody they are required, per regulations that we have, to continually evaluate them, test those records, migrate those records. And ultimately when they are ready for transfer to the archives, they come to us in one of the accessible formats that we maintain and have available on the website.

It is a huge challenge. And by the way paper is not going away any time soon there is a ton of paper out there that we need to account for. What the target requires is once we get to January 1, 2020, we expect that records are going to be created digitally and maintained that way. We are still going to have to deal with paper but there are ways to deal with digitization and scanning. There may be more on that topic coming. We did have it in the directive goals that we wanted agencies to digitize to the extent practice -- practicable. Paper digitized and born digital, the agencies are responsible for maintaining and preserving records in accessible formats so when they do need to come to the National Archives we get what we need in the format that we need.

Alina Semo:

>> Okay.

Sean Moulton:

>> Sean Moulton. So, we talked about, Nate just talked about agencies and the Capstone program especially around emails. And you said 2016 was a goal for email being electronically managed. I guess my question is: Does that electronic management, being able to manage them and to keep them electronic, does it extend to disclosure. I still, when anyone in my office sends a FOIA in

for potentially hundreds of thousands of emails, I appreciate Capstone and other devices help them find emails and sort them and figure out what they want to disclose, but I still get them all printed out and sent to me that way. I never got emails sent to me in a set of files that I could then search and organize myself. Is that something that is coming or something that we just haven't really added to this idea of whether or not that's part of what we call electronic records management?

Laurence Brewer:

>> Right. I mean I can tell you as of now, because the goals have agencies are required to manage all of their email electronically, means no printing and filing. Now, in terms of disclosure, providing records to requesters, that's out of my lane. Maybe Alina could address that. I don't know what the requirements are in terms of paper and electronic in terms of providing them to FOIA requesters. In terms of what agencies have to do, they have to maintain emails electronically. There should not be printing and filing. The answer is maybe the processes need to catch up or the processes need to be changed or the requirements need to be changed now that we are living in that environment. I don't know if there is anything that you want to add.

Alina Semo:

>> All right. Any other questions from anyone here at the table? Anyone on the phone have any questions?

Sean Moulton:

>> I have a different question. You talked about the senior agency officials in charge of records management. I am assuming that that was a responsibility assigned to someone who already had a position at an agency rather than sort of a new position with the -- with this being the sole responsibility; is that correct?

Laurence Brewer:

>> Yes, technically, we don't say that it has to be a new position. The guidance we issued indicated at what level an agency needs to be, like a cabinet it needs to be a deputy secretary or assistant secretary and higher. And for most agencies it seems to be the CIO. We have a lot of SAOs who are also the CIOs, which in a way make sense talking about information government, well records management, is a piece of that. But it's not always the CIO and some agencies it might be under secretary. Typically those people have other duties. So, that is our challenge: you know, trying to raise the profile and get them to give records management its due. But that's why we are here. And that's why we have been meeting with the folks to sort

of explain to them this is a priority, this is what we need to do to make sure you are in compliance. Well thank you Alina thank you for your time.

Alina Semo:

>> Thank you I asked already anyone on the phone before Laurence takes off? Okay. Thank you again we really appreciate it.

(APPLAUSE)

Alina Semo:

>> I think Laurence gave us great information today, hopefully it will spur further discussion among the subcommittees. I think we are staying on schedule pretty much. We are going to first hear from the proactive disclosure subcommittee and then we will take a break. So, I think Margaret is going to present since you are here but Sarah is on the phone and will also be pitching in.

Margaret Kwoka:

>> Absolutely Margaret Kwoka. So, I think our update is going to be relatively brief. But I think quite positive. We have outlined in our subcommittee now a plan for the various components of the draft recommendations that we are planning to issue. So, those components I think are really break down into two categories. One is on the question of 508 compliance. And that is something that

the committee has spent a fair amount of time information gathering about. We have had some assistance doing legal research, Tom Susman had someone doing legal research about 508 compliance issues. We have spoken with experts and we have also spoken with a number of agencies now about their approach to harmonizing 508 requirements and proactive disclosures. Actually Nate and Sarah are going to take the lead on drafting recommendations that hopefully focus on ways that agencies can both meet their 508 requirements and obligations, but not be kind of hindered unduly and in implementing proactive disclosure programs and initiatives. That's going to be one of many of the recommendations that are being worked on now. I think we have done all of the information gathering that we need at this point to move forward with that. I don't know Nate you are welcome to jump in if you have anything to add on that front.

Nate Jones:

>> Sure. I would just add that you can say the word recommendations but it's also hopefully it will be a useful guide that an agency employee can look at and say I want to get this information online how do we do it what is the -- we went back and read the stuff it's pretty complicated. Thankfully though, the advisory committee

has boiled it down for us.

Margaret Kwoka:

>> Absolutely, that exactly sums up where I think the subcommittee is hoping, where there will be a practical approach for agencies and something that agencies who want to move the ball forward can use to bolster their initiatives and figure out how to walk that line.

The other component of the recommendations is going to focus on the question of how agencies should decide what to proactively disclose. And I think maybe one of the kind of most recent and exciting developments in our thinking about this is to actually try to come up with a list of items specific items that this committee can recommend agencies do in fact endeavor to proactively disclose. So, in the first piece on how agencies should go about deciding what to proactively disclose, we are hoping in the same vein Nate talked about, to come up with in this arena a set of guidelines or considerations that agencies -- we think agencies -- should use in deciding whether records, certain records or certain categories of records are appropriate for proactive disclosure or not. And then, the second piece of that, to actually come up with a list, what we have done is recently started distributing a call through various networks both government and nongovernmental for -- kind of

casting a wide net -- for ideas of what should be on the list. We are certainly using existing lists that have been compiled about things that might be good subjects for a proactive disclosure. We are trying to cast a very wide net in the hopes that we will come up with a long list with that the subcommittee will consider each item individually. And determine whether we think in fact it would be appropriate, an appropriate target for affirmative or proactive disclosure. Whatever list we come up with, we put before the committee of course, to discuss whether those items are the right items. But we hoped at the end of this to have a set of recommendations that really instead of high level much more specifically gave guidance and suggestions to agencies about how to improve and expand proactive disclosure. That's all I had. I will let Sarah jump in if she has anything to add to that.

Sarah Kotler:

>> Thank you I don't (inaudible).

>> (inaudible) I am not quite sure what you said

Sarah Kotler:

>> I just said I didn't have anything to add, I look forward to seeing the final results of the project.

Alina Semo:

>> Thank you. Last opportunity to recruit Michael if

you want to for your subcommittee.

(LAUGHTER)

>> And we are -- and I am sure like all of the subcommittees we would be excited to have another set of hands so --

(LAUGHTER)

>> Thank you very much. We actually have are a little bit early that's good. Yes, sorry I was jumping right to the break. Any other committee members have any questions for this subcommittee? Everyone seems very ready for a break. I think Logan do you have a question

Logan Perel:

>> Yes, Logan Perel. Did you consider or are you considering making recommendations on the universal records that can be released across all federal agencies as opposed to not being considered but something that the cabinet secretary's daily schedule or something along those lines?

Margaret Kwoka:

>> Yes, absolutely, so, on some of the lists that we have started with that have been compiled elsewhere and other projects, records like that, that kind of categories that span agencies certain appear on the lists and will be considering those, something else that I personally am

spending time looking into and hoping to make a proposal to the subcommittee about is universal format for disclosing FOIA logs. And so there shall did--I think calendars have been on those kinds of lists. I am trying to -- you know, like agency handbooks. There have been other categories of things that have already shown up on the initial list that we have looked at.

>> (inaudible)

>> Yes, exactly. Those sorts of things. So, I think we absolutely should be able to. Perhaps your comment is useful thinking about how we can break down our recommendations in the final format to say these are types of records most agencies have to disclose. And perhaps we have some specific records that really only apply to one agency that would be a separate part of the recommendation so thank you.

Alina Semo:

>> Any other questions? Anyone else on the phone have any questions? Okay. I think there is a break. Please come back in 15 minutes. Reminder the charter's cafe restroom on the first floor no food or drink permitted back in the theater. Let's come back at 11:35. Amy said 11:33 that will hold, thank you, break.

>> Thank you.

(Short recess taken.)

National Archives

FOIA meeting

Thursday, July 20, 2017

Meeting will resume shortly)

Alina Semo:

>> Okay. I think we are back. Folks on the phone hopefully you have hung in with us? There is a delay. They are there, okay. Well, welcome back everyone, and thanks for sticking it out for the rest of our meeting. Next we are going to hear from the search subcommittee. Logan and Nate are going to be providing us with updates and telling us about everything that --

>> (inaudible)

Nate Jones:

>> One is a bit sentimental and one is a bit critical. But first sentimental one I want to thank the search subcommittee for the past three months I have been working remotely from a fellowship in Ukraine doing more in E-mail and calls and different time zones. Thank you for bearing with me. Thank you Logan for taking a lead and I'm back and ready to go.

But I did want to share one memory one soliloquy from

my experience there. Ukraine has recently completely opened up their archives and (inaudible) this is a huge push for them and really the country views it as moving towards the future. And when I was there again and again and again, I spoke about being on the FOIA advisory committee. I have researched in our own National Archives. It was absolutely clear to me, they without a doubt look to America as the leader on openness. And it was really rewarding experience to hear that because you guys doing this was also kind of a bit of a kick in the pants because we can't rest on our laurels and we need to -- I wanted to share that experience from being abroad is many people in the rest of the world look to us, so let's keep going.

My second point of privilege, critical, before we get to our (inaudible) about finishing the work and pushing it across the goal line. Many people know that one of the big things that the last committee did was unanimously approve the archivist and archivist agreed and sent off to OMB something saying update OMB guidance on FOIA fee. FOIA fee guidance written in 1986 before the Internet before sending email instead of sending things via post and is missing keywords, it badly needs an update. As far as I can tell, OMB told the senate judiciary committee that they are considering what the FOIA committee said. I get a hunch

no work is being done. I want to reiterate in my opinion it's not enough for the advisory committee to submit unanimously very strong recommendations that the archivist signs that go somewhere else to dare I say the word die. That's concerning and I want to get that on the record.

Now, back to more progress being made on the FOIA search subcommittee. Essentially what we have spent the past, I guess, three months working on was getting a game plan together to meet the first deliverable. Essentially where we are now, after having done a pretty broad survey and having talked to quite a large amount of stakeholders is, our goal is, to produce a document that will serve as the FOIA advisory committee's best recommendations for how agencies should do searches under FOIA, which we can come to agreement as within of the big logjams, stumbling blocks, is once the documents are in people's hands they get them out quickly but it's hard to find them. We talked about this with Laurence earlier. I will open up the subcommittee some points we are pondering and debated about (inaudible) I want to give a taste of the kind of things we want to suggest are: One, right now, the government does not actually do a very good job keeping track of the methods used. Perhaps recommending a way of reporting

how agencies are searching for FOIA, so that's the first step is we know, and the second step would be in which one's work and which one's don't. Two, including as agencies are evaluated for their FOIA compliance -- we know that FOIA is everyone's responsibility -- we should ensure that they are evaluated on how they conduct and work. Three, we have to make sure that as agencies -- this is often above the FOIA shop head -- buy technology, the FOIA shop has the ability to say if you buy that technology we are not going to be able to do effective FOIA searches. Making sure that when agencies modernize their technology, FOIA people make sure that they have a say so that the documents can be searchable. I will add as Margaret knows that also they should have a say that they are OCR compliance. Just one more. We have more that our subcommittee will talk about. But instilling and recommending that even more than it is right now (inaudible) often always be that the agency and the people submitting the search, reach out to the requester to say, here is the record systems we have, here is what I can search, what do you really want. We know that is the best practice. But it happens a lot. But I this I we should make it so it happens every time. What did I miss, Logan? (inaudible)

Logan Perel:

We had more ambitious goals to baseline the Federal government and make recommendations based on the technology we saw. The first step is knowing who is using what and we realized we couldn't even do that. Realizing that we needed a recommendation to fill that gap so that future subcommittees or future committees could then take that data and look into it and make recommendations I think was the first thing. The second thing which is something that Jill helped us out a lot is the accountability piece and making sure that searches are done and done timely and every employee and performance plan in some way has it as part of their responsibility so they can be measured upon and rated upon their response. I think those are just two additional things that I wanted to add. (inaudible).

Alina Semo:

>> Anyone else want to add anything? Okay. Anyone on the phone? Is anyone there on the phone. Questions from the other folks on the phone? Thank you very much for all of the hard work that you have been -

Nate Jones:

>> a brief update does not mean brief work

Alina Semo:

>> Absolutely not. I know everyone is working very

hard I am very appreciative of that we are really looking forward to some great findings. Okay. I am going to move on to the efficiencies and resources subcommittee. Over to Ginger and Chris to give us an update. I know she has the most efficient meetings I have ever attended in my entire life. Ginger runs very tight meetings -- can you please give us an update that would be great.

Ginger McCall:

>> As we talked about last time our plan was to look at data sets on agencies, analyze those data sets and identify high performing agencies. So, we identified our set of high performing agencies both large and medium sized agencies. And then we identified contacts within each agency and divided the agencies up and the people on the subcommittee, we worked together to draft questions to allow us to understand why the agencies are performing so well. And we edited that list of questions and put it into a letter which I included today (inaudible). We asked if the agency had a reduction in backlog; what technology they are using; what are their largest challenges-- for example, budget or text; how the FOIA staff is structured and how the responsibilities are broken out; what searches can be carried out by the staff and how are those searching carried out; how many layers of review exist before

response--before responses are sent out; the training agencies have for the FOIA and non-FOIA agencies. We asked them about efficiencies and inefficiencies of paper versus electronic requests; if they increased their capacity to process requests by using contractors or details or interns; did they receive requests for a particular category of records more than any other. And we asked them to outline the time spent on each part of the processing of the request from intake to final response and number of agents across the (inaudible).

We were hoping with the questions to be able to get to some data points that maybe we wouldn't be able to identify just through already public annual FOIA reports and chief FOIA officer reports. To really get down to the more granular details so we can analyze the data and come back with a set of recommendations that are well educated and well informed recommendations. So, this week we are sending this letter out via email to the contacts that we have identified at the agency some of whom might be in the room right now. So if you received email please do respond in a timely manner we asked the agencies to get back to us on the email and hopefully have a conversation with us via telephone or in person by July 28th so that then we can achieve our goal of putting together draft recommendations

and submitting that by the October 5th deadline that we have been asked (inaudible). So our plan right now the next step is that we have done the outreach and we are hoping to conduct this interview next.

Alina Semo:

>> Thank you do you want to ask a question.

Chris Knox:

>> No just that we received a more aggressive time line as Ginger mentioned we are adhering to it

Alina Semo:

>> We appreciate it

Ginger McCall:

>> We appreciate the (inaudible)

Alina Semo:

>> Great. Any other questions for this subcommittee?

Ginger McCall:

>> Also, one comment it could be that as a response to these questions we get information that might be relevant to the other subcommittees. And if we do we will be sure to share that with the other subcommittees as well. I see the questions get issues of search of technologies that are used for search, this could be (inaudible).

Alina Semo:

>> Great. Anyone have any questions? Any other

subcommittee members want to weigh in? Okay? Anyone on the phone have any questions or comments they wanted to share? Okay. I think there was enough of a wait, right? Amy said okay.

>> I want to take the opportunity to thank the subcommittee members we have set forth an aggressive schedule and it's been very good.

>> Also, this is your last chance to get Michael on your subcommittee I forgot to give Logan and Nate.

Ginger McCall:

>> if you enjoy weekly conference calls join our subcommittee.

Alina Semo:

>> It's the most efficient meeting ever. I am thankful that everyone is working hard and seems very focused, so I think we are going to have some great products that are going to come out of this. So, I am super excited about that, so, I think we have come to the end of our committee meeting in terms of discussions amongst ourselves unless anyone has any thoughts or comments? I would like to turn it over to any public comments or questions from folks in the audience, also on live chat. Anyone else have anything that they want to add?

David Pritzker:

>> Nate spoke about follow-up or lack of follow-up to our recommendations from the first term of his committee, I am wondering whether there is any interest among the committee members about taking some action now to inquire further?

Melanie Pustay:

>> Well, I can

>> (inaudible)

>> I think we had this question before, and one of the things that we -- that was responded to it was the archivist that made the recommendations. So, it would be something that Alina would need -- if there was -- Alina would need to clear that through the archivist, to see if he was interested in doing further -- it might make more sense for you to talk with him first if there was a sense that that was something that was -

David Pritzker:

>> Well, I get that. The point of my question was to ask whether the committee would like to have -- to ask Alina to do that.

Alina Semo:

>> So, great point that you are asking I want to tell you that we have been engaged with our Office of General Counsel internally to talk about the best way forward

because we too share your concern about the fact that we haven't seen any movement from OMB. We are aware and we have been advised there is very recent new leadership in OIRA. I think everyone was waiting for the director to come on board she was confirmed last week I am not sure whether she reported for her first day in the office if she hasn't it will be soon. And we do plan to follow up. Once she settled in and has been briefed. I highly doubt this is the first item on the priority agenda. We will make sure it is on her agenda and it has her attention.

Sean Moulton:

>> This is Sean Moulton I also think civil society members who are (inaudible) constrained by having to go through procedures could easily follow-up with OMB in the coming weeks and months you know where is this, I know we speak to them (inaudible) so, I am happy to make this part of what we ask about.

Alina Semo:

>> May I just ask are you getting feedback or responses to them when you are making inquiries?

Sean Moulton:

>> I would say that you know, given the transition you are discussing, we have been experiencing less response fewer responses than

Alina Semo:

>> Any other comments from any other committee members? Going once? Twice? Anyone else on the phone? I want to give an opportunity to our committee members on the phone if you want to make comments or raise other issues? Okay. Seems very quiet.

Thank you very much again to all of the committee members, I am very grateful for all of the work you are doing. Amy is here to support you -- as everyone of the subcommittee co-chairs know Amy will have to be involved as the DFO and all of these activities you are engaging in so that's why I gave her a special thanks because she will be very busy in the upcoming months this is why she is here to help. So, at this time I would like to turn to members of the public for any comments. We will take comments for about 15 minutes from those of you who are in attendance. We are also monitoring via live chat if anyone has comments they want to weigh in Jill Hudson will raise her hand and shout out questions or perhaps come up to the lectern to read any questions or comments that come up. I do request if you have any questions or comments when you approach the microphone please state your name and affiliation, if appropriate.

So, we can now have public comment. Any chat? Okay.

People are very much looking forward to lunch now. Yes, summertime. Okay, well unless anyone has any other comments or questions, I want to thank again all of the committee members, we invite everyone to visit OGIS website and social media for more information about our activities and how you can participate. I thank you again for coming and thank everyone here for coming. We will see everyone at your next meeting right here on October 19th at 10 a.m. at the McGowan Theater and we will post our future meeting dates on our website. If there are no concerns we will stand adjourned please stay hydrated.

(End of meeting.)