

October 1, 2010

David S. Ferriero  
Archivist of the United States  
National Archives and Records Administration  
700 Pennsylvania Avenue, N.W.  
Washington, D.C. 20408

Dear Mr. Ferriero:

We write with regard to the Online Public Access (OPA) system the National Archives and Records Administration (NARA) is developing as part of the Electronic Records Archives (ERA). We appreciate the recent OPA prototype demonstration NARA provided on August 19<sup>th</sup>, and the opportunity to provide feedback on the system. While it appears from the demonstration that the prototype's interface is a user-friendly search tool, we are troubled that OPA currently does not provide any access to agency records in ERA and urge NARA to develop a public plan for ensuring and providing that access. In further developing OPA, we strongly encourage NARA to provide the maximum possible electronic access to these vital records.

As organizations committed to transparency and access to government records, we consider public access to agency records an essential component of ERA. As you are well aware, the work of the federal government increasingly is conducted electronically. Agencies already have a massive storehouse of electronic records, and the size of ERA's holdings certainly will grow exponentially as it is deployed in the upcoming years. It goes without saying that the permanent electronic records of federal agencies, transferred by agencies to NARA for preservation, are of enormous value to the public. These records increasingly form the federal government's historical record and are essential to government accountability. Providing the public the maximum possible access to these records therefore is critical.

We are deeply concerned, though, that OPA does not currently provide public access to any ERA records. As you know, the current prototype searches NARA's online catalog, the archives.gov website, and a sample of electronic records. During the demonstration, Pamela Wright and Carol Lagundo indicated the prototype contains more than 15 million records, 157,000 of which are digital objects that can be displayed online. We understand, however, that none of these records are part of ERA, even though ERA's "Base" instance already contains more than 4.9 million files of permanent agency records from legacy migrations and new accessions. If OPA is to be the public's portal to ERA, we are confused why it does not, even as a prototype, search and provide public access to any ERA records. While OPA may become ERA's public access component in the future, at this point, it is a misnomer to describe it as such.

The lack of ERA records in the OPA is disappointing also because the OPA prototype demonstrated to our organizations appears to provide a straightforward interface that should make it easier for the public to find information about NARA's records and access at least some of them online. The search and results pages also appear to provide researchers more sophisticated tools. We understand NARA will be conducting usability testing with a number of

stakeholders over the next few months and that groups like ours will have the opportunity to work directly with the prototype. We look forward to participating in this testing, which will allow us to provide NARA better feedback.

We also have concerns that public access largely has been an afterthought for NARA in developing ERA and has been slow and riddled with problems. We understand a team at NARA recently began meeting to consider whether and how to provide public access to ERA records through OPA, but has not progressed very far. It is troubling that NARA is just starting to evaluate this issue, considering the significance of public access to ERA. During the demonstration, Ms. Lagundo referred to a number of problems with providing the public full access to ERA records through OPA, including that public availability would require costly duplication of storage, and that many of these records are not of strong interest to most members of the public. We acknowledge the technological challenges to making these records accessible to the public electronically and the financial constraints on NARA and ERA, but believe these issues can be overcome.

Public access is part of ERA's core mission and, through ERA, NARA has an opportunity to provide the public unprecedented access to federal government records. As NARA's develops its plan, we strongly urge that OPA provide the maximum possible electronic access to ERA agency records as they are ingested into ERA. Failure to provide the greatest possible electronic access to ERA records would be a failure for the promise of ERA.

NARA has been willing to work with us on other issues related to ERA, public access, and records management. We similarly hope to work cooperatively with NARA as it continues to develop OPA and plans for public access to ERA.

Sincerely,

Anne L. Weismann, Chief Counsel  
Citizens for Responsibility and Ethics in Washington

Patrice McDermott, Director  
OpenTheGovernment.org

Mary Alice Baish, Director  
Government Relations Office  
American Association of Law Libraries

Jessica McGilvray, Assistant Director  
Office of Government Relations  
American Library Association

Lee White, Executive Director  
National Coalition for History