Third time’s a charm

Three laws require lists of key federal IT systems -- it’s time agencies comply.

BY Patrice McDermott
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If President Clinton’s fiscal 2001 budget, due to be released today, is anything like past budgets, substantial investments in information technology and calls for improved IT management will be included.

One area that the White House should ask agencies to focus on this year is complying with three separate laws that require agencies to compile inventories of their information systems: the 1996 Electronic Freedom of Information Act (EFOIA) amendments to the Freedom of Information Act, the Paperwork Reduction Act and the Information Technology Management Reform Act.

The organization for which I work, OMB Watch, has just completed an updated study — "A People Armed?" — on the implementation of the EFOIA amendments. In our study, we found that there was widespread noncompliance with the amendments, particularly with the requirements that agencies provide an index of all their major information systems and a description of their major information and record locator systems.

Although some agencies have indexed some of their information systems — primarily, it appears, their Privacy Act systems — it is difficult to determine what has and has not been indexed and why. That’s partly a definition issue that lies on the Office of Management and Budget’s table (and is the subject of a lawsuit), but it also is indicative of a failure of agencies to take these requirements seriously.

Providing the kinds of information mandated by the EFOIA amendments would make it easier for the public to know what information the federal government creates, collects or maintains, and how it organizes that information.

Section 3511 of the Paperwork Reduction Act similarly requires the Office of Information and Regulatory Affairs at OMB to "cause to be established and maintained an...electronic Government Information Locator Service, which shall identify the major information systems...of each agency."
I do not need to revisit the dismal history of OMB on development of GILS but will note that it is largely moribund at the federal level, although not at the state and international levels.

It is worth noting that OMB’s bulletin on GILS — issued shortly before the Paperwork Reduction Act passed — instructed agencies to compile an inventory of their "automated information systems," which is quite different language from that of the statute.

Section 5403 of the Information Technology Management Reform Act requires that if an information technology system is to provide information to the public, an index of the information should be included in an electronic directory maintained by the superintendent of documents at the Government Printing Office.

Three well-known statutes — each requiring agencies to provide to the public, in an electronic format, an inventory of the information they collect — are largely ignored.

What better resolution for this millennial year than to come into compliance with these laws and, better still, give the public useful information about how its government operates?

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