

**Statement for the Record
Chairman Elijah E. Cummings**

H.R. 1582, Electronic Message Preservation Act

March 12, 2019

I rise in support of the Electronic Message Preservation Act. I introduced this bill with the goal of modernizing the Federal and Presidential Records Acts.

This bill would require the Archivist of the United States to issue regulations mandating that all federal agencies manage and preserve their email records electronically.

This bill would help ensure that email records from federal agencies and the White House are preserved.

According to a September 2018 report from the National Archives and Records Administration, approximately 35% of agencies continue to print and file hard copies of email messages.

This means that these records are more likely to get lost and that they are harder for the agency to retrieve during records searches under the Freedom of Information Act.

This bill would put into statute what agencies are already required to do under a directive issued by the Archivist and the Director of the Office of Management and Budget in 2012.

In 2016, the National Archives issued a document for agency records officers titled, “Why Agencies Need to Move Towards Electronic Recordkeeping.” The National Archives identified a number of reasons including long term cost savings, information security, and more efficient and effective implementation of the Freedom of Information Act.

This bill would also require the Archivist to establish standards for the preservation and management of email records that are presidential records and to certify annually that the White House has records management controls in place that meet those standards.

Under this bill, the Archivist must report one year after the president leaves office on whether the controls used by the president met the required standards.

This legislation would provide accountability to encourage every president to have the controls in place that are necessary to preserve emails and other electronic records.

This bill has passed the House with bipartisan support several times before, including last Congress. I urge my colleagues to support the bill again today and I hope the Senate will act on the bill and send it to the President’s desk before the end of the year.