

james howard

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Performance Oversight Committee
Columbia Association, Inc.
10221 Wincopin Circle
Columbia, Maryland 21044

Regarding Non-Disclosure Agreements with Advisory Committee Members

Madam Chair & Members of the Committee:

I respectfully disagree with the proposed blanket non-disclosure agreement with members of resident advisory committees. While I recognize there is a legitimate need to protect confidential information from public disclosure, there is a problem with the proposed policy.

The Columbia Association maintains a number of resident advisory committees. One purpose for this is to increase citizen awareness and participation. This inevitably leads to public discourse on the activities of each committee. A proposal to limit the ability of members to share information, both formally and informally, with their neighbors closes a window where the community feeling can be discovered outside of a hearing room.

Additionally, a number of persons have served on multiple committees, concurrently or otherwise. Members have shared specific information and knowledge gained from other committees with the Budget Committee in the past and that information has aided the Budget Committee in its review work. The proposed policy may be interpreted or used to prevent the sharing of information among the several committees of the CA and lead to a less rounded view of the larger picture.

I am a firm believer in public information and this has had two powerful effects on the activities of the Budget Committee during the past two years. The first is that I have made as much information possible available online.¹ This includes committee reports and for the first time last year, the minutes of the committee. This year, we have opened proceedings further by conducting email through a publicly available mailing list.²

The second effect is through an informal “cite it or prove it” rule, which I pushed during the FY 2007 committee, which has increased the value of the committee's work by showing how and why the committee's decision has been reached using sources available to the general public. In these cases, the openness of other organizations has increased the utility of the committee's work.

I do know that any other CA committee has adopted this degree of openness and that prohibits the public from seeing the good work of their assessment dollars and neighbors. But this has been feasible because the Budget Committee, during my tenure, has requested not to use

1 James Howard, “Columbia Association, Inc.,” <http://jameshoward.us/CA> (accessed September 11, 2007).

2 “Columbia Association Budget Committee | Google Groups,” <http://groups.google.com/group/ca-budget> (accessed September 11, 2007).

confidential information and has been able to achieve its ends through public information.

The proposed policy would curtail advancing openness by leaving members of committees first questioning if it is permissible to publicly state a given piece of datum. As a result, the broader community's opinion may be missed as the opportunity to discuss CA matters may be hindered.

I propose a more limited version of the policy.³ I request the policy be limited to specific instances of confidential information disclosure and a separate agreement referencing each occurrence be used on each occasion. I also request that, individually or as a committee, members should have the option of not being party to a confidential discussion. I recognize the bureaucratic overhead this would entail. However, I think it is important to the interests of community values, to remain as open and forthcoming with information as possible.

This letter has not been reviewed by, nor does it have approval of, the Budget Committee or any of its members. The opinions contained herein represent the views of the author alone. I submit this letter and am,

Yours respectfully,



James P. Howard, II

³ This is probably not practical for either the Audit Committee or Risk Management Committee, who may legitimately be subject to a broader non-disclosure agreement.