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Summary Report of Inspections of Departmental Federal
Records Management Programs
FY 2015 - FY 2018

National Archives and Records Administration
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Inspections of Departmental Federal Records Management Programs

INTRODUCTION

The National Archives and Records Administration (NARA) is responsible for assessing the proper management of records in all media within Federal agencies to protect rights, assure government accountability, and preserve and make available records of enduring value. Under 44 U.S.C. 2904(c)(7) and 2906, NARA has the authority to conduct inspections or surveys of the records and records management practices of Federal agencies for the purpose of providing recommendations for improvements.¹ The criteria for selecting agencies for inspection or records management program review include, but are not limited to, the results of an agency's annual records management self-assessment, the significance of certain records and the related business processes, the risk of improper management of records, and the presence of important issues that are relevant to management of Federal records in general.

From 2015 to 2018, NARA conducted a series of inspections of the records management programs for 11 of the 15 executive Departments. The series focused on Departments having component agencies with a designated Agency Records Officer (ARO), separate from the Department Records Officer (DRO), with the exclusion of the Department of Defense. Due to size and scope, the inspection of the Department of Defense and its services and offices are a separate series. The three Departments (Education, Housing and Urban Development, and State) that do not have component agency AROs are separate individual inspections scheduled for FY 2019.

The inspections in this series examined how well Departmental records management programs comply with Federal records management statutes and regulations. More specifically, these inspections focused on Departmental records management standards, policies, procedures, and practices and their impact on bureaus and offices. They also examined the controls Departments have in place to mitigate risks associated with non-compliant handling of records and information and to ensure that records management policies and procedures are implemented. For each individual inspection we specifically looked at how the Departmental records management program and the records management programs of the component agencies share, organize, communicate and cooperate with each other to develop and implement effective records management practices.

In addition to presenting NARA's key observations common to these departmental inspections for the benefit of the broader records management community, this report provides commitments from NARA and recommendations for Executive action by NARA and Federal agencies to mitigate records management risk and incorporate best practices where appropriate.

¹ Records Management by the Archivist of the United States (44 U.S.C. Chapter 29), <https://www.archives.gov/about/laws/records-management.html#2904>.

KEY OBSERVATIONS

Structure and Coordination

Structure and coordination varies within the Departments impacting the effectiveness of individual programs differently depending on the roles and responsibilities assigned to the Department Record Officers (DRO).

Federal regulations require all agencies to assign records management responsibility to a person who will coordinate and oversee the records management program (36 CFR 1234(a)). For Departments this person is the DRO, and for component agencies within a Department it is the Agency Records Officer (ARO). There are no specific regulations covering how the DRO should interact with AROs to ensure successful implementation of a records management program, or distinguishing roles and responsibilities between these two positions, or staffing levels. Therefore all of these vary to some degree within Departments. However, for the most part, the DROs are responsible for creating policy and guidance based on NARA regulations, policies and guidance, and their own departmental framework. (See Figure 1 below for individual Department structures and coordination.)

Federal Departments - Overview and Coordination						
Agency	Organizationally located	Staffing - Department Level Only		Degree that DRO sets policy and guidance	Department oversees or controls component actions	Degree of Coordination between AROs led by DRO
		Federal	Contractor			
Agriculture	Office of the Chief Information Officer	1	0	●	○	◐
Commerce	Office of the Chief Information Officer	1	0	●	○	◐
Energy	Office of the Chief Information Officer	3	2	●	◐	◐
Health and Human Services	Office of the Chief Information Officer	2	0	●	○	◐
Homeland Security	Office of the Chief Information Officer	1	3	●	◐	●
Interior	Office of the Chief Information Officer	1	0	●	◐	●
Justice	Justice Management Division (JMD)	5	6	●	◐	●
Labor	Business Operations Center	1.5	0	●	◐	●
Transportation	Office of Chief Information Officer - Office of Privacy	1.5	0	●	◐	●
Treasury	Assistant Secretary for Management	6	0	●	◐	◐
Veterans Affairs	Office of the Assistant Secretary for IT	3	1	◐	○	◐
KEY						
Full		●				
Some or building in progress		◐				
None		○				

Figure 1: Structure and Coordination

Records Management Program Support

Most of the Departments have some degree of support from senior leadership, but in most cases there is still a need for more engagement at this level.

A critical role for Federal records management programs is the Senior Agency Official for Records Management (SAORM). The SAORM role is intended to bring senior management support to Federal records management programs. Based on NARA's observations the SAORM role has not been fully established or utilized effectively to coordinate the agency's records management program with other related disciplines, such as information security, risk management, data management, and knowledge management.² (See Figure 2 below indicating the level of support for each Department.)

Federal Departments - Senior Leadership and Support			
Agency	Position or title	Level of SAORM Engagement	Senior Leadership Support
Agriculture	Assistant Secretary for Administration	●	●
Commerce	Chief Information Officer (Acting)	●	●
Energy	Chief Information Officer	●	●
Health and Human Services	Vacant	○	●
Homeland Security	Chief Information Officer	●	●
Interior	Chief Information Officer	●	●
Justice	Deputy Assistant Attorney General for Policy, Management, and Planning	●	●
Labor	Deputy Assistant Secretary for Operations (Acting)	●	●
Transportation	Departmental Chief Privacy & Information Asset Officer	●	●
Treasury	Assistant Secretary for Management	●	●
Veterans Affairs	Executive in Charge, Office of Information and Technology, Chief Information Officer	●	●
KEY			
SAORM engaged, full senior leadership support			●
SAORM building role, building senior leadership support			●
SAORM more support needed, some senior leadership support			●
No SAORM, other senior leadership support lacking			○

Figure 2: Senior Leadership and Support

² NARA Bulletin 2017-02, *Guidance on Senior Agency Officials for Records Management*, <https://www.archives.gov/records-mgmt/bulletins/2017/2017-02.html>.

Records Management Fundamentals

Records management fundamentals including directives, retention schedules, policies and guidance, and training programs are out of date, or in draft and in need of approvals and implementation, plus program evaluations are inconsistent or not regularly conducted.

The majority of Departments had records management directives, retentions schedules, and policies and guidance that needed updating or were still in draft status and needed to be formally approved. It is critical for Departmental records management guidance to reflect the most current requirements on managing electronic records including: email, information systems, records and information in cloud environments, social media and other electronic applications such as chat, texts, and collaboration tools. With Departmental guidance in place, component agencies will have the necessary policy and guidance they need when using Department-wide systems and to incorporate into any operating at the component agency level. It is even more critical where smaller component agencies in Departments do not develop internal agency policies and rely on the Department to provide current policy and guidance. Updated directives and retention schedules are not just a regulatory requirement -- they also serve as the foundation for any records management program. They provide management support and direction that enable agencies to enact the legal authority approved by the Archivist of the United States to properly dispose of temporary records and to transfer permanent records to NARA. To assist all Federal agencies in this area, NARA has issued FAQs, Bulletins, and regulations and specifically for ERM, NARA developed the Universal Electronic Records Management (ERM) requirements.³

Most of the Departmental programs either did not have an up-to-date strategic plan, performance measures, and internal controls for their records management programs or they were not fully implemented.

Effective programs of all types have strategic plans, performance measures and internal controls. While there is no NARA regulation specifically requiring that records management programs have strategic plans, OMB requires all agencies to incorporate strategic planning into the program structure. Records management programs should be treated on the same level as other programs and have these requirements built into their structures. OMB Circular A-130 also includes specific requirements related to strategic elements of records management programs.

³ The Universal ERM Requirements identify high level business needs for managing electronic records. They are baseline ERM program requirements derived from existing NARA regulations, policy, and guidance. They are a starting point for agencies to use when developing system requirements. Records management staff should work with acquisitions and IT personnel to tailor any final system requirements. The document contains an abstract, list of lifecycle requirements, list of transfer format requirements, and a glossary. <https://www.archives.gov/records-mgmt/policy/universalerrequirements>.

Departments were not conducting regular, formal records management inspections, evaluations, assessments or audits as required by 36 CFR 1220.34(j), nor were Departments assuring that their component agencies were conducting these inspections.

Auditing and/or evaluating any program's implementation is essential for determining not only compliance with regulations, policies, procedures, and guidance, but also the effectiveness of the program itself. For records management programs, records impact every aspect of an agency. Therefore, measuring and ensuring its full implementation is critical.

The lack of records management inspection programs within Departments is concerning. Without conducting formal inspections, documenting the results, and monitoring the implementation of recommendations, it is difficult for records officers to know how records management is practiced throughout an agency, to identify areas of non-compliance, and to mitigate risks of non-compliance. Without any kind of evaluation of records management program implementation, Departments and agencies cannot determine the effectiveness of their policies, procedures, and internal controls, or have other assurances that their records are being created, maintained and available for access.

Records management training, where it exists, is generic or high-level in nature and is not tailored to Department or component agency policies or unique records or staffing levels (36 CFR 1220.34(f)), and is not part of Departmental or component agency-level mandatory training programs.

Federal regulations require agencies to provide records management guidance and training to all personnel (36 CFR 1220.34(f)). Further regulatory requirements state that employees be provided with guidance "on *agency* records disposition requirements and procedures" [emphasis added] (36 CFR 1224.10(e)). When NARA found Departmental records management training did not meet requirements, it was often for lack of customization of the training product. An example of agency-specific content can include describing how records are maintained and filed in the agency and how to implement agency-specific disposition schedules. Specific examples and minimum requirements for agency records management training programs are provided in NARA Bulletin 2017-01: *Agency Records Management Training Requirements*.⁴ The Bulletin identifies who must take records management training and how often this training must be provided. (See Figure 3 below describing the how each of the Departments are managing these fundamentals.)

⁴ NARA Bulletin 2017-01, <https://www.archives.gov/records-mgmt/bulletins/2017/2017-01-html>.

Federal Departments - Records Management Fundamentals						
Agency	RM Directive	RM Retention Schedules	Policies procedures	Manuals or Handbooks	Program Evaluations	RM Training
Agriculture	●	●	●	●	○	◐
Commerce	◐	○	◐	◐	○	◐
Energy	●	●	●	●	○	○
Health and Human Services	◐	◐	◐	◐	●	●
Homeland Security	◐	◐	◐	◐	●	●
Interior	◐	◐	◐	◐	◐	
Justice	●	●	●	●	●	◐
Labor	◐	◐	◐	◐	◐	◐
Transportation	◐	◐	◐	◐	○	◐
Treasury	◐	◐	◐	◐	◐	◐
Veterans Affairs	○	○	○	○	○	○
KEY						
Up-to-date, approved and implemented, periodic evaluations conducted, RM training is comprehensive and mandatory						●
Approved but not fully implemented, needs minor updates, evaluations are conducted but not routinely, RM training is high level and mandatory						◐
Missing key elements or not coordinated at Department level, in draft, or partially in place, evaluations are ad hoc, RM training is available but incomplete						◐
Out of date or none, evaluations are not done, RM training is ad hoc or not available						○

Figure 3: Records Management Program Fundamentals

Electronic Records Management and Email

Electronic records management, including email management, requires more conscious effort to integrate with information governance, stewardship, and information technology to be successful.

Electronic records management, including email management, continues to be the biggest challenge for all Federal agencies. NARA found in most inspections some deficiencies in how Departments were meeting requirements around the management of electronic records. Most Departments needed to make improvements or updates to policies and guidance related to the management of electronic records.

There were also concerns regarding electronic information systems and the integration of records management into systems development. In addition, NARA found that Departmental records management programs were not sufficiently involved in the systems development life cycle.

When it comes to email management, Departments are, for the most part, implementing the Capstone approach and enterprise-wide email systems.⁵

Under 36 CFR Chapter XII, Subchapter B, Records Management Subpart B, and revised OMB Circular A-130, agencies must incorporate records management into the design, development, and implementation of information systems. Under these authorities, and specifically 36 CFR Part 1236, agencies must establish RM policies, procedures and controls that ensure that Federal records in electronic information systems can provide adequate and proper documentation of agency business for as long as the information is needed.

Records management is not fully incorporated into information management plans and processes.

OMB Circular A-130 requires that Information Resource Management (IRM) plans incorporate records management.⁶ NARA found that the majority of IRM plans did not identify records management as a key element of information management and governance. The ones that did incorporate records management requirements were not being fully implemented. In not meeting the IRM records management requirements, Departments risk that records in electronic systems may not be managed appropriately. (See Figure 4 below showing how well each Department is handling electronic records management.)

⁵For more information on how Departments are managing email see: <https://www.archives.gov/records-mgmt/resources/email-mgmt-reports> and <https://www.archives.gov/records-mgmt/resources/saorm-reports>.

⁶OMB Circular A-130, Managing Information as a Strategic Resource, <https://www.federalregister.gov/documents/2000/08/16/00-20764/authority-and-responsibilities-for-implementation-of-the-paperwork-reduction-act-of-1995-pub-l>.

Federal Departments - Electronic Records Management

Agency	RM Integration into IT Processes	RM included in IT strategic planning	Email Management	Electronic Records Management Framework
Agriculture				
Commerce				
Energy				
Health and Human Services				
Homeland Security				
Interior				
Justice				
Labor				
Transportation				
Treasury				
Veterans Affairs				
KEY				
RM and IT fully integrated, RM included in IRM, Email management in place and				
RM and IT mostly integrated, IRM plan recognizes RM, Email management pending				
RM and IT partial integration, email management and the ERM framework are				
No RM and IT integration, Email management lacking progress, ERM framework				

Figure 4: Electronic Records Management and Email

RECOMMENDATIONS FOR EXECUTIVE ACTION

Based on the observations and data collected by NARA inspection teams, this report makes the following commitments for action by NARA and recommendations for Federal agencies.

What NARA will do:

- Have policies and processes in place to support Federal agencies' transition to fully electronic recordkeeping.
- Continue its efforts to provide policy and guidance for electronic records management, information stewardship, and governance.
- Enhance its support of Federal agency records management officials with effective policies, modern tools, and new services to support the transition to electronic records.
- Develop Federal records management requirements and work with Federal and commercial vendors to incorporate the requirements into software applications and cloud offerings.
- Work with agencies and the private sector to build capacity for mass digitization of analog records and transition storage of temporary analog records to the private sector.
- Provide reasonable and independent assurance that agencies are complying with relevant laws and regulations.
- Establish appraisal, scheduling, and pre-accessioning processes that reflect modern electronic records management.
- Redesign records management training to assist agencies in building a records management workforce that is skilled in electronic records and data management.
- Establish clear policy on digitizing permanent records and the appropriate disposition of analog originals.
- Define more clearly the roles and responsibilities for Department Records Officers and their relationships with Agency Records Officers.
- Identify and share best practices that promote coordination and cooperation between Departments and Agency Records Officers as a way to improve their records management programs.
- Continue to advance the role of the SAORM through regular communication, including meetings between NARA and the SAORM, individually and as a group.
- Provide policy and guidance on the creation and maintenance of records management directives and policies.

What Departments must/should do:

The following general recommendations, if addressed, will improve Department records management programs:⁷

- Departmental SAORMs should consider establishing a SAORM within component agencies in order to expand their reach into component agencies. The creation of a Department SAORM Council or community of interest would be beneficial for identifying records management challenges, needs, and otherwise have a more effective impact on improving records management department-wide.
- Departmental SAORMs must ensure that records management directives and policies are created, reviewed for updates periodically, and formally approved. (36 CFR 1220.34(c))
- Departments and agencies must incorporate records management into information technology development, information and/or data stewardship and governance. (36 CFR 1236.2 and 1236.10)
- Departmental SAORMs should establish performance standards and measures for records management.
- Departmental Records Officers must establish performance goals, plans, and measures at the Department level, and assist their Agency Records Officers in establishing them within the components (36 CFR 1222.26(e))
- Departments and component agencies must establish evaluation, inspection or audit programs for their records management programs. (36 CFR 1220.18)
- Department Records Officers must develop training programs based on Department-wide policies, procedures, records retention schedules, and other Department-specific information, and assist Agency Records Officers in developing the same at the component level. (36 CFR 1220.23(f))
- Departments must plan and execute the transition to electronic recordkeeping, where hard copy or wet signature is not required by the laws and statutes that govern their existence.

⁷ For specific and more comprehensive recommendations per each participant, see individual reports at: <https://www.archives.gov/records-mgmt/resources/rm-inspections>.

Participating Agencies

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service
Agricultural Research Service
Animal and Plant Health Inspection Service
Department Level/Headquarters RM Program
Economic Research Service
Farm Service Agency
Food and Nutrition Service
Food Safety and Inspection Service
Foreign Agricultural Service
Grain Inspection, Packers and Stockyards
Administration
National Agricultural Statistics Service
National Institute of Food and Agriculture
Natural Resources Conservation Service
Office of the Chief Information Officer
Risk Management Agency
Rural Development Agency
US Forest Service

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis
Bureau of Industry and Security
Department Level/Headquarters
Economic Development Administration
Economics and Statistics Administration
International Trade Administration
Minority Business Development Agency
National Institute of Standards and Technology
National Oceanic and Atmospheric
Administration
National Technical Information Service
National Telecommunications and Information
Administration
Office of Inspector General
Office of the Secretary
US Census Bureau
US Patent and Trademark Office

DEPARTMENT OF ENERGY

Bonneville Power Administration
Department Level/Headquarters
Energy Information Administration
National Nuclear Security Administration
Southeastern Power Administration
Southwestern Power Administration
Western Area Power Administration

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families
Administration for Community Living
Agency for Healthcare Research and Quality
Centers for Disease Control and Prevention
Centers for Medicare & Medicaid Services
Department Level/Headquarters
Food and Drug Administration
Health Resources and Services Administration
Indian Health Service
National Institutes of Health
Office of the Secretary, Operations Staff
Substance Abuse and Mental Health Services

DEPARTMENT OF HOMELAND SECURITY

Department Level/Headquarters
Federal Emergency Management Agency
Federal Law Enforcement Training Center
Transportation Security Administration
US Citizenship and Immigration Services
US Coast Guard
US Customs and Border Protection
US Immigration and Customs Enforcement
US Secret Service

DEPARTMENT OF JUSTICE

Office of Records Management
Policy/Department Level
Drug Enforcement Administration
Executive Office for United States Attorneys
Federal Bureau of Investigation
Federal Bureau of Prisons
Office of Justice Programs
US Marshals Service

DEPARTMENT OF LABOR

Adjudicatory Boards
Bureau of International Labor Affairs
Bureau of Labor Statistics
Department Level/Headquarters
Employee Benefits Security Administration
Employment and Training Administration
Mine Safety and Health Administration
Occupational Safety and Health Review
Commission
Office of Administrative Law Judges
Office of Congressional and Intergovernmental
Affairs
Office of Disability Employment Policy
Office of Federal Contract Compliance
Programs
Office of Inspector General
Office of Labor-Management Standards
Office of Public Affairs
Office of the Assistant Secretary for
Administration and Management
Office of the Assistant Secretary for Policy
Office of the Chief Financial Officer
Office of the Ombudsman
Office of the Secretary
Office of the Solicitor
Office of Workers' Compensation Programs
Veterans' Employment and Training Service
Wage and Hour Division
Women's Bureau

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs
Bureau of Land Management
Bureau of Ocean Energy Management
Bureau of Reclamation
Bureau of Safety and Environmental
Enforcement
Department Level/Headquarters
National Park Service
Office of Surface Mining Reclamation and
Enforcement
Office of the Secretary
Office of the Special Trustee for American
Indians
US Fish and Wildlife Service
US Geological Survey

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau
Bureau of Engraving and Printing
Bureau of the Fiscal Service
Department Level/Headquarters
Financial Crimes Enforcement Network
Internal Revenue Service
Office of the Comptroller of the Currency
United States Mint

DEPARTMENT OF TRANSPORTATION

Department Level/Headquarters
Federal Aviation Administration
Federal Highway Administration
Federal Motor Carrier Safety Administration
Federal Railroad Administration
Federal Transit Administration
Maritime Administration
National Highway Traffic Safety Administration
Office of Inspector General
Office of the Secretary
Pipeline and Hazardous Materials Safety
Administration
Saint Lawrence Seaway Development
Corporation
Surface Transportation Board

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Veterans Benefits Administration
Veterans Health Administration



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