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RECORDS MANAGEMENT OVERSIGHT ACTIVITIES
JULY 1, 2020 THROUGH DECEMBER 31, 2020

Semi-Annual Report

National Archives and Records Administration
March 16, 2021

Records Management Oversight Activities Semi-Annual Report July through December 31, 2020

INTRODUCTION

This report shares recurring themes, key observations, and recommendations for action identified by the Records Management Oversight and Reporting program of the Office of the Chief Records Officer through various oversight activities completed July 1 through December 31, 2020.

During this timeframe, and continuing into CY 2021, the COVID-19 pandemic required us to be more flexible in adapting our processes from in-person site visits to virtual meetings and video conferences. While there may have been some information that we were unable to gather, we believe we were still able to effectively conduct oversight of Federal records management, identify trends and address challenges.

We conduct oversight through inspections including tracking plans of corrective actions (PoCAs), assessments on various records management topics, analysis of annual reports submitted by federal agencies, and tracking of unauthorized dispositions allegations.

During this time frame we completed:

- Federal Agency Records Management Annual Reporting covering 2019 activities
- An assessment of Big Bucket Schedules Implementation
- Established a new oversight activity, Electronic System Audits
- Office of the Secretary of Defense records management program inspection

We also continued our tracking and monitoring of:

- Allegations of Unauthorized Disposition of Federal Records
- Plans of Corrective Action (PoCAs)

For further information on each of the above reports, along with all other previously issued agency inspection and assessment reports, and the tracking of allegations of unauthorized disposition of Federal records, please visit the [Unauthorized Disposition web page](#).

TRENDS

The data from NARA's oversight activities indicate that records management programs across the federal government have much in common in terms of compliance with federal records management statutes and regulations.

While we find similar challenges and areas of non-compliance in most of our oversight activities, the ones specific to projects completed during the time frame of this report include:

- Difficulties in implementing retention schedules (particularly big bucket schedules, but not limited to this type);
- Allegations of unauthorized disposition due to senior officials' misuse of personal email/calendars;
- Agencies lack internal controls for records management; and
- Plans of Corrective Action, created by agencies after inspections, and related progress reports have action items pertaining to:
 - The need to update policies and procedures
 - Records management training
 - Records scheduling
 - Strategic planning
 - Program implementation
 - Defining roles and responsibilities in carrying out records management

Currently, there are 570 total recommendations, 99 of which have been individually closed in our PoCA tracking system. The two primary focus areas for the majority of inspections - electronic records management (including email) and handling permanent records - are included within each of the above general categories.

- The [2019 Federal Records Management Annual Report](#), published in September 2020, found that:
 - Agencies are working on transitioning to maintaining all records in electronic formats.
 - Most records are being created in electronic formats but policies, procedures, and retention schedules have not been consistently updated accordingly.
 - The volume of electronic records and the number of electronic information systems across the federal government is the biggest challenge to preservation of electronic records.
 - The transfer of permanent records, particularly electronic records, is challenging and is not being done consistently.

KEY OBSERVATIONS AND BEST PRACTICES

In reviewing the data from our most recently completed projects, we found common challenges, best practices, and some noteworthy observations.

Big Bucket Schedule Implementation Assessment: NARA conducted an assessment of eight agencies, including one department and three of its bureaus, pertaining to the implementation of big bucket schedules. Agencies were selected based upon the existence of active big bucket schedules used by their agency to manage records disposition authorities. The participating agencies were:

- Bureau of Ocean Energy Management
- Bureau of Safety and Environment Enforcement
- Department of Interior
- National Archives and Records Administration (Corporate Records Management)
- National Institutes of Health
- National Park Service
- Pension Benefit Guaranty Corporation
- Presidio Trust

Overall, the assessment found while the big bucket schedules have reduced the number of disposition authorities to be managed, each agency identified implementation as a challenge across their agencies at the office or program levels.

Office of the Secretary Defense Records Management Program Inspection:

This was the only inspection completed during this time frame. The findings and recommendations are consistent with what we have found in other agencies, reported in previous reports and mentioned above under PoCA tracking. However, OSD does have two practices noted in their inspection report that are worth repeating here.

- Evaluations of Records Management Programs: OSD's process and methodology for conducting internal RM evaluations is the best NARA has seen of any DoD agency inspected to date, and could serve as a model within DoD and other Federal agencies. They are thorough, effective, and the feedback from many of the components evaluated has been positive. In addition, the continuous tracking of corrective actions and follow-up helps ensure improvements are made, and that the components meet Federal requirements and minimize risk to records.
- Capture of Executive Level Records. OSD has an established Executive Archives (EA). The EA has proven to be an effective and efficient tool for capturing the records of the current and former Secretary and Undersecretaries of Defense and locating records for FOIA or legal purposes. However, we did recommend that OSD develop specific policies and procedures for the transfer and storage of records into the archive by OSD components; and develop a mechanism within EA to show how and when dispositions have been applied to records maintained in the repository.

New Electronic Systems Analysis Team:

The Systems Analysis Team, after an internal pilot and research into Federal systems development and implementation, anticipates agencies will continue to face electronic record management challenges with regards to:

- Third-party service providers and contractors;
- Ensuring the trustworthiness of electronic records, particularly electronic communications;
- Management and preservation of encrypted records, and records containing hyperlinked information; and,
- Implementing the five components of internal control from the [Government Accountability Office's Standards for Internal Control in the Federal Government](#) into the electronic records lifecycle.

UPCOMING OVERSIGHT ACTIVITIES

The following oversight activities are expected to be completed in calendar year 2021.

- Federal Executive Secretariat Records Management Inspection
- Permanent Records of the Department of Energy Inspection
- Board, Commissions, and Foundations Records Management Programs Inspection
- Permanent Records of Selected Regulatory Agencies Inspection
- American Battle Monuments Commission Records Management Inspection
- Assessment of Self-Evaluations by Federal Agencies
- Assessment of History Collections in Federal Agencies

RECOMMENDATIONS FOR EXECUTIVE ACTION

Proper records management supports government accountability and allows agencies to create and retrieve information required in order to accomplish mission goals. NARA is committed to working with federal agencies to improve records management across the government to advance these important goals.

NARA makes the following new recommendations for Senior Agency Officials for Records Management (SAORM):

- Provide leadership for records management programs to ensure records are properly scheduled and implemented.
- Ensure that actions agreed to in any Plans of Corrective Action are implemented, and progress reports are submitted to NARA at least semi-annually until completed.
- Ensure the agency notifies the Archivist of the United States of any actual, impending, or threatened unlawful removal, defacing, alteration, corruption, deletion, erasure, or other destruction of records in the custody of the agency. in accordance with 36 CFR 1230.
- Provide leadership in the development and enforcement of internal controls that prevent or mitigate against the unauthorized disposition of federal records.

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- Review and approve the annual submission of the required reports on the status of the records management program (i.e., SAORM Report, the Records Management Self-Assessment, and Federal Electronic Records and Email Management Maturity Model).
 - Provide leadership to ensure the trustworthiness of electronic records and email by promoting best practices, and adherence to regulations, policies and standard procedures.
 - Promote contract management that safeguards preservation of electronic records in addition to other systems security measures (including cybersecurity).

NARA makes the following recommendations for Agency Records Officers and others responsible for implementing agency records management programs:

- Update draft directives, retention schedules, policies and guidance, and training programs.
- Review and update records management strategic plans, performance measures, and internal controls, and ensure their proper implementation.
- Schedule all records in accordance with 36 CFR 1225.
- Conduct routine evaluations, assessments, and audits of the implementation of records management programs, and document findings and recommendations in a written report.
- Improve efforts to transfer eligible permanent records to NARA, regardless of format, and particularly paper records between 2019 and 2022.
- Evaluate the ability to transfer permanent records and work with NARA as needed to execute these transfers.
- To ensure compliance, issue policies and procedures, and train staff on the retention of records created through electronic communications including text messages, chat, and other messaging platforms or applications, such as social media.

The following is a list of what NARA is committed to doing to facilitate improvements in records management across the federal government.

- Provide reasonable and independent assurance that agencies are complying with relevant laws and regulations.
- 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.
- Establish clear policy on digitizing permanent records and the appropriate disposition of analog originals.
- Identify and share best practices that promote coordination and cooperation between agencies and Agency Records Officers as a way to improve their records management programs.

CONCLUSION

The challenges facing federal records management programs remain fairly consistent and can only be faced with concerted effort and leadership. The purpose of publishing specifics from our oversight activities semi-annually is to provide information about our activities and identify commonalities, particularly, for those agencies that have not yet been inspected or otherwise engaged with us. We encourage Senior Agency Officials for Records Management, other Senior Agency Officials, as well as Agency Records Officers and other Records Managers, to use this information to identify where they may have similar issues and proactively make adjustments.