



NATIONAL
ARCHIVES

OFFICE *of the*
CHIEF RECORDS
OFFICER

**RECORDS MANAGEMENT OVERSIGHT ACTIVITIES
JULY 1, 2021 THROUGH DECEMBER 31, 2021**

Semi-Annual Report

National Archives and Records Administration
March 2022

Records Management Oversight Activities Semi-Annual Report July 1, 2021 through December 31, 2021

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, 2021.

During this time frame 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 programs, 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 and related agency reports.

During this six-month period we completed:

Multi-Agency Inspections

- Management of Permanent Regulatory Records
- Board, Commissions, and Foundations Records Management Programs

Single Agency Inspections

- American Battle Monuments Commission (ABMC)

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 and reports of [unauthorized disposition](#) of federal records, please see our website located at <https://www.archives.gov/records-mgmt>.

We also continued our tracking and monitoring of Plans of Corrective Action (PoCAs). As of December 31, 2021, NARA is actively working with agencies on 52 open PoCAs with 608 total recommendations. From this total, 173 recommendations have been closed as a result of agency action.

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:

- Many agencies, particularly small or micro-agencies, do not have the basic fundamentals necessary for a compliant and functional records management program. These fundamentals include physical and intellectual controls that enable agencies to know:
 - what types of records are being created and maintained,
 - where they are located when needed for decision-making and government accountability, and
 - ensuring their access and availability throughout the records lifecycle.

If these fundamentals are not in place or are not implemented properly, records are at risk of being lost or mishandled, making them inaccessible to decision makers and others.

- Records management policies, procedures and retention schedules are outdated and do not meet current business needs.
- While agencies largely conduct business electronically, paper business processes remain in place for a variety of reasons, including federal regulations requiring wet signatures, public accessibility reasons, redundancy, and agency culture.

Overall, the subjects cited most often in inspections, assessments, and systems audits are illustrated in the chart below:

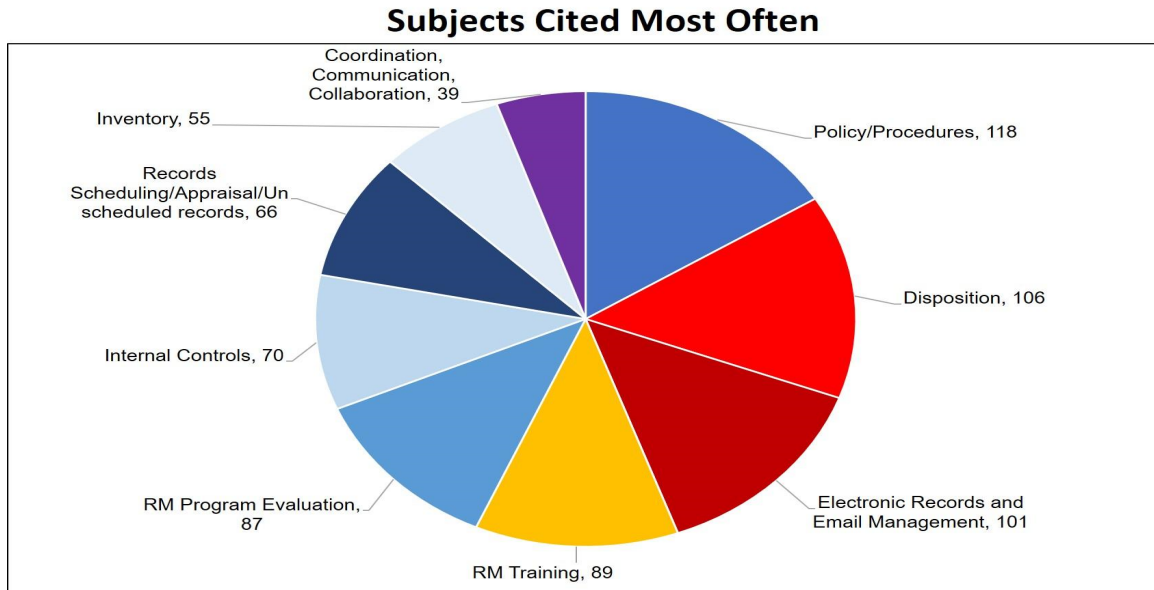


Figure 1: Findings and Recommendations cover these subjects most often 2011-2021

SUMMARY OF OVERSIGHT ACTIVITIES

- **American Battle Monuments Commission (ABMC)**

The purpose of this inspection was to examine ABMC’s compliance with RM laws, regulations, and policies, with particular attention to email and electronic records, records scheduling and implementation, and RM training. This inspection focused on ABMC’s RM standards, policies, procedures, and practices at its headquarters in Washington DC, foreign field office in Paris, France, and cemeteries and monuments worldwide. It also examined the controls ABMC’s headquarters has implemented to mitigate risks associated with non-compliant handling of records and information and to ensure that all RM policies and procedures are effectively implemented and followed throughout all ABMC locations.

The ABMC RM program is in the early stages of re-development and exhibits many of the trends noted above. However, they have adopted a rapid deployment of new information technology tools as part of its defined Information Technology Modernization initiative and an Information Resource Management (IRM) Strategic Plan 2021-2023 that indicates a commitment to making records and information management a priority.

- **Federal Boards, Commissions, and Foundations Records Management Programs**

NARA conducted a multi-agency inspection to determine the current state of RM programs in small or micro-agencies and to validate responses to the Records Management Self-Assessment (RMSA), Federal Electronic Records and Email Management Maturity Model Report, and Senior Agency Official for Records Management (SAORM) annual reports. The intent was to examine compliance with federal records management statutes and regulations, and to determine whether the RM foundations that these agencies have in place provide adequate assurances of managing

records appropriately that is not necessarily reflected in their annual reporting data. NARA also wanted to assess the ability of these agencies to manage permanent electronic records in an electronic format, plans to digitize or convert analog records, and the transfer of permanent records to the National Archives.

Boards, Commissions, and Foundations selected for this inspection are representative of the specific approaches, challenges and risks common among agencies with 1-99 FTE, have board members, commissioners, or similar-type positions that provide oversight and advisory services, including decision-making, regarding matters related to agency missions.

They also have the following in common:

- Their missions are narrowly-focused.
- The volume of records created is generally low.
- There is some organization to their files, both paper and electronic, that enables easier retrievability for records creators.
- They use shared service providers to manage administrative records (such as Human Resources, payroll and travel).
- The Agency Records Officers tend to have many other responsibilities and spend between 5% to 25% of their time on RM, with the majority being closer to 5%.

This inspection determined that federal RM regulations (which the RMSA is based on) are not always written in language that allows micro-agencies to readily see themselves within these requirements. For example, due to their small agency size and record volume, micro-agencies may not always need specialized RM applications for managing their records that a larger agency might need to be efficient and effective. Maintaining records in a shared drive, if managed appropriately, may be sufficient. The agencies indicated that they were sometimes overwhelmed by the regulations and struggled with knowing where to begin. For these and other micro-agencies, having a few RM fundamentals related to the intent of the regulations could be enough to establish and maintain their RM programs.

Over the course of this inspection, we found some basic fundamentals of a records management program were lacking. These include findings that agencies:

- Do not have RM policies and procedures, or they are outdated or in draft form,
- Lack RM training for staff and board members,
- Lack comprehensive inventories of records in all formats and other governance necessary for intellectual control,
- Have unscheduled records and/or have records schedules that need updating; and
- Are not routinely transferring permanent records to the National Archives.

- **Management of Permanent Regulatory Records**

NARA inspected the management of permanent regulatory, rulemaking and enforcement records by six agencies. NARA selected these agencies and the records they maintain due to their importance to federal guidance and oversight of financial institutions, markets, and economic sectors of the United States financial system. The purpose of this inspection was to examine compliance with federal records management statutes and regulations relating to permanent records and to assess the effectiveness of related records management policies and procedures. In particular, the inspection focused on the creation, management, and transfer of permanent regulatory, rulemaking and enforcement records with an emphasis on email and other electronic records, agency policies, procedures, training, and records schedule implementation. NARA further assessed the ability of these agencies to manage permanent electronic records in an electronic format, plans to digitize or convert analog records, and transferring permanent records to the National Archives.

Over the course of this multi-agency inspection, we found that the agencies:

- Lack records schedules covering email or the schedules need to be updated,
- Lack internal controls for the application of selection criteria for significant permanent case files designated in NARA-approved records schedules; and
- Are not routinely transferring permanent records to the National Archives.

There were some noteworthy practices that would be of interest and benefit to other federal agencies including:

- Senior Agency Officials for Records Management (SAORM) are working with agency RM and Information Technology staff to improve interaction, increase awareness, impact strategic direction and gain support from other senior agency leadership.
- Coordination with RM stakeholders during the Systems Development Life Cycle (SDLC) is built into agency policies, procedures, and/or guidance, which helps ensure permanent records are being created and managed properly throughout the records lifecycle.
- RM training is required annually through policy and/or in strategic planning documentation with basic RM training provided to both staff and contractors.
- Specialized or role-based training is offered for senior officials and records liaisons.

RECOMMENDATIONS FOR EXECUTIVE ACTION

Overall, the challenges facing federal records management programs remain fairly consistent and can only be resolved 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.

NARA makes the following recommendations for Senior Agency Officials for Records Management (SAORM) to consider based on the oversight activities covered by this report:

- Agencies must develop procedures to regularly review their internal controls for implementing records management program policies and recordkeeping requirements the same as any other program. (36 CFR 1226.10, OMB A-123 and A-130)
- Agencies must conduct and maintain inventories of what records are created and where they are maintained regardless of format (36 CFR 1225.12(b))
- Agencies that have board members or similar advisory roles must create and disseminate RM policies and/or guidance for staff and board members (and similar roles) to ensure that roles and responsibilities are clear, and that records are being captured, maintained, transferred, and dispositioned according to federal RM requirements. (36 CFR 1220.34(c) and 36 CFR 1222.26(e))
- Agencies must maintain up-to-date policies and records schedules for managing email (36 CFR 1230.34 (g))
- Establish a routine process by policy or procedure to review schedules for obsolete information and identify new or unscheduled records that need to be added to ensure schedules accurately reflect agency mission and procedures. (36 CFR 1220. 34(g) and 36 CFR 1225.22)
- Agencies must create and implement records management training programs for all staff and contractors (36 CFR 1224,10.(e) and NARA Bulletin 2017-01)

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.

UPCOMING OVERSIGHT ACTIVITIES

The following oversight activities are expected to be completed in calendar year 2022

Federal Agency Records Management Reports covering CY 2021

Multi-Agency Inspections

- Permanent Records within the Department of Treasury
- Permanent Records within the Department of Agriculture
- Records of Federal Executive Secretariats

Single Agency Inspections

- Farm Credit Administration

Assessments

- Chief Data Officers, Data Management Plans and Records Management Relationships
- Inter-Agency Collaboration Applications
- Implementation of Selection Criteria for Permanent Records
- Video Surveillance Records

Systems Audits

- Email and Calendar Records of Selected Agencies



NATIONAL
ARCHIVES

OFFICE *of the*
CHIEF RECORDS
OFFICER