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Department of Agriculture
Records Management Program

Records Management Inspection Report

National Archives and Records Administration
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**DEPARTMENT OF AGRICULTURE
RECORDS MANAGEMENT PROGRAM**

INSPECTION REPORT

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.¹ In this capacity, and based on authority granted by 44 United States Code (U.S.C.) 2904(c)(7) and 2906, NARA conducted an inspection of the Department of Agriculture (USDA) Departmental records management (RM) program in February 2017.

The purpose of this inspection was to examine how well the USDA records management (RM) program and USDA agencies and office RM programs communicate and coordinate to develop and implement effective records management throughout the Department as a whole in compliance with Federal records management statutes and regulations.

This inspection focused specifically on RM standards, policies, procedures, and practices at the Department level and their impact on agencies and offices. It also examined the controls the Department has implemented to mitigate risks associated with non-compliant handling of records and information and to ensure that Department policies and procedures are effectively implemented. The USDA agencies and offices were not the focus of this inspection and are included here only to the extent that they intersect with, and to some degree, rely upon the Departmental program to be effective.

While most aspects of USDA's records management program are sound, the program has some areas of weakness that create a significant risk of loss of Federal data and records. This inspection found that several important RM controls were either missing or incomplete. This increases the risk that records will not be readily accessible for normal business operations, for program development, and for accountability to Congress and the public. It also increases the risk that USDA permanent records may not be retained for eventual transfer to the National Archives, as required by 44 U.S.C. 3101.² To help mitigate this risk, this report makes five findings and five recommendations.

¹44 U.S.C. Chapter 29, <http://www.archives.gov/about/laws/records-management.html>.

²44 U.S.C. Chapter 31, <https://www.archives.gov/about/laws/fed-agencies.html>.

OVERVIEW OF THE USDA RECORDS MANAGEMENT PROGRAM

The USDA Departmental records management program is staffed by a Departmental Records Officer (DRO) who oversees the USDA RM program and focuses primarily on policy and guidance. The DRO is located within the Office of the Chief Information Officer (OCIO). The USDA RM program also receives management oversight from the Senior Agency Official for Records Management (SAORM) who is the Acting Assistant Secretary for Administration.

The DRO has implemented enterprise-wide records management practices that support the records management programs of its 17 agencies and 18 Departmental offices. Some of these agencies and offices have a designated records officer, called an Agency Records Officer (ARO), who implements and supplements Department policy and guidance at a lower level. Some AROs can only dedicate a small percentage of time to records management (less than 50%). A few AROs (all from the largest agencies) perform RM duties full-time. The other AROs perform RM duties part-time, ranging from 50% to 75% of their time.

The USDA Records Management Office, with cooperation from agencies and office records management programs, have established strong and effective communication channels whereby policies, directives, and RM practices and initiatives are shared and discussed.

FINDINGS AND RECOMMENDATIONS

SENIOR LEADERSHIP SUPPORT

Finding 1: Greater SAORM support is needed to enhance records management Department-wide and ensure compliance with Federal records management statutes and regulations, including the OMB/NARA Managing Government Records Directive (M-12-18).

The USDA has not utilized the role of the SAORM effectively. Prior to the appointment of the current SAORM, the SAORM did not meet regularly with the agency leadership or with the DRO and agencies and office AROs to discuss and advocate for records management. Most of the agency AROs reported receiving very little support from their respective senior leaders, a situation which the SAORM role was designed to address. According to the 2012 Office of Management and Budget (OMB)/NARA Managing Government Records Directive (M-12-18), the SAORM is “responsible for coordinating with the Agency Records Officer and appropriate agency officials to ensure the agency’s compliance with records management statutes and regulations.”³ M-12-18 requires the SAORM to oversee and review records management programs with the intent of providing executive level support, strategic direction, and advocacy, particularly where there are areas that need improvement.

The SAORM role also needs to be leveraged to improve the communication and cooperation between the DRO and the OCIO. The recent change in leadership at this position is an opportunity to expand and improve SAORM engagement.

³ <https://www.archives.gov/files/records-mgmt/m-12-18.pdf>.

Recommendation 1: The Department must update RM policy to require that the CIO, SAORM, DRO, ARO, and agency senior leadership coordinate on a regular basis in order to provide continuing support, resources, and accountability for implementing compliant RM programs throughout the Department. (M-12-18)

STRATEGIC PLANNING

Finding 2: USDA has not implemented its information technology strategic plan's records management requirements.

Strategic planning is necessary to systematically and effectively establish all aspects of a functioning and compliant records management program. A strategic plan provides goals and objectives, creates a clear path for implementation, streamlines the efforts that are already being made, and helps prioritize efforts to establish a fully functioning RM program.

USDA's last two OCIO strategic plans have included comprehensive RM elements within the plans including data management strategies, tactics, designs, and proposals for new, existing, and retired systems that create and maintain records. However, RM requirements within the plans have not been prioritized and implemented, nor do they have senior-level sponsorship or committed resources. The lack of implementation of records management initiatives within the OCIO strategic plans may result in agency systems not fully managing records appropriately from design through retirement, and it also puts the Department at risk of being non-compliant with various regulatory requirements, including: incorporating records management into information system design and development (36 CFR 1236.12), general recordkeeping requirements for all agencies and records types (36 CFR 1222.26), and requirements for agency recordkeeping systems for electronic records (36 CFR 1236.20). Additionally, the Department risks being unable to meet the M-12-18 goal to manage permanent electronic records in electronic format by December 31, 2019.

Recommendation 2: The Department must implement records management and recordkeeping requirements as delineated in the goals and objectives of its IT strategic plans (44 U.S.C. 3506 and OMB Circular A-130).

PROGRAM IMPLEMENTATION

Finding 3: The USDA RM program does not conduct regular comprehensive records management evaluations.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their records management programs and practices (36 CFR 1220.34(j)). None of the Departmental offices and only two of the USDA agencies are conducting formal RM program evaluations. The Department performs informal oversight through review of NARA's annual Records Management Self-Assessment (RMSA) results and trend analysis. Enhanced or increased records management oversight is also an opportunity for the USDA to enhance coordination and cooperation between the Department and agencies.

Recommendation 3: The Department RM program must establish and implement a formal records management evaluation program in accordance with 36 CFR 1220.34(j) to ensure accountability for records management practices and improved coordination.

Finding 4: Some of the records management training offered within the agencies of the USDA does not contain agency-specific content as required by 36 CFR 1224.10(e).

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)). 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. For more examples and minimum requirements for agency RM training programs, see NARA Bulletin 2017-01.⁴ The bulletin identifies who must take RM training and how often this training must be provided. In partial fulfillment of these requirements, the DRO has made available to all USDA agencies a generic, Department-wide, high-level RM course. The DRO and agencies conduct additional records management training for political appointees, senior agency officials, and senior executives upon their arrival and departure. The USDA requires that all staff and contractors be provided with annual or refresher records management training, but there was inconsistency in the degree to which agencies and offices add agency-specific RM content to their RM training. At the time of inspection training content was being revised to meet the requirements of the NARA Bulletin 2017-01.

Recommendation 4: The USDA DRO must update Departmental policy and provide necessary guidance to support the development of customized RM training that reflects the unique records management practices and policies of USDA agencies and offices. (36 CFR 1224.10(e) and NARA Bulletin 2017-01)

INTEGRATION OF RM INTO INFORMATION TECHNOLOGY (IT) PROCESSES

Finding 5: USDA does not fully integrate RM into information technology development processes making parts of the processes non-compliant with Federal records management regulations.

Under 36 CFR Chapter XII, Subchapter B, Records Management Subpart B, and revised OMB Circular A-130 effective 07/28/2016,⁵ agencies must incorporate records management into the design, development, and implementation of information systems. More specifically, 36 CFR 1236.10 requires that agencies do the following to ensure the proper management of electronic records:

- Assign responsibility for the agency-wide program to manage all records created, received, maintained, used, or stored on electronic media.
- Integrate the management of electronic records with other agency records and information resources management programs.

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

⁵ <https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/OMB/circulars/a130/a130revised.pdf>

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- Incorporate electronic records management objectives, responsibilities, and authorities into agency directives.
 - Establish procedures for addressing records management requirements before approving new electronic information systems or enhancements to existing systems.
 - Develop and maintain up-to-date documentation about all electronic information systems that specifies all technical characteristics necessary for reading or processing the records.
 - Specify the location, manner, and media in which electronic records will be maintained to meet operational and archival requirements, and maintain inventories of electronic information systems.
 - Secure NARA approval of records disposition schedules and ensure implementation of their provisions.
 - Ensure compliance with applicable Government-wide policies, procedures, and standards such as those issued by NARA and other Federal agencies.
 - Review electronic information systems periodically for conformance to established agency procedures, standards, and policies as part of the periodic reviews required by 44 U.S.C. 3506.

USDA has incorporated some of these requirements into their directives, but these have not been implemented. Other requirements have not been addressed at all. Generally, USDA is non-compliant with 36 CFR 1236.10 because it does not adequately include the RM program in systems development. For example:

- The Department DRO and agencies AROs are only engaged to sign off on the Records Review requirement conducted during the IT Security Assessment for all information systems.
- RM staff are not fully involved in any part of the Systems Development Life Cycle (SDLC) process.
- There is no review for compliance or conformance with RM policies or requirements.
- Not all IT systems have NARA-approved retention schedules.

As a result, recordkeeping requirements are not consistently included in IT systems, which puts the Department at risk of being unable to meet the M-12-18 goal to manage permanent electronic records in electronic format by December 31, 2019. Without these requirements these systems are at risk of maintaining records longer than necessary or shorter than required. The latter also puts USDA at risk of unauthorized disposition of records. Incorporating RM requirements into systems after they have been developed could require a costly re-design.

Recommendation 5: The Department must develop, update, and implement the necessary policies and processes to increase the involvement of the RM programs in information management systems planning, design, and implementation (including SDLC). RM Program involvement is needed to ensure the integration of recordkeeping requirements in information and data management strategies, activities, design, and operations, and to ensure compliance with Federal records management requirements codified at 36 CFR 1236.6 and 36 CFR 1236.10.

OTHER OBSERVATIONS

COMMUNICATIONS AND COLLABORATION

The DRO communicates and collaborates well with agencies AROs.

The USDA Departmental RM program hosts bi-weekly RM meetings, open to agencies AROs and Records Liaisons throughout the Department, and quarterly RM Working Group meetings with the agencies AROs. The meetings are held to disseminate information, coordinate RM projects, share RM practices, and collaborate on RM initiatives. The USDA RM programs also use their SharePoint portal at the Department and agencies levels to share RM policy, directives, common practices and procedures, training materials, and other RM-related information.

The Department maintains an up-to-date set of RM policy and procedures.

USDA's Departmental Records Management Policy, DR 3080-001 "Records Management," defines clear roles and responsibilities for all RM stakeholders and current policy and procedures for handling electronic records and electronic messages. Records management program requirements are included to ensure the adequacy of the USDA records management program at the Department and agencies. Prior to being published in August 2016, all agencies AROs participated and coordinated with the revision.

EMAIL MANAGEMENT

USDA's enterprise approach to email is supported by the Department's DRO and is well coordinated.

USDA substantially met the M-12-18 goal to manage all email in electronic format by December 31, 2016. The Federal Email Management Report maturity model results support the work being done in this area.⁶ USDA RM program has adopted the Capstone approach Department-wide for the management of email records. Agencies have either used General Records Schedule (GRS) 6.1 or have submitted a unique schedule to NARA. The DRO facilitated the effort by creating Department-wide policy, guidance, controls, and implementation instructions. The DRO coordinated the effort with the Office of General Counsel (OGC), OCIO, the agencies AROs and CIOs, and NARA. All agencies use the same email system hosted in a common operating environment that is managed by the Department OCIO. All Capstone verification forms (NA 1005) were submitted to NARA, with most of them pending approval.

⁶ 2016 Federal Email Management Reports, <https://www.archives.gov/records-mgmt/email-management/email-management-reports-2016>.

CONCLUSION

The USDA records program is staffed by a DRO, who is responsible for providing policy and overseeing records management in the Department's 17 agencies and 18 offices. The RM program is responsible for creating policy with little to no authority over actual implementation of the policies. The DRO effectively communicates and coordinates with agencies and office RM staff.

Specifically, the RM program has been successful in publishing and disseminating regularly updated RM policy directives. The program is proactive in meeting the M-12-18 requirement to manage permanent and temporary email through effective and coordinated policy, guidance, and support; however, the program needs more support for implementation to meet the goal of M-12-18 that all permanent electronic records are managed electronically by 2019.

While many aspects of the USDA RM program are well established and contain many strengths, making the improvements recommended in this report will further strengthen the USDA Departmental records management program and the RM programs of the offices and agencies. More importantly, it will contribute to the Department's overall mission, improve business processes, and enhance the effective management and preservation of the Department's records.

APPENDIX A INSPECTION PROCESS

OBJECTIVE AND SCOPE

The objective of this inspection was to determine if USDA implements standards, policies, procedures, and other records management coordination practices to ensure that the Department and its agencies have effective records management programs.

METHODOLOGY

NARA carried out this inspection by conducting interviews at two USDA locations with most of the USDA agencies and by reviewing USDA program documentation. More specifically, the inspection team:

- reviewed records management policies, directives, and other documentation provided by USDA and its agencies;
- interviewed RM representatives from the Departmental records management program and from twelve operating agencies and two offices;
- guided the course of the inspection using a detailed checklist of questions based on Federal statutes, Federal regulations, and NARA guidance; and
- reviewed USDA and agencies' responses to current and past annual Records Management Self-Assessments (RMSA) and current and past reports of Senior Agency Official for Records Management (SAORM).

OFFICES INTERVIEWED

NARA staff visited USDA locations in Washington, D.C. and Beltsville, MD, March 7-9, 2017 and via conference call on March 16, 2017.

- Food and Nutrition Service
- Farm Service Agency/Foreign Agricultural Service
- National Agricultural Statistics Service
- National Institute of Food and Agriculture
- Natural Resources Conservation Service
- Agricultural Marketing Service
- Rural Development (Rural Business Cooperative-Rural Housing Services-Rural Utilities)
- Agricultural Research Service/Economic Research Service
- Food Safety & Inspection Service
- Grain Inspection, Packers & Stockyards Administration/Animal & Plant Health Inspection Service
- Risk Management Agency
- Forest Service
- Departmental Offices

APPENDIX B
RELEVANT INSPECTION DOCUMENTATION

USDA, "Department Project Plan," March 6, 2016.

USDA Departmental Regulation, "Litigation Retention Policy for Documentary Materials including Electronically Stored Information," May 28, 2008.

USDA Departmental Regulation, "Records Management," DR 3080-001, August 16, 2016.

USDA Departmental Regulation, "Records Management Policy for Departing Employees, Contractors, Volunteers, and Political Appointees," July 2, 2012.

USDA Departmental Regulation, "Vital Records Management Program," August 19, 2011.

USDA, "Master Copy of IT Asset Inventory," not dated.

USDA, Office of the Chief Information Officer, "Information Technology Strategic Plan 2012-2016," final draft.

USDA, Office of the Chief Information Officer, "IT Strategic Plan 2014-2018," April 1, 2014.

USDA, "Records Management 2016 Strategic Plan," not dated.

USDA, "Records Management Twelve-Month Strategy," not dated.

USDA, "RM Input Copy Mapping of PP to USDA IT Strategic Plan - Version 2," 2016.

APPENDIX C

AUTHORITIES AND FOLLOW-UP ACTIONS

AUTHORITIES

- 44 U.S.C. Chapter 29
- 36 CFR Chapter XII, Subchapter B
- 36 CFR 1239, Program Assistance and Inspections

OTHER GUIDANCE

- OMB/NARA *Managing Government Records Directive* (M-12-18)
- OMB/NARA *Guidance on Managing Email* (M-14-16)
- Other NARA Bulletins currently in effect

STATUTES AND REGULATIONS

36 CFR Chapter XII, Subchapter B, specifies policies for Federal agencies' records management programs relating to proper records creation and maintenance, adequate documentation, and records disposition. The regulations in this Subchapter implement the provisions of 44 U.S.C. Chapters 21, 29, 31, and 33. NARA provides additional policy and guidance to agencies at its records management website - <http://www.archives.gov/records-mgmt/>.

At a high level, agency heads are responsible for ensuring several things, including:

- The adequate and proper documentation of agency activities (44 U.S.C. 3101);
- A program of management to ensure effective controls over the creation, maintenance, and use of records in the conduct of their current business (44 U.S.C. 3102(1)); and
- Compliance with NARA guidance and regulations, and compliance with other sections of the Federal Records Act that give NARA authority to promulgate guidance, regulations, and records disposition authority to Federal agencies (44 U.S.C. 3102(2) and (3)).

FOLLOW-UP ACTIONS

USDA will submit to NARA a Plan of Corrective Action (PoCA) that specifies how the agency will address each inspection report recommendation, including a timeline for completion and proposed progress reporting dates. The plan must be submitted within 60 days after the date of transmittal of the final report to the head of the agency.

NARA will analyze the adequacy of USDA's action plan, provide comments to USDA on the plan within 60 calendar days of receipt, and assist USDA in implementing recommendations.

USDA will submit to NARA progress reports on the implementation of the action plan until all actions are completed. NARA will inform USDA when progress reports are no longer needed.

APPENDIX D
ACRONYMS AND ABBREVIATIONS

ARO	Agency Records Officer
CFR	Code of Federal Regulations
CIO	Chief Information Officer
DRO	Department Records Officer
GRS	General Records Schedule
IT	Information Technology
NARA	National Archives and Records Administration
OCIO	Office of the Chief Information Officer
OGC	Office of General Counsel
OMB	Office of Management and Budget
PoCA	Plan of Corrective Action
RM	Records Management
RMSA	Records Management Self-Assessment
SAORM	Senior Agency Official for Records Management
SDLC	Systems Development Life Cycle
U.S.C.	United States Code
USDA	United States Department of Agriculture



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