Records Management Practices of Executive Secretariats

Multi-Agency Records Management Inspection Report

National Archives and Records Administration
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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 inspects the records management programs of agencies to ensure compliance with Federal statutes and regulations and to investigate specific issues or concerns. NARA then works with agencies to make improvements to their programs based on inspection findings and recommendations.

This report documents a multi-agency inspection of executive secretariat records and records management (RM) practices at eleven different federal agencies. NARA selected these records, typically designated as permanent, due to their importance in documenting the actions and correspondence of senior officials at federal agencies. Executive secretariats are responsible for the administrative management of these high value records, and directly support the senior executives of their respective agencies. They are also responsible for the coordination and review of agency correspondence, policy and program proposals, and regulations and legislation. The inspection focused solely on the records of the executive secretariats.

The following agencies and offices were included in this inspection:

- U.S. Environmental Protection Agency
- Department of Health and Human Services - U.S. Food and Drug Administration
- Department of Health and Human Services - National Institutes of Health
- Department of Health and Human Services - Office of the Secretary of Health and Human Services
- Department of Homeland Security - U.S. Citizenship and Immigration Services
- Department of State
- Department of Transportation - Office of the Secretary of Transportation
- Department of Treasury - U.S. Mint
- U.S. Office of Personnel Management
- Office of the Director of National Intelligence
- U.S. Agency for International Development

The scope of the inspection was limited to recordkeeping policies and practices within the executive secretariat offices of these agencies and offices. The inspection focused on the management of electronic records, with emphasis being placed on policies, training, and records schedule implementation related to the permanent records of the agency that are managed by the executive secretariats. In addition, the inspection team examined how an agency handled and

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[1] 44 U.S.C. Chapter 29, https://www.archives.gov/about/laws/records-management.html.

tracked agency correspondence throughout the process of approval and how those records were maintained after they were finalized. This included maintaining any signatures to the records, records that were related to or supplemented the final package, and any associated metadata.

It was not the intention of NARA to conduct a complete review of the RM programs of the agencies involved in the inspection. However, if the inspection interviews revealed issues related to the RM program of the agency as a whole, (e.g., records schedules in need of update, policies and procedures not in place, agency not conducting records management training, etc.), they are also included as findings in this report.

OVERALL OBSERVATIONS

The information below outlines overall observations and areas of concern that were found during the inspection interviews in multiple agencies. The findings and recommendations for each individual agency are included in Appendix A.

PROGRAM MANAGEMENT REQUIREMENTS

Almost all of the agencies that were interviewed had individuals in the executive secretariat that were responsible for the records management procedures in the executive secretariat. In all instances the executive secretariat followed the overall agency policy regarding records management. However, in some of the agencies, it was noted that the executive secretariat operated with some independence from the department/agency records management offices. Typically, those executive secretariats worked closely with the agency records officer. Some of the agencies' executive secretariats had individuals that were designated as the records manager for the executive secretariat.

It was found during the inspection that in some agencies there is a general lack of control over the management of the records of the executive secretariat. Several agencies are not deleting records or transferring records to NARA after their NARA-approved retention period is reached. Additionally, many of the agencies are duplicating records in multiple formats. When multiple copies of the same records are not managed appropriately, the risk is that agencies will not know which is the record copy and this can lead to reference materials being kept past their usefulness or the record being destroyed inadvertently.

There were agencies that were keeping records and files that were the responsibility of executive secretariats not within the executive secretariat but were managed by Program Offices in their respective agencies. This practice also demonstrates a lack of physical and intellectual control of

the records and can make retrieval of records more difficult. There is also a risk that records are not transferred to NARA or destroyed when they meet the end of their retention period.

POLICIES AND PROCEDURES

NARA identified agencies that do not have adequate policies and procedures established in order to manage the records appropriately, and electronically as required by OMB/NARA memorandum M-19-21, *Transition to Electronic Records*. For example, some of the agencies have not updated their records management policies and procedures in several years. While all of the agencies interviewed followed established agency-wide records management policies, a majority of the agencies did not have specific policies and procedures for the management of the executive secretariat records. Establishing standard operating procedures to manage these records is strongly recommended as it ensures that the executive secretariat records are managed accordingly and controlled.

Additionally, not all agencies are using file plans or inventories to identify their records and ensure that the records are managed appropriately during their life cycle. Executive secretariat records require special attention and handling and few agencies had created a filing scheme and established metadata, codified in a standard operating procedure, to ensure consistency and accuracy when saving the records of the executive secretariat. Not all agencies are applying a quality control process in order to verify that filing schemes and metadata are being assigned to records appropriately.

TRAINING

Ensuring that all employees receive records management training is integral to an effective records management program. While all agencies interviewed are conducting mandatory records management training for all staff members, there is a lack of oversight and enforcement to ensure that all staff members are taking the training. Some agencies utilize the employees' performance reviews in order to enforce the mandatory RM training requirement. These agencies cited a lack of regulation that would enable them to enforce the training using any other methodology. Consistent with NARA Bulletin 2017-01, *Agency Records Management Training Requirements*, some agencies are conducting additional role-based training for staff members in the handling of executive secretariat records, a practice NARA endorses. Without adequate training or enforcing compliance for all employees to complete mandatory RM training, agencies risk having staff members who are unaware of their record keeping responsibilities.

ELECTRONIC RECORDS MANAGEMENT REQUIREMENTS

Electronic records and the information systems that manage them have specific requirements. This section will cover electronic records and their associated metadata and the systems that contain those records. Please note that while the word "systems" is used in this report to describe any electronic system that is being used by agencies as a repository and/or tracking system for these records, only one agency is using an "electronic records management system" -- the rest of the agencies are using various electronic solutions as repositories, including document management systems, to house their records.

All agencies interviewed had some sort of electronic methodology to track correspondence; there were several issues with the systems and the management of the records electronically. Several of the agencies interviewed had implemented newer systems that were deployed within the past few years, but they did not have a migration strategy for the older records that were transferred to the new system. There was little to no verification that older records (in some agencies these records were more than 10 years old) migrated into the new systems successfully.

Additionally, agencies did not have a formal process to ensure that older records remain usable in the system. While the vast majority of these records are kept in PDF format, there were a number of records in various software applications, including Word, PowerPoint, Excel and even Lotus Notes, an application no longer in use at that agency

One of the agencies interviewed was using a system that "died" in the past few months. There was no succession plan for this system. In this instance, the agency in question is currently attempting to determine if any of the records in the system were lost in the failure.

The majority of the agencies interviewed did not have systems that had auditing capabilities or any other methods to protect documents and records from unauthorized alteration or deletion. For example, one of the agencies that we interviewed had records deleted from the system back in 2016 by an unknown user.

RECORDS SCHEDULING REQUIREMENTS
The vast majority of agencies interviewed did not have up-to-date schedules and as a result the schedules being used are not media neutral. Without media neutral schedules, agencies are not permitted to keep records in electronic format. In one instance the schedule that is being used to manage the records stated that the permanent records would be kept in microfiche. This format is no longer in use by the agency and the records are being stored in the electronic tracking system.

RECORDS DISPOSITION AND STORAGE

All the agencies interviewed have permanent records overdue for transfer and are keeping temporary records past the end of their retention period. Additionally, permanent records in some of the agencies are being managed in paper format. Several of the agencies interviewed cited security and classification concerns as to why the records needed to be kept in paper format. However, none of these agencies have applied for an exemption to the M-19-21 directive that permanent records must be kept in electronic format. Many of the agencies are storing temporary and permanent records together and either do not segregate the two, or it is very hard to identify the temporary records from the permanent.

INTERNAL EVALUATIONS

Agencies must conduct formal, routine and comprehensive RM evaluations to ensure permanent records are being managed in compliance with federal regulations and remediate program activities found in need of improvement. None of the agencies interviewed are conducting evaluations or audits of the executive secretariat records. During the inspection interviews, it was noted that due to the lack of definition as to what constitutes "routine" and "periodic" reviews, as defined in 36 CFR 1220.34(j), agencies are not obligated to conduct evaluations on any regular basis. Additionally, many of the agencies are not conducting quality control reviews of the records when they are saved in the agency's electronic systems to ensure that the records are saved correctly, including any associated records, approvals, signatures, and metadata.

CONCLUSION

Overall, while there are some concerns with the level of control that agencies have regarding the management of executive secretariat records, on the whole agencies are ensuring that these records are preserved. All the agencies that were interviewed demonstrated that while they may not be adhering to all RM regulations, they viewed RM as integral to ensuring that the records of the executive secretariat are properly managed. The most successful agencies received assistance and guidance from the agency records officer in addition to staff members in the executive secretariats that have records management as part of their job description with the support that is needed to ensure that records management regulations are followed. Agencies cited a lack of specific guidance and resources, leave specific areas (i.e., training, evaluations/oversight, etc.) open to interpretation and lead to agencies employing practices that would not be considered ideal.

Appendix A
OVERVIEW AND RESULTS FOR EACH INSPECTED AGENCY

Below are the findings and recommendations for each of the interviewed agencies concerning the proper management of executive secretariat records. NARA requires each agency to develop a plan of corrective action that addresses each of the findings and recommendations.

U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (EPA), Office of the Executive Secretariat, processes executive correspondence for the Administrator and Deputy Administrator. It is responsible for facilitating all responses to communication from individuals and organizations and manage and maintain the Administrator's and Deputy Administrator's records, including their correspondence, calendars and briefing materials. The executive secretariat also manages the operation of the Correspondence Management System (CMS), the EPA's web-based correspondence tracking and workflow management software application. There are approximately 21 staff members in the executive secretariat.

Program Management Requirements
The executive secretariat has a dedicated records liaison officer who is responsible for the records management of the executive secretariat. The executive secretariat records liaison officer is classified under the GS-308 job series, *Records and Information Management*.

Policies and Procedures
At the time of the inspection, the EPA had an approved Interim Records Management Policy, dated August 22, 2018. The policy was in an interim status due to legal, regulatory and audit-driven recommendations. This policy was called "interim" due to legal issues in August 2018 that required a policy quickly. There is a mandate and a plan to have an agency-wide review of the policy, and the updated version of the policy is currently under agency review. In the time between the interview of the EPA and since the drafting of the final report for this inspection began, the EPA has completed and finalized its Records Management Policy.

Finding 1: The EPA executive secretariat does not have formal standard operating procedures to ensure that all executive secretariat records are managed appropriately.

During the interview it was noted that there is a "certain amount of staff judgment to process correspondence, including separating records by type (transitory vs. record). People are trained but there is not an authority that establishes what each record is." Having clear, concise policies

and procedures will ensure that it is clear what the record is and that all records are managed appropriately. Developing dedicated SOPs to manage the records of the executive secretariat will help minimize human error by mandating that all staff members utilize standardized naming conventions and metadata. This will help ensure that records are easily located when needed and managed appropriately. While there is no evidence that the lack of a written SOP has resulted in lost records or other problems, SOPs are a best practice that the office should implement.

Recommendation 1: The EPA should document its guidance to staff to follow agency policies and procedures, including use of EPA National Records Management Program guides and other resources (e.g. decision trees), to ensure that all records of the executive secretariat are managed in accordance with EPA records management policies and federal statutes and regulations. (36 CFR Part 1220.34(c))

Training
The EPA has established a mandatory training program for all employees that is managed at the enterprise level, where all mandatory training is tracked, and supervisors are notified when employees do not complete the training. Management has the discretion to determine how to ensure that all their staff members complete the training. Each Program Office and Region Records Liaison Officer (RLO) has access to EPA FedTalent where they can track RM training completion for their specific office.

The executive secretariat has implemented protocols where if an employee does not take the mandatory training, then their performance appraisals may be affected. Additionally, the executive secretariat is conducting informal conversations with staff about various aspects of the executive secretariat business line. There are meetings and periodic training to educate staff and discuss changes and schedules in the database that is utilized. The additional training that the executive secretariat conducts is usually conducted one-on-one and in-person; however, there has been a shift to virtual training due to the current work environment.

Electronic Records Management Requirements
The EPA uses the Correspondence Management System (CMS) for front-end tasks. The system creates, routes, tracks and captures correspondence and supporting documents. CMS feeds directly into the Enterprise Content Management Systems (ECMS) 30 days after closure of the file. Everything goes with it including metadata and internal working history, responses and supporting documents. This seamless transition ensures that the permanent records are captured electronically, and this occurs without any additional actions on the part of the executive secretariat staff.

Records Scheduling Requirements

The EPA executive secretariat has input into the records retention schedule development process at the EPA. The 2007 records retention schedule documents the use of the electronic record keeping system as the repository for the electronic executive secretariat records.

Records Disposition and Storage

Finding 2: The EPA executive secretariat has exactly four boxes of permanent paper records overdue for transfer.

Records schedules approved by the Archivist of the United States provide agencies with the legal authority to properly dispose of temporary records and to transfer permanent records to NARA. All records scheduled as permanent must be transferred to NARA after the period specified in the approved schedule. Delaying the transfer of permanent records no longer needed for agency purposes increases the risk of loss, damage and/or deterioration of historically valuable records.

The EPA was in the process of accessioning the four boxes before the pandemic upended operations. The EPA and NARA had finalized all changes and edits to the box lists for the four boxes that need to be transferred and were in the process of arranging for the boxes to be picked up and transferred to NARA, but NARA put a hold on the transfer because of its response to the COVID-19. Once NARA re-opens and begins the process of accessioning records, the EPA will complete the accession of the four boxes.

Recommendation 2.1: The EPA must transfer these four boxes as soon as normal functions resume. (36 CFR 1226.22 and 36 CFR 1235.12)

Recommendation 2.2: The EPA must develop a project in order to identify any overdue permanent transfers and facilitate their transfer. (36 CFR 1220.30(c)(1)

Internal Evaluations

Finding 3: The EPA does not conduct evaluations or oversight of the RM activities of EPA offices on a regular schedule, including the executive secretariat.

In 2006, the EPA conducted a full RM program review of the executive secretariat. At the time of this inspection interview, the EPA was in the process of developing plans to conduct formal in-person program reviews in each Program and Region. There is currently no NARA standard or guidance as to how often formal evaluations or oversight is to be conducted.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their records management programs and practices (36 CFR 1220.34(j)). Records management evaluations conducted routinely allow the ARO to identify areas of noncompliance or risk in records management practices. These reviews ensure that agencies implement and enforce applicable policies and procedures, specifically that requirements for archiving information that is maintained in electronic format is included in the planning, design and operation of information systems.

Recommendation 3: The EPA must develop an evaluation plan to conduct more frequent periodic reviews or evaluations to ensure compliance with RM policies and procedures. (36 CFR 1220.34(j))

Department of Health and Human Services - U.S. Food and Drug Administration

The FDA executive secretariat is responsible for receiving and clearing correspondence with relevant areas of the agency and presenting the FDA response to the Commissioner for approval. They handle the Commissioner's correspondence and distribute the communication through the agency to receive responses and input for or on behalf of the Commissioner.

Program Management Requirements
The FDA executive secretariat has established that all employees have RM responsibilities but there is one key person responsible as the supervisor for the Correspondence Unit. The repository for the records is the Correspondence Unit with a lead supervisor and three support staff. There are three policy analysts that manage the records and ensure proper format and clearance before sending the records to the Correspondence Unit. The RM responsibilities are a matter of procedure and are part of the SOPs established by the executive secretariat.

While the FDA executive secretariat operates independently of the ARO, the executive secretariat does consult and inform the ARO with the actions that they are taking. The executive secretariat holds meetings with the ARO when needed. The RM team meets once per month to formally engage with the Center and Office Records Liaisons in each program office including the executive secretariat.

Policies and Procedures
The FDA has established RM policies and procedures. Additionally, the executive secretariat has SOPs that are used by all employees of the executive secretariat to manage their particular

records. These SOPs are written so each different type of correspondence is managed appropriately and easily located when needed.

Finding 1: The FDA RM policy is outdated and does not reflect current practice.

The agency-wide FDA RM policy is dated 2008. This policy still directs staff members to print and file their records, which is not reflective of the current practice of the FDA. As clarified by their SOPs and current practices, the FDA is managing their executive secretariat records electronically. All correspondence is saved into the FDA's Agency Information Management System (AIMS) system**.**

Recommendation 1: The FDA must update their records management policy and procedures to reflect the current practices of the FDA. (36 CFR Part 1220)

Training
The FDA has a mandatory training program for all employees that is conducted annually. Additionally, there is more training offered for other compliance activities such as working with file plans. All major changes are communicated agency wide via RM training. The RM training is included in new employee orientation and is supplemented with weekly meetings with Senior Administrative Officials for each office on any RM changes and monthly meetings for detailed presentations.

Electronic Records Management Requirements
All correspondence for the Commissioner is saved into the AIMS system as PDFs. The AIMS system tracks all responses and actions and has the capability to transmit assignments. After the Commissioner signs the final response, the system retains the final package. While the system does not have any audit trails, the FDA only allows certain people to have access to AIMS. There are additional security controls within AIMS to prevent unauthorized access or modifications.

Finding 2: The FDA does not have a strategy for migrating the current document management system to the new electronic records management system under development.

The FDA is in the process of developing a new ERM system to move records into an electronic filing system. This new system will have the capability to lock records down and emails will be sent to notify staff of records due for destruction or transfer to NARA. Additionally, this new system will have auditing features.

In particular, the system does not apply disposition at the end of its lifecycle. While there are no records that have reached the end of their retention period and are eligible for disposition, the FDA will be unable to transfer records or delete records at the end of their retention period using their current system because the system is not capable of electronic transfer.

The current system also cannot track who accessed records or made modifications; however, all information in the system is retained permanently. The current system does not have the capability to conduct audits and there is no migration strategy in place.

NARA supports FDA's efforts to work towards implementing an electronic records system and makes the following recommendations:

Recommendation 2.1: The new system must have the capability to execute disposition of records and have auditing features in place. (36 CFR Part 1236.20(b)4)

Recommendation 2.2: The FDA must develop a migration strategy for the current document management system that ensures all records from the current system remain accessible throughout their lifecycle. (36 CFR Part 1236.12 and OMB Circular A130 5.b.2)f))

Recommendation 2.3: The new system must have an assurance process and utilize audit trails to prevent the accidental alteration or deletion of the records. (36 CFR Part 1236.20(b)4)

Finding 3: There is no quality assurance process to ensure that all metadata or file naming conventions are followed by employees that have access to or manage executive secretariat records.

While there are SOPs established to standardize the way that records are saved appropriately within the system, there is no quality assurance process to verify that the metadata and naming conventions are applied correctly.

Recommendation 3: The FDA must develop a quality assurance process to ensure that the metadata and naming conventions for all records are applied appropriately. (36 CFR Part 1222.28)

Records Scheduling Requirements

The executive secretariat records schedules are dated 2006, and the schedules are media neutral. All executive secretariat records in the AIMS system are scheduled and the records schedules are media neutral.

Records Disposition and Storage
The executive secretariat informs the FDA RM staff when they have a group of records ready for transfer to the Federal Records Center or are ready for disposition. The executive secretariat works with the ARO to transfer the records to the FRC or to execute disposition.

Finding 4: There is no formalized process to update file plans and records inventories.

There is current discussion about conducting reviews of the file plan and records inventories on a quarterly basis to identify and address any needed changes. With the audit process that is being discussed (in the electronic system), any changes to the review cycle would be rolled into any system auditing processes.

Recommendation 4: The FDA must develop a process to ensure that there are regular updates to the file plan and records inventory. (36 CFR 1225.12(b) & 1232.16)

Internal Evaluations

Finding 5: The FDA is only conducting evaluations or oversight of the RM activities of FDA offices, including the executive secretariat, on an ad hoc basis.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their records management programs and practices (36 CFR 1220.34(j)). Records management evaluations conducted routinely allow the ARO to identify areas of noncompliance or risk in records management practices. These reviews will ensure that agencies implement and enforce applicable policies and procedures, specifically that requirements for archiving information that is maintained in electronic format is included in the planning, design, and operation of information systems.

Recommendation 5: The FDA must develop a plan to conduct evaluations which would be planned and implemented periodically to ensure that all FDA programs are following RM guidelines, policies, and procedures. (36 CFR 1220.34(j))

<u>Department of Health and Human Services - National Institutes of Health</u>

The NIH executive secretariat serves as the action office for the NIH Director and Principal Deputy Director. The executive secretariat manages all correspondence, policy and administrative documents. The executive secretariat determines how correspondence and other documents are triaged, assigns and clears them with relevant NIH offices, adjudicates comments, and edits drafts. The executive secretariat sets document preparation standards and guidelines. Additionally, the NIH executive secretariat is the business owner of the enterprise-wide document and records management system.

Program Management
There are seven staff members that have records management responsibilities and one contractor who supports the unit. There are critical elements in their position descriptions related to their RM responsibilities. Each of the executive secretariat offices appoints their own records liaisons, including primary and alternate records liaisons. The executive secretariat operates independently of the agency RM program but does consult with the agency program on guidance and policy. The executive secretariat staff members meet weekly and there are daily meetings between the ARO and the executive secretariat to discuss RM issues.

Policies and Procedures
The executive secretariat follows all policies and procedures issued by the NIH ARO. There are quarterly liaison meetings, email lists for frequent communications, and if something specific, the ARO will contact the executive secretariat. There is also a SharePoint site used to share information. The executive secretariat has extensive procedural documentation to document the handling of executive communications and management of the records.

Training
The RM training is bundled into other mandatory training, including the information security training and 2-3 other training modules. The training is tracked and enforced. If the training is not completed, then staff access to NIH accounts is blocked.

Electronic Records Management Requirements
The NIH executive secretariat electronic record keeping system controls the records from creation through disposition. The documentation of the system outlines the procedures all staff members need to follow in order to ensure that all records are saved appropriately in the system. Additionally, their processes cover roles and responsibilities of staff members within the executive secretariat and ensure that the workflow is managed. Only staff members of the executive secretariat can see all information in the system. Once a file is "closed out," access

must be granted to make any alterations to that file. Part of that workflow ensures that permanent and temporary records are segregated appropriately.

Of particular note is the review process when records are flagged for a litigation hold or identified for disposition. When records are needed for litigation, the executive secretariat receives the request and the records are flagged by the executive secretariat staff and retained until needed.

These procedures were established due to a finding in 2018 that records were deleted from the system inappropriately. The procedures for deleting records from the system used to be based on the metadata only and the records were not viewed to confirm the accuracy of the metadata prior to the deletion. Upon learning of the accidental deletion of records in 2018, the procedures were changed so that the records were viewed prior to deletion. Only a limited number of staff members can authorize deletion from the system.

Finding 1: Permanent records were deleted from the system inappropriately.

During the interview, it was discovered that the NIH executive secretariat discovered that several permanent records were deleted from the system in 2018. This unauthorized disposition was never reported to NARA. NARA staff explained to NIH that they must submit a report to NARA documenting the loss.

The systems architect is responsible for system migration. There is a quality control process to ensure that all records and metadata are migrated correctly. There are also "scripts" in the system that show when records are accessed, altered, or deleted.

Recommendation 1: While it is acknowledged that safeguards were put in place to ensure that this situation would not reoccur, NIH must make a report to NARA documenting the loss. (36 CFR 1230.14)

Records Scheduling Requirements
The executive secretariat has input into the development of records retention schedules. The executive secretariat works closely with the ARO to develop records schedules.

Records Disposition and Storage
The NIH uses an online system to create and update file plans and records inventories. Each office has the ability to include file plans in the system, but the offices can only see the file plans

for records in their specific office. The file plan includes references to all pertinent schedules and all staff members can see how this information is tracked and maintained. There is a review of all file plans conducted by NIH RM office, but they rely on records liaisons to provide the updated information.

It was noted by the executive secretariat that there is a significant number of older records that are past their retention period in paper format. The executive secretariat is working on a project to scan the older paper records and identify overdue electronic records in the electronic system.

Finding 2: The NIH has permanent records overdue for transfer to NARA.

There are paper permanent records (approximately 40-50 boxes) that are past their disposition date and are eligible for transfer to the National Archives. NIH also has overdue electronic records that are kept within the electronic system. The NIH is working to scan the older records for reference prior to sending them to NARA.

Recommendation 2: NIH must transfer all paper and electronic records to NARA that are overdue for transfer. (36 CFR 1226.10)

Internal Evaluations
The NIH RM program conducts regular program reviews and recently conducted an assessment of the executive secretariat. The executive secretariat conducts reviews of records within the system to ensure records are retained appropriately.

Department of Health and Human Services - Office of the Secretary of Health and Human Services

The Department of Health and Human Services executive secretariat has two main functions -- policy coordination and documents and regulations management. The policy coordinators manage the Department's development and review of regulations, correspondence, reports to Congress and other policy documents. This includes facilitating discussions to reconcile policy. The Office of Documents and Regulations Management staff oversee publication of department regulations and related documents and manage the circulation of Secretarial documents throughout the Department. They analyze reports, memoranda, and correspondence to the Secretary, assigning documents to the appropriate component within the Department.

Program Management Requirements

There is a staff member in the executive secretariat who has designated responsibilities for records management, but this staff member does not fully serve in this role. There are meetings whenever there is a need or issue, but there are no standard meetings to discuss records management. The meetings between the ARO and the executive secretariat are conducted on an ad hoc basis.

All staff members in the executive secretariat have a role in identifying records that need to be managed by the executive secretariat. All incoming mail is identified by staff and classified. Once incoming mail is in the system, analysts assign headers. Policy coordinators manage the portfolio, which includes assigning document actions such as draft responses and comments.

Policies and Procedures
The executive secretariat follows HHS RM policies and procedures. The executive secretariat has established SOPs based on their file plans and schedules. While these policies were last updated in 2019, the policies indicate that the final records will be managed in paper format after printing and filing them and provides little guidance in handling legal holds. Updates and changes are disseminated to the executive secretariat via emails and briefings. The information is then uploaded to a shared drive.

Finding 1: The executive secretariat SOPs still indicate instructions to "print and file" the permanent records of the executive secretariat.

The disseminated instructions to executive secretariat employees are to file completed packages in file rooms. These instructions are contrary to not only NARA guidelines but federal regulations. Having outdated policies that do not reflect agency practices increases the risk that records will not be managed appropriately.

Recommendation 1: The HHS executive secretariat must update their SOPs to reflect current requirements for managing all permanent electronic records electronically. (M-19-21, Target 1.1)

Training
The HHS annual mandatory RM training is conducted by sending out notifications to complete the training. A list of staff members who do not complete the training are compiled, emails are sent out with requests to complete the training, and ultimately the SAORM receives the results of which office is not fully in compliance. Completion of mandatory training is included in every

employee's performance review and employee performance can be impacted if the training is not completed.

There is annual training conducted for executive secretariat staff members at staff meetings. These training sessions are conducted by printing or emailing presentations and then, after the training is completed, the presentation is posted on the shared drives.

Electronic Records Management Requirements
The executive secretariat uses an electronic system to route, track, and manage agency correspondence. Files are saved when they are classified as they enter the system. Quality control of the system is managed by supervisors who periodically check to ensure that records are saved appropriately and the correct metadata is applied. Approvals are captured within the assignment itself and when a document is signed with a wet signature, then the document is uploaded or there is an entry about what is stated. Emails are uploaded directly to the system. All of the records are saved in formats approved by NARA.

The previous correspondence system was retired in 2015, but there are still some records kept in the older system for convenience and a few offices are still using it. However, HHS ensured that there is a "connector" between the two systems to ensure that all records are saved into the new system.

Finding 2: Disposition of records is not being applied in the system.

Temporary records are not being deleted and permanent records are not being transferred to NARA. This lack of control over the disposition of their records is an area of high risk for HHS, and can lead to non-compliance with recordkeeping requirements.

Recommendation 2: HHS must develop plans and procedures to delete temporary records from the system and transfer permanent records to NARA. (36 CFR 1226.22 and 36 CFR 1226.24)

Finding 3: The HHS does not have a formal quality control process to ensure that older records in the system are able to be opened and are usable while in the system.

The oldest records in the system date back to 2009. Prior to that time, all records were kept in paper format. The lack of a quality assurance process to ensure that records are accessible increases the risk that records would not be usable as the software has been upgraded in the past 12 years.

Recommendation 3: HHS must develop a process to ensure that older records in the system remain accessible throughout their lifecycle. (36 CFR Part 1236.12 and OMB Circular A-130 5.b.2)f))

Records Scheduling Requirements

The ARO consults with the executive secretariat when developing or making changes to the records retention schedules. Paper records were transferred in 2017, when eligible for transfer. The naming conventions and filing requirements indicate which records are permanent and temporary. While paper records have been transferred, there are electronic permanent records that are overdue for transfer.

Finding 4: Electronic records in the system are overdue for transfer.

It was discussed during the interview that HHS has attempted to transfer electronic records to NARA but this was not completed.

Recommendation 4: HHS must develop a process and procedure to transfer permanent records from the electronic system into the holdings of NARA. (36 CFR 1226.22)

HHS is not using a standardized process to update file plans and inventories. The ARO indicated that they do send reminders that the file plans are legal documents that require updates, but there is no process within HHS. Furthermore, the last file plan update was conducted in the executive secretariat approximately four years ago.

Finding 5: HHS does not have a formalized, consistent process to conduct evaluations and updates of file plans and records inventories.

Having a formalized, regular process to update file plans and inventories will allow HHS to ensure that records are appropriately managed and transferred or destroyed when they reach the end of their retention period.

Recommendation 5: HHS must develop a formalized, standardized process to evaluate and update file plans and schedules. (36 CFR 1225.12(b) & 1232.16)

Internal Evaluations

The Office of the Executive Secretariat relies on completion of mandatory training, which includes a quiz, as well as "sidebar" conversations with staff to determine whether they understand the RM process. There is no formalized evaluation process for the agency.

Finding 7: HHS is not conducting evaluations or oversight of the RM activities of HHS offices, including the executive secretariat.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their records management programs and practices (36 CFR 1220.34(j)). Records management evaluations conducted routinely allow the ARO to identify areas of non-compliance or risk in records management practices. These reviews will ensure that agencies implement and enforce applicable policies and procedures, specifically that requirements for archiving information that is maintained in electronic format is included in the planning, design, and operation of information systems.

Recommendation 7: HHS must conduct formal, routine and comprehensive RM evaluations to ensure permanent records are being managed in compliance with federal regulations and remediate program activities found in need of improvement. (36 CFR 1220.34(j))

Department of Homeland Security - U.S. Citizenship and Immigration Services – Executive Secretariat

The executive secretariat of the U.S. Citizenship and Immigration Services (USCIS) reports directly to the Office of the Director and falls under the Chief of Staff. The Executive Secretariat delivers information to program offices and the directorate. They handle inquiries (e.g., memorandum, congressional inquiries, and general mission related correspondence) and promptly get necessary information to senior officials. The Executive Secretariat then maintains those correspondence records for the agency.

Program Management Requirements
The executive secretariat has a designated employee that is in charge of records management. There is one other staff member that provides part-time support for the RM function within the executive secretariat. There is a system of SOPs and forms that have been developed to ensure that all staff members are following the correct procedures. The executive secretariat records officer meets with this staff member weekly to discuss and address RM issues.

The Executive Secretariat performs RM procedures independently of the agency and the ARO. The ARO will consult with the Executive Secretariat on an ad hoc basis. The agency is in the

process of establishing a working group to coordinate RM between the ARO and the agency's program offices.

Roles and responsibilities were not formally defined at time of inspection. Currently, the ARO and agency RM team have a roles and responsibilities resource to detail the roles of the ARO and the records liaisons in the programs. The executive secretariat is responsible for identifying records that need to be captured by the executive secretariat.

Policies and Procedures
The Executive Secretariat follows all agency-wide RM policies and procedures. Additionally, the Executive Secretariat has developed policies, procedures, and SOPs for all Executive Secretariat staff members. The Executive Secretariat has a small office (only 24 staff members). The entire office receives notification of policy changes via email and in their all-hands meetings. There are morning meetings where information can be communicated and distributed to staff members. SOPs are updated when needed.

Training
The agency requires annual, mandatory RM training. Staff must take their mandatory training or will be held accountable by their management. Staff who do not take required training risk being marked down in annual performance rating, which could negatively impact bonuses and within grade increases in salary.

NARA Bulletin 2017-01 mandates that all employees must take the annual training. USCIS ensures that nearly all employees take the required training. A small percentage of staff are unable to take the training every year due to overseas assignments or being detailed to other parts of DHS.

The Executive Secretariat conducts hands-on onboarding training with new hires to ensure that they understand the processes to support effective records management.

Electronic Records Management Requirements
USCIS uses a tracking system to assign tasks and maintain records regardless if they are received in hardcopy or electronically. The system assigns tasks to individual offices and tracks the records and their associated actions. When the record comes back for signature they can be returned in paper or electronic format. If the paper record returns, then the document is filed as a hard copy, but an electronic copy is uploaded. All associated records are assigned a record number for identification and filed together in one package. The final package could either be in hard copy or electronic format depending on the Director's preference.

USCIS uses a standardized naming convention to ensure that all associated records are saved together. Applying a consistent naming convention to all records ensures that all associated records are saved together with their metadata. The system uses drop down menus for users to assign metadata (rather than free text) to ensure that the correct metadata is applied to the records. Most of the records saved in the system are saved as PDFs. The system utilizes a conversion software to ensure that all records are converted to the most recent version.

Finding 1: USCIS Executive Secretariat practice of keeping records in both hardcopy and electronically will inhibit the office's transition to electronic recordkeeping.

M-19-21 states that all permanent records must be managed in electronic format, unless the agency has requested an exception and was approved by NARA. In some instances, Executive Secretariat processes indicate that the hardcopy format is considered the permanent record. The final format of the completed package is dependent on the preference of the Director.

Recommendation 1.1: USCIS Executive Secretariat must develop new procedures to ensure that all the permanent records of the Executive Secretariat are managed electronically. (M-19-21, Target 1.1)

Recommendation 1.2: In cases where Executive Secretariat cannot manage permanent records electronically, the office must notify the ARO to request an exception from NARA to continue to manage those records in hardcopy. (NARA Bulletin 2020-01)

Recommendation 1.3: USCIS should formally issue its draft policy on Electronically Stored Information.

Finding 2: USCIS Executive Secretariat stores records in multiple formats and locations.

About 90 percent of the completed packages saved in the electronic system are also available in hardcopy. Additionally, some correspondence packages also exist in shared drives.
When records are stored in multiple locations or are duplicated throughout the agency, the likelihood increases of records not being located when needed, destroyed inadvertently, and/or not transferred to NARA at the end of their retention period.

Recommendation 2.1: USCIS Executive Secretariat must inventory all records managed by the Executive Secretariat to identify any gaps in the records and to identify all possible storage locations. (36 CFR 1225.12(b) & 1232.16)

Recommendation 2.2: After the inventory is completed, USCIS Executive Secretariat must ensure these records are either transferred to NARA or destroyed in accordance with approved records schedules. (36 CFR 1226)

Recommendation 2.3: USCIS Executive Secretariat must develop policy to ensure that all Executive Secretariat records are managed consistently. CFR 1225.12(a))

Records Scheduling Requirements

The Executive Secretariat has input into the development of new records retention schedules and works with the ARO in developing the schedules.

Records Disposition and Storage

Finding 3: USCIS Executive Secretariat has not inventoried its records or created a file plan.

During the inspection it was stated that USCIS Executive Secretariat used file plans and inventories, but neither was provided as part of the data call or subsequent to the interviews. Updated file plans and inventories will ensure that permanent records are managed appropriately and tracked. Using these will ensure that records are transferred to NARA or destroyed when they reach the end of retention periods. This will also ensure that all additional copies of the records are managed.

Recommendation 3.1: Executive Secretariat must inventory its records, create a file plan, and submit file plan to USCIS ARO. (36 CFR 1226.36)

Recommendation 3.2: USCIS ARO must develop a process to intake file plans and records inventories from offices and programs. This process should include an annual update review cycle. (36 CFR 1225.12(b) & 1232.16)

Internal Evaluations

The ARO checks with all directorates when responding to the Records Management Self-Assessment and other NARA reports. There is currently no standardized agency-wide program to conduct evaluations.

Finding 4: USCIS Records Officer is not conducting evaluations or oversight of the RM activities of offices, including the Executive Secretariat.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their records management programs and practices (36 CFR 1220.34(j)). Records management evaluations conducted routinely allow the ARO to identify areas of non-compliance or risk in records management practices. These reviews will ensure that agencies implement and enforce applicable policies and procedures, specifically that requirements for archiving information that is maintained in electronic format are included in the planning, design, and operation of information systems.

Recommendation 4: USCIS Records Officer must conduct formal, routine and comprehensive RM evaluations to ensure permanent records are being managed in compliance with federal regulations and remediate program activities found in need of improvement. (36 CFR 1220.34(j))

U.S. Department of State

The Department of State Office of the Executive Secretariat supports 36 of the Department of State bureaus including the Offices of the Secretary and Deputy Secretary. They serve as the primary point of contact and principal advisor to the Executive Secretary, Office of the Secretary, Deputy Secretary, Counselor, Under Secretaries, and offices supported by the Executive Secretary on all matters concerning the management of official Department records, records life cycle management, public requests and need-to-know access to information, classification management and declassification, privacy, research of official records and public information resources and corporate records archives.

Program Management Requirements
The ARO is responsible for RM department-wide; however, the executive secretariat supports the ARO in regards to executive secretariat records. The ARO provides any guidance that is related to department policy and the executive secretariat is responsible for day-to-day management.

There is a team of eight members on the executive secretariat RM team. The executive secretariat RM team holds weekly standard meetings to go over the bureaus they support and their functions. The executive secretariat divides the bureaus among the team members so each team member has a "portfolio" of bureaus that they support. There are also records coordinators

in each office who work closely with executive secretariat RM staff to ensure records are stored appropriately.

Policies and Procedures

In addition to adhering to Department-wide policy, each of the bureaus that are managed by the executive secretariat has an SOP that illustrates how the records are managed. Each of these SOPs includes standardized naming conventions and instructions for all executive secretariats to ensure that all the records are managed appropriately.

Training

The Department of State has requirements built into their training systems to ensure that all staff members take the annual RM training by including an enforcement component (i.e., if users do not complete the training, they are locked out of the IT systems).

The executive secretariat RM team conducts regular face-to-face training sessions with staff members in their respective bureaus. This includes conducting one-on-one briefings with new staff members or staff members can attend another training session that encompasses various required department training. Completing this training is noted in the personnel tracking system.

Electronic Records Management Requirements

The Department of State has been using an electronic record keeping system to track and house all correspondence and approvals. The systems that have been used also allow for additional records to be scanned and uploaded to complete packages. Monthly training is given by IT in using the system.

Standardized naming conventions are applied to each file and package and PDF is the standard format for the records in the system. Metadata for each record is captured at the time of upload and there is a quality control process. During finalization all packages are reviewed, and at this point, any classified metadata may be added.

Finding 1: Executive Secretariat records require re-appraisal to clarify permanent and unscheduled records.

The previous records management system, Everest, was retired recently. State plans to use the Senior Leadership (big bucket/Capstone) schedule to manage the records in their new system, Cascade. Currently, Everest is named in the records retention schedule as the location of the records, which needs to be updated to reflect the migration to Cascade. Since State is proposing to use the senior leadership schedule to manage the records in the Everest and Cascade systems,

the records cut-off triggering disposition has changed. Therefore, State will need to identify the current authority in their electronic information inventory and must address the fact that there is a disposition authority that would be considered obsolete. To do this it is necessary to conduct an evaluation of the records in the systems and develop a crosswalk to identify the approved authorities to dispose of these records.

Recommendation 1.1: State must evaluate all records in Everest and Cascade to determine which approved authorities may be used to transfer permanent records to NARA. (36 CFR 1236.26(b))

Recommendation 1.2: If unscheduled records are identified as part of the evaluation process, then the records must be scheduled. (36 CFR 1236.36)

Records Scheduling Requirements

The Department of State is undergoing an extensive review and update of all their records retention schedules. The executive secretariat RM staff is involved in the scheduling process for the portions of the schedules that relate to their records.

Records Disposition and Storage

After a signature is required for a record, there is an action memo approved in the system. Once the letter is signed, it is then scanned and uploaded into the system. The format of the permanent record will depend on the record subject matter. For example, treaties require a wet signature from each participating country where the paper format of the treaty would be the permanent record.

Finding 2: The Department of State has not submitted a comprehensive exceptions request where exceptions to the requirements in M-19-21 are needed.

While there may be records that are permanent that cannot be managed electronically, the Department of State must ensure that, to the greatest extent possible, permanent records are managed electronically.

Recommendation 2: In cases where the permanent records cannot be managed electronically, the Department of State must request an exemption from NARA to continue to manage those records in analog format. (NARA Bulletin 2020-01)

Internal Evaluations

The Office of the Executive Secretariat actively conducts regular evaluations of the bureaus for which they are responsible. These evaluations are typically conducted in person and on a regular basis. The ARO conducts oversight for the Department of State as a whole, including the executive secretariat The Department conducts these evaluations as reports become available within the Department. In addition, S/ES RM Division staff members conduct onsite evaluations and trainings for the offices within their individual portfolios. Records and Archives Management and S/ES RM Division staff members demonstrated proactive initiatives to ensure compliance with RM laws and regulations and Department of State RM policy.

U.S. Department of Transportation - Office of the Secretary of Transportation

The executive secretariat supports the mission of the Department of Transportation by ensuring that all records are passed on to the Secretary of Transportation and from the Secretary to the rest of the Department. The executive secretariat documents any decisions made by the Secretary and saves the records that document these decisions in the electronic system. The executive secretariat also manages the federal advisory committee.

Program Management Requirements
The executive secretariat has designated employees responsible for records management. There is one employee who focuses on policy, provides advice and training to all liaisons, and conducts inventories and develops file plans. Program managers are responsible for saving all applicable records into the electronic system. Summer interns are hired to conduct basic RM tasks including boxing, inventorying, and other routine RM assignments. The Office of the Secretary records officer provides oversight for the program and provides training to liaisons to meet all of the regulations.

The ARO and executive secretariat staff members meet or communicate regularly when the Department is conducting a review of the schedules or updating the file plans. Roles and responsibilities are outlined in the RM directive and documented in executive secretariat documents that were developed.

Policies and Procedures
The executive secretariat follows all departmental policies and procedures regarding records management. The executive secretariat has developed additional policies and procedures to document the standard operating procedures of the executive secretariat. These documents are kept on an RM site, within a training portal, and there is an RM week held to keep all staff members updated with any RM changes

Training
There is a training portal that is utilized for the department-wide mandatory annual training. Supervisors are notified if staff members do not complete the training, but there is no enforcement of the training.

Finding 1: While the Department of Transportation conducts mandatory training for all employees, there is no enforcement to ensure that all employees complete the annual RM training.

While there is an established mandatory training program for all employees, there is no way to ensure that all employees take the training. Participating in the training program is tracked and there is a generic requirement for supervisor to ensure that all employees that training. NARA Bulletin 2017-01 mandates that all employees must take the annual training, but without the enforcement component, it is not possible to ensure that all employees are taking the required training.

Recommendation 1: The Department should develop a strategy to ensure that all employees take the mandatory RM training. (NARA Bulletin 2017-01)

The executive secretariat provides new employees with specific training on using the electronic recordkeeping system. They also provide refresher training if there are any updates with the system, but these training sessions are not required.

Electronic Records Management Requirements
Correspondence goes through different channels depending on the type of correspondence and how it is received. Each draft is captured in the electronic system. All edits are reviewed by the assigned office and records can be sent back and forth for editing before going to the front office for final approval and signature. The signed final document is scanned into the system and the final folder is sent back to the originating department. The majority of records are kept in the electronic system and "signed" using an approval button.

A standardized naming convention and metadata is used for each file and package. Word files are used as working files in order to incorporate edits and PDFs are used for final, approved records.

Finding 2: Legacy data is at risk for being inaccessible over time.

The oldest records in the system are from the early 2000s. This is due to the legacy system being retired with the data migrated to the new system. The older records can be opened, but there is no quality control process to ensure the records remain usable. These records are scheduled as permanent and will need to be transferred to NARA. The executive secretariat is currently able to retrieve and access legacy data without issues, but without a long-term strategy or quality control, there is a future risk due to obsolescence of hardware or software and regular maintenance. This data needs to be protected until it reaches the end of its retention period and is transferred to the holdings of the National Archives. There are permissions built into the licenses so that only certain staff members have user privilege rights to delete records from the system. Records are not completely deleted from the systems. The controls that allow the records to be viewed are canceled, which means that they are not available to view but are retrievable by individuals with specific rights.

Recommendation 2: The Department must develop quality assurance procedures to ensure that the records in the system remain readable until their final disposition. (36 CFR Part 1236.12)

Records Scheduling Requirements
The executive secretariat RM team meets with the department records officer to discuss any changes and updates to the schedule. There is an updated schedule that is currently in draft. The older schedules are from 1979 and 1980 and are not media neutral. These older schedules indicate that the records are saved on microfiche, which is no longer being done by the executive secretariat.

Finding 3: The records retention schedules of the Department of Transportation require updates to ensure that the records are managed appropriately regardless of format.

The current schedule that is being used to manage executive secretariat records was approved in 1980 and it is stated that the records are in being saved in microfilm, which is not reflective of the current procedures. While the inspection team noted that there is a schedule currently moving through the approval process, as this schedule has not yet been finalized and approved, the lack of an updated schedule still constitutes a finding for this inspection.

Finding 3: The Department of Transportation must continue to work on these updated schedules to reflect the current procedures and requirements of these records. (36 CFR 1224.10(c))

Records Disposition and Storage

Disposition of executive secretariat records is initiated by the executive secretariat RM team. All permanent records of the executive secretariat are kept in electronic format and the executive secretariat maintains an updated records inventory and file plan. The records inventory and file plans are reviewed bi-annually.

It was noted during the interview that there are permanent records overdue for transfer. These records need to be identified and transferred to NARA.

Finding 4: The executive secretariat must identify all overdue permanent records in order to transfer them to NARA.

Recommendation 4: The executive secretariat must identify and transfer all overdue permanent records to NARA. (36 CFR 1226)

Internal Evaluations
The executive secretariat is not performing any formal oversight or evaluations to ensure that records management policies and procedures are followed beyond spot checks or walkthroughs. Additionally, the Department has not conducted evaluations of the records management policies and procedures of the executive secretariat recently.

Finding 5: The executive secretariat and the Department of Transportation are not conducting evaluations or oversight of the RM activities.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their records management programs and practices (36 CFR 1220.34(j)). Records management evaluations conducted routinely allow the ARO to identify areas of non-compliance or risk in records management practices. These reviews will ensure that agencies implement and enforce applicable policies and procedures, specifically that requirements for archiving information that is maintained in electronic format is included in the planning, design, and operation of information systems.

Recommendation 5: The Department must conduct formal, routine and comprehensive RM evaluations to ensure permanent records are being managed in compliance with federal regulations and remediate program activities found in need of improvement. (36 CFR 1220.34(j))

With respect to the EDMS system's development and deployment, the Department Records Management Office (DRMO) has provided frequent and consistent oversight, verbally and in writing (email), to ensure that the executive secretariat's EDMS system meets its records management requirements. The DRMO has provided frequent consultation to the EDMS IT project team on these requirements and has ensured that these requirements are captured and managed appropriately in the EDMS Project Plan and its Requirements Traceability Matrix.

Department of Treasury - U.S. Mint

The Office of the Executive Secretariat manages and implements the United States Mint (Mint) Records and Information Management Program, Privacy Act, Paperwork Reduction Act and Government Paperwork Elimination Act (GPEA) program. The function of the Mint RM program is to develop policy and provide guidance and assistance necessary for ensuring the proper maintenance and disposition of Mint hard copy, electronic and other media records in accordance with approved retention schedules. The RM program ensures only appropriate Mint information is released to the public as governed by FOIA, and Privacy Act laws and regulations. The RM program manages the Forms Management program ensuring the proper creation and use of forms for Mint business. RM also provides guidance for Mint paper and electronic forms for information collection from the public to ensure compliance with statutory, regulatory, OMB, and Treasury requirements.

Program Management Requirements
There are three dedicated employees that report to the Executive Secretary that are responsible for RM within the Mint. One of those employees focuses on the executive secretariat. There is no formalized written documentation clarifying the roles and responsibilities of the ARO and the executive secretariat staff members, but there are weekly staff meetings to discuss policies and procedure and the division of responsibility.

The ultimate responsibility to identify records that belong to the executive secretariat lies with the Executive Secretary. However, the Executive Secretary works with the records team and the IT department as it relates to RM (i.e., updates Capstone list quarterly to have an accurate representation of whose records need to be captured).

Policies and Procedures
The executive secretariat follows all departmental/agency policies and procedures. The executive secretariat does not have additional policies and procedures covering records management. In order to disseminate recordkeeping requirements to executive secretariat staff members,

meetings are set up with individuals and teams to educate them as to their RM responsibilities and to ensure compliance with policies and procedures.

Training
Mandatory annual Records Management training is scheduled for each Mint employee through the Treasury Integrated Talent Management (ITM) system. There is a method in place to track training but there is no enforcement to ensure that all staff members are taking the training.

Finding 1: While the Mint conducts mandatory training for all employees, there is no enforcement to ensure that all employees complete the annual RM training.

While the Mint has established a mandatory training program for all employees, there is no enforcement component to ensure that all employees take the training. NARA Bulletin 2017-01 mandates that all employees must take the annual training, but without the enforcement component, the Mint is not able to ensure that all employees are taking the required training.

Recommendation 1: The Mint should develop a strategy to ensure that all employees take the mandatory RM training. (NARA Bulletin 2017-01)

The Mint does provide additional training opportunities for their RM personnel. There is additional RM training that is free to all staff members at the Mint that is delivered by Mint RM staff. All Mint RM staff members have received training from NARA.

The Records and Information Management Specialists under the Executive Secretariat receive training on the management of Mint permanent hard copy and electronic records. The Office of the Executive Secretariat does not offer additional training to staff members in handling Executive Secretariat records.

Electronic Records Management Requirements
The current routing and tracking system used by the executive secretariat is manual. While the agency has been working with the Department of the Treasury to use the Department tracking system, this deployment is still several months away.

The current process is that correspondence is received (usually electronically) and is channeled by one staff member to the appropriate personnel electronically. If a letter is received in hardcopy, it is digitized. The draft response for correspondence is sent back to the originating executive secretariat staff member and then sent to several additional stakeholders for review and

clearance before going to the Director for signature. All updates are incorporated into the version as it moves through the process so when it reaches the Director all edits are in the document. Associated and circulated with the document is the electronic clearance sheet for office-level concurrence. After final approval, the package is kept in one file on a staff member's hard drive.

The final format of the records is either Word or PDF and organized in folders by subject matter and date, which can be loaded into an electronic management system with attached metadata, such as the Mint Electronic Records Management System and Treasury OneCT system.

The Mint is in the process of developing a new electronic records management system for their electronic records. This is still in the design stage, however, it was identified that there is an older system that could potentially have records in it that have not been migrated and there is no quality assurance process to ensure that these records are retrievable.

The Mint Information Technology Directorate is overseeing the process in which legacy records systems data is migrated to the new Electronic Records Management System, and there is a quality assurance process to ensure that these records are retrievable.

Finding 2: There is no migration strategy for the current system, nor is there a migration strategy from the older system to the current system.

The current system was put in place in 2019. Prior to that all information that was in the previous system (2005-2013) was migrated into the shared drive. From 2013-2019, the shared drive was used to manage the records. There was no validation process for the migration of these records and there is no quality assurance process to ensure that the records are still usable.

Recommendation 2.1: The Mint must review the previous system to ensure that any records that remain in the system are able to be read and used if necessary. (36 CFR 1236.14)

Recommendation 2.2: The Mint must develop a migration strategy for the current system to ensure that migrated records are readable and usable in the new system. If no records are migrated, the strategy must include a quality control process to ensure that any records that remain in the system are readable and usable. (36 CFR 1236.14)

Records Scheduling Requirements

The executive secretariat works with the ARO and has input into the development of records retention schedules. However, the records retention schedules currently in use are old and out-of-date as they are not media neutral.

Finding 3: The records retention schedules of the Mint require updates to ensure that the records are managed appropriately.

The Mint's current records retention schedules date from 2007 and indicate that the records are to be kept in paper instead of electronic format. These schedules must be periodically reviewed and updated.

Finding 3: The Mint must develop updated schedules to reflect the current procedures and requirements of these records. (36 CFR 1224.10(c))

The Mint applies Media Neutral Schedules Final Rule dated December 17, 2007, to any retention schedule where hard copy documents are now in electronic format and is in the process of doing a complete records inventory to update all Mint retention schedules.

The RM office is responsible for initiating and performing final disposition of temporary records on-site and signing off on the destruction of records that are kept in off-site storage locations. The RM office is also responsible for ensuring holds on the destruction of temporary records that are needed for legal purposes (e.g., FOIA requests, litigation, etc.).

Records Disposition and Storage

The executive secretariat conducts records inventories; however, they are not completed on a regular schedule. The last time full reviews were completed was in 2002 and 2014 due to organizational changes. The Mint was starting to conduct an inventory in 2020, but this had to be postponed due to the pandemic.

Finding 4: The Mint has not conducted a full update of their file plans and inventories in six years and is not conducting these updates regularly.

Updated file plans and inventories will ensure that permanent records are managed appropriately and tracked. These tools will ensure that records are transferred to NARA or destroyed when they reach the end of retention periods. They will also ensure that all additional copies of the records are managed. The Mint Records Management Branch is in the process of updating its SOP, which covers the file plan and records inventory process.

Recommendation 4: The Mint must develop a file plan and records inventory process. This process should include an annual update review cycle. (36 CFR 1225.12(b) & 1232.16)

During the interview process, it was identified that the recordkeeping copies of executive secretariat records are kept in electronic format on the hard drive of one employee's computer. These records must be kept in an electronic system that is capable of ensuring the preservation of the records appropriately.

Finding 5: The final electronic versions of the executive secretariat files are kept on the hard drive of one employee's computer.

Keeping permanent electronic records on an employee's hard drive creates a single point of failure in the system where if this hard drive fails, then there is the risk that the files could be corrupted or irretrievable. The records need to be maintained electronically in a system that ensures the records are managed in accordance with recordkeeping regulations and requirements.

Recommendation 5: The Mint must establish RM controls and procedures to ensure that final executive secretariat records are managed electronically in an appropriate electronic system. (OMB Circular A130 5.h.3)

Internal Evaluations
The Mint does not perform any formal, regular oversight or evaluations of the records management activities of offices and programs. The Mint is modifying NARA's Records Management Self-Assessment (RMSA) tool as a method to determine whether the agency is meeting its responsibilities in the field sites and to gauge if the field sites are meeting their RM responsibilities.

Each Mint Facility has a designated Records Management Officer who works with Headquarters records staff in overseeing and evaluating the records management activities of their facility's offices and programs.

Finding 6: The Mint is not conducting evaluations or oversight of the RM activities of Mint offices, including the executive secretariat.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their records management programs and practices (36 CFR 1220.34(j)). Records management

evaluations conducted routinely allow the ARO to identify areas of non-compliance or risk in records management practices. These reviews will ensure that agencies implement and enforce applicable policies and procedures, specifically that requirements for archiving information that is maintained in electronic format is included in the planning, design, and operation of information systems.

Recommendation 6: The Mint must conduct formal, routine and comprehensive RM evaluations to ensure permanent records are being managed in compliance with federal regulations and remediate program activities found in need of improvement. (36 CFR 1220.34(j))

U.S. Office of Personnel Management

The Office of Personnel Management (OPM) executive secretariat handles processing of approvals and keeping interagency correspondence running to the correct recipient. The executive secretariat does not generate policy or work. Their main focus is keeping things in compliance and moving actions through the agency.

Program Management Requirements

There are eleven staff members in the executive secretariat including "drivers" for senior leadership, but not all staff members deal with correspondence. Using the Document Management System (DMS), the OPM executive secretariat assigns "drivers" to ensure that all correspondence is tracked and routed appropriately. The DMS driver is a staff member outside the executive secretariat who is responsible for all routing of documents, scanning any paper copies that are signed, performing quality control, and ensuring all procedures are followed for the correspondence package.

The staff members in the executive secretariat have position descriptions that outline the correspondence function, but not necessarily records management responsibilities. There is one staff member that is designated as responsible (Deputy Executive Secretariat) for records management and who is also responsible for ensuring compliance.

The Deputy Executive Secretariat meets with the executive secretariat regularly and with staff members to discuss RM issues. Executive secretariat staff operate independently of the ARO, but they meet with the ARO when needed. The ARO is responsible for developing RM policy and training. Records management is implemented by individual programs at OPM. The ARO has only been in the position for one year and is still learning about the programs at OPM and their associated records. The ARO plans to get more involved.

Policies and Procedures

Finding 1: The agency wide OPM RM handbook, which dictates the agency RM policy, is outdated.

The OPM Handbook was last approved in 2014 and the Handbook is out of date. Currently, OPM is revising the handbook to reflect updated procedures related to the new system.

Recommendation 1: The OPM must update their records management policy and procedures to reflect current practices. (36 CFR Part 1220)

While the policies of OPM need an update, the OPM executive secretariat has established quick guides to assist drivers to ensure that all records are saved appropriately, and metadata and naming conventions are applied.

Training

The OPM ARO is responsible for ensuring that all staff members take required RM training. However, RM training is currently part of the IT security training. The positive to including RM training in security training, is that if the training is not completed, then staff members lose their IT access.

Finding 2: There is no enforcement for political appointees, senior agency officials, and senior executives to complete entrance and exit training.

Currently, there is no enforcement to complete entrance and exit checklists. NARA Bulletin 2017-01 establishes the requirement for agencies to conduct RM onboarding and exit training for all senior officials.

Recommendation 2: OPM must establish onboarding and exit training for all political appointees, senior agency officials, and senior executives and within three to six months prior to presidential administration changes. (Bulletin 2017-01)

Electronic Records Management Requirements

OPM used an electronic system that was developed in 2004-2005 to route and track correspondence. Prior to the use of this system, the records of the executive secretariat were managed in paper. The electronic system was developed to mirror the paper-based tracking system previously in use. The system captures all versions of the document. All edits are controlled by one person able to checkout and edit at the same time. All changes are date/time

stamped and captured in the document history. The document driver is responsible for ensuring that all records are correctly named, and metadata is applied.

Finding 3: OPM's current practices will inhibit implementation of the transition to electronic recordkeeping.

During the interviews, it was noted that there are circumstances where a paper hardcopy package and an electronic package are created. It is unknown what happens to the hardcopy package after the signatures are finalized. The procedures at OPM for signatures is that when the package is sent to the Director, a hard copy is needed for signature. The paper version with the signature is then uploaded to the system as part of the electronic package and both the electronic and paper packages are sent back to the originating office. While the permanent records from 2006 to present are in the system, it was stated during the interview that the paper package is considered the record copy. The ARO indicated that they are going through all program offices and developing policy on how the paper versions are handled. Target 1.2 of OMB/NARA memorandum M-19-21 states that all permanent records must be managed in electronic format by December 31, 2022.

Recommendation 3.1: OPM must develop new policy to ensure that all the permanent records of the executive secretariat are managed electronically before December 31, 2022. (M-19-21)

Recommendation 3.2: In cases where the permanent records cannot be managed electronically, the OPM must request an exception from NARA to continue to manage those records in paper format. (NARA Bulletin 2020-01)

Finding 4: Lack of migration strategies has created a risk to access, reliability and potential loss of records.

OPM was utilizing an electronic system to manage the records of the executive secretariat. The current system "died" in the past few months with no migration strategy in place, which raises questions about the integrity of the records in the system.

The failed system provided electronic records management functionality for permanent executive secretariat records. Currently, there is a new system in development that will replicate the previous system with added functionality. The records will be retired and not migrated into the new system. The ARO is uncertain if the records in the system are complete and if all of them

can be accessed and used. Currently, OPM is managing these records in paper form. These paper records will ultimately be migrated into the new system.

Recommendation 4.1: OPM must develop a migration strategy for the current document management system. This strategy must ensure that all records from the current system are preserved and available throughout their lifecycle. (36 CFR Part 1236.12 and OMB Circular A130 5.b.2)f))

Recommendation 4.2: OPM must review all hardcopy records to determine the accuracy of the files in DMS. Any records that cannot be located must be documented by submitting a report of an unauthorized disposition to NARA. (36 CFR 1230.14)

Records Scheduling Requirements
The OPM records retention schedules are written by the ARO. The current schedules are from 2017 and the ARO consulted with the executive secretariat during this update process.

Records Disposition and Storage
Finding 5: Permanent records have not been properly identified.

OPM must conduct an inventory of the records of the executive secretariat to identify all permanent records.

Final disposition of records is implemented by the ARO. During the interview, OPM was not certain if any executive secretariat records have ever been transferred to NARA and if there are any overdue records for transfer. Pre-2006 executive secretariat packages are kept with the originating program offices instead of being centralized in the executive secretariat. Records stored in multiple locations increases the likelihood of records not being located when needed, destroyed inadvertently, and/or not transferred to NARA at the end of their retention period.

Recommendation 5.1: OPM must complete a records inventory of executive secretariat records. (36 CFR 1225.12(b) & 1232.16)

Recommendation 5.2: OPM must implement disposition of executive secretariat records to ensure these records are transferred to NARA or destroyed in accordance with approved records retention schedules. (36 CFR 1226)

Recommendation 5.3: OPM must develop policy to ensure that all executive secretariat records are managed consistently and in compliance with federal regulations and guidance and OPM policies. (36 CFR 1225.12(a))

Internal Evaluations
Finding 6: OPM is not conducting evaluations or oversight of the RM activities of OPM offices, including the executive secretariat.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their records management programs and practices (36 CFR 1220.34(j)). Records management evaluations conducted routinely allow the ARO to identify areas of non-compliance or risk in records management practices. These reviews will ensure that agencies implement and enforce applicable policies and procedures, specifically that requirements for archiving information that is maintained in electronic format is included in the planning, design, and operation of information systems.

Recommendation 6: OPM must conduct formal, routine and comprehensive RM evaluations to ensure permanent records are being managed in compliance with federal regulations and remediate program activities found in need of improvement. (36 CFR 1220.34(j))

Office of the Director of National Intelligence

The Executive Secretariat, aligned under the ODNI Chief Operating Officer (COO), serves as the central point of contact, coordination, and control for correspondence and other communications for the Director of National Intelligence (DNI), the Principal Deputy DNI (PDDNI), the COO, and other mission and support activities. The Executive Secretariat serves as the ODNI focal point for receipt, handling, and internal distribution of official internal and external correspondence. The ODNI front office supports the top three in the agency.

Program Management Requirements
There is no designated employee responsible for RM specifically. However, during the organizational realignment over the summer of 2021, the office handling RM responsibilities – Information Management Office (IMO) – now falls under the COO which situates the RM team and the Executive Secretariat reporting to the same leadership.

Historically, the office of the Executive Secretariat holds annual meetings with all staff members at the beginning of the calendar year where the oldest set of records is collected by the IMO/RM

team. There are frequent conversations to ensure that all identified records have an Executive Secretariat number and all versions (hard copy or electronic) are collected and saved.

The Executive Secretariat conducts RM somewhat independently of the IMO/RM team. It is up to the Executive Secretariat to identify the records that need to be archived. However, it is a collaborative effort between the Executive Secretariat and IMO/RM to make sure that the correct records are captured properly.

Policies and Procedures

There are established RM processes in the Executive Secretariat office with oversight of the records. ODNI policies indicate that the ARO is responsible for the broader RM function, and the ARO responsibilities fall to the Chief of IMO. Historically, it has been a conversation between ODNI's Executive Secretary or their designees and the ARO to identify and collect records. From documents sent from IMO/RM to the Executive Secretariat, there is a flowchart, a file naming conventions SOP, and an SOP on processing packages. There is an RM component built into these SOPs. It is part of the daily procedures in the Executive Secretariat to ensure that all records and information are captured.

Training

Finding 1: There is no mandatory RM training.

ODNI does not have mandatory RM training. They are working with NARA to adapt the basic RM course that NARA offers for ODNI. In the interim, ODNI does offer RM training upon request to any office that asks for it, generally given by PowerPoint. This allows for training customized to fit the audience size and RM familiarity level, or for incoming or departing officials. An RM representative goes in-person and conducts training sessions. Generally, RM staff review ODNI's records control schedules and address general office concerns in addition to broader agency RM issues. While this will suffice in the short-term, ODNI must develop a mandatory training program for all employees in order to ensure that all employees are aware of their RM responsibilities and requirements.

Recommendation 1: ODNI must develop a mandatory RM training for all employees. (36 CFR 1220.34(f) and NARA Bulletin 2017-1)

Electronic RM Requirements

ODNI is still exploring the best way to perform correspondence management and document tracking electronically. The current system allows tracking, but cannot track versions, has classification limitations, and does not keep all the associated documents together. The system is

used to task out documents and packages to staff members and teams, but due to the classification limitations, it cannot hold full packages. The Executive Secretariat conducts the final review of the package after all other work is completed. At that point the team prints the file package and sends it manually through the upper management approval process. Once the hardcopy is printed, it is staffed through up to four offices. The official records for ODNI are kept in paper; however, electronic copies of the portions of the completed record packages are saved on agency shared drives.

Finding 2: The permanent records of the Executive Secretariat must be retained in electronic format if they are created electronically.

M-19-21 states that all permanent records must be managed in electronic format, unless the agency has requested an exception and was approved by NARA.

Recommendation 2.1: ODNI must develop procedures for managing their born-digital permanent records in electronic format. (M-19-21, Target 1.1)

Recommendation 2.2: In cases where the permanent records cannot be managed electronically, the ODNI must request an exemption from NARA to continue to manage those records electronically. (NARA Bulletin 2020-01)

Using the shared drive to manage all records was put into place in 2019. Prior to this, data and information were in various locations, so a project to consolidate all information was conducted in 2019. All data was migrated into the shared drive including information previously kept in LotusNotes (2005-2013). Quality control was performed at that time to ensure no files or metadata were lost or corrupted. All PDFs were confirmed to be searchable. There are no plans to migrate this data in future. If ODNI determines it necessary to move this information, then a migration strategy will be developed as part of that project. Regular back-ups of the shared drive are conducted.

While there is no formal process to ensure that the records are available and usable over time, actions are continuously performed to ensure the retrieval of older records. The executive secretariat, now aligned alongside the RM group, is utilizing flowcharts, SOPs, and standardized naming conventions to ensure new records are captured and maintained appropriately and with associated metadata.

Records Scheduling Requirements

Finding 3: The current records retention schedule is outdated and does not reflect the current organizational alignment and the mission of the components.

The current retention schedule dates from 2009-2010. The ODNI is currently converting to a consolidated records schedule that will include an update to this schedule. ODNI will continue to evaluate new and existing systems to ensure that the records are being managed according to records retention schedules.

Recommendation 3: ODNI must continue to work on the consolidated records schedule project in order to update the schedule (36 CFR 1236.26)

Records Disposition and Storage
While ODNI reported issues with correctly applying naming conventions and metadata, the Executive Secretariat has done a good job of correcting errors when the folders are received by their office. The Executive Secretariat enforces the naming conventions when files arrive within their office. Once the document is finalized, all documentation is scanned into the system and the naming convention is finalized, including the final hardcopy from the front office. These procedures ensure that the files are named and saved appropriately with any pertinent attachments.

The Executive Secretariat is not certain as to how the final disposition of records is initiated, since the IMO/RM team takes possession of inactive Executive Secretariat records and is responsible for executing final disposition.

Finding 4: ODNI is not using file plans or records inventories to control and manage their records.

ODNI has not been updating or implementing file plans or records inventories. It was stated during interviews that when updated schedules are approved, then there would be a new project to work with offices and create new file plans.

Recommendation 4: ODNI must implement a records inventory process that should include SOPs and protocols for when file plans and inventories need to be conducted. (36 CFR 1225.12(b) & 1232.16)

Internal Evaluations

Finding 5: ODNI is not conducting evaluations or oversight of the RM activities offices or programs.

Federal regulations require agencies to conduct formal evaluations to measure the effectiveness of their RM programs and practices (36 CFR 1220.34(j)). RM evaluations conducted routinely allow the ARO to identify areas of non-compliance or risk in RM practices. These reviews will ensure that agencies implement and enforce applicable policies and procedures, specifically that requirements for archiving information that is maintained in electronic format is included in the planning, design, and operation of information systems.

Recommendation 5: ODNI must conduct formal, routine and comprehensive RM evaluations to ensure permanent records are being managed in compliance with federal regulations and remediate program activities found in need of improvement. (36 CFR 1220.34(j))

U.S. Agency for International Development

NOTE: There are findings listed below that have no recommendations listed. USAID participated in NARA's Multi-Agency Inspection on Permanent Records in 2020. In instances where findings from this inspection duplicate findings from the 2020 Permanent Records inspection, we are not repeating them in this report as the agency is currently working through those items. Please see the Managing Permanent Records Multi-agency Inspection Report to see those findings and recommendations.

The executive secretariat for USAID provides support to ensure that the agency principals have access to all pertinent information for decisions and meetings. They assist agency bureaus and offices in crafting effective and fully cleared communications to senior agency officials and to other agencies; assist bureaus and offices to advance agency priorities; manage executive communications including developing and enforcing agency standards and instructions for the receipt, preparation, review, dispatch, and control of all written communications to and from the Administrator and the Deputy Administrator, including all memoranda and executive correspondence. Additionally, the executive secretariat provides policy advice, information on various subjects, and logistical support for more than 30 offices.

Program Management Requirements
The USAID executive secretariat does conduct some aspects of records management independently and the records liaison works closely with the RM team and consults with RM in regard to policy guidance, training, and technical assistance. The policies and procedures, including the SOPs, provided during the data call clearly defined various roles and

responsibilities and ensured that staff members understood their various records management duties. There is a records liaison assigned to the executive secretariat that has records management responsibilities for the office. USAID also has an office management support team in place that works with and manages the records within the executive secretariat.

The executive secretariat has a standing weekly meeting to discuss records management concerns and issues, but there are always daily discussions. There is a formal meeting annually to discuss and provide reports and updates of records management issues between the executive secretariat and the ARO. There is a direct line of communication between the ARO and the Executive Secretariat and both coordinate regularly to ensure proper records management is conducted for the Office of the Administrator.

Policies and Procedures
The SOPs and Administrative Directive Systems (ADS) establish clear roles and responsibilities for the records management of the executive secretariat records. The executive secretariat uses the ADS 502 to create SOPs that directly relate to the records management of the office. The executive secretariat disseminates this policy and any subsequent updates via a mass email sent to all applicable employees that summarize the policy and includes a link. Additionally, reminders of the policy are given to employees during RM training sessions. The executive secretariat is also following the USAID RM policy that was updated in June 2020.

Training
There is mandatory agency-wide annual training conducted by the ARO and their team. Completion of this training is tracked, and management follows up with any employee who does not complete the training. These training sessions are conducted virtually and in-person.

Electronic Records Management Requirements
The executive secretariat uses an electronic system to track correspondence during review and through final signature. The system uses a numerical system to keep records of ownership, tracks actions needed, and maintains all related material in a folder within the system organized by subject. After a document is signed and approved, the system then contains the final signed document. This system has held all front office correspondence since 2002. There is no automated disposition, however, only system administrators can edit or delete records from the system after they have been finalized.

The records liaison conducts quality control on all records in the system prior to when a folder is "closed" out to ensure that all naming conventions and metadata are appropriately applied.

Finding 1: The executive secretariat system is approximately 20 years old and does not have a migration or verification strategy to ensure that records are still usable, available, and retrievable.

Up until 2013, the record copy was in paper format and any information in the system was considered an electronic reference copy. Since 2013, the electronic version is now considered the record; however, some of these older files are also in paper. While this system has evolved over time, any electronic records this old are at risk of not being available or having integrity or degradation issues over time. The system has not been migrated to newer software or hardware and there is no migration or preservation strategy for the records in the electronic system. In addition, there is no verification strategy in place to ensure that the records within the system remain readable and usable.

Recommendation 1.1: USAID must develop a migration strategy for the records in the system to ensure that the records remain trustworthy after upgrades to the system are conducted. (36 CFR Part 1236.12 and OMB Circular A130 5.b.2)f))

Recommendation 1.2: USAID must develop quality assurance procedures to ensure that the records in the system remain usable and readable, this includes evaluating the condition of older records in the system to ensure that the records remain usable and readable. (36 CFR Part 1236.12)

Recommendation 1.3: USAID must evaluate the condition of older records in the system to ensure that the records remain usable and readable. (36 CFR Part 1236.12)

Finding 2: The executive secretariat system does not apply NARA-approved disposition.

Recommendation 2: USAID must develop procedures to execute disposition of the records contained in the executive secretariat system. This would include deleting any temporary records and transferring the permanent records to NARA at the end of the approved retention period. (36 CFR Part1236.20(b)4)

Records Scheduling Requirements
USAID schedules are out of date and require updates.

Finding 3: The Executive Secretariat system records retention schedule has inconsistencies between temporary and permanent dispositions.

The information in the system is scheduled as temporary, but the paper records are scheduled as permanent under N1-286-99-001. While the records retention schedules for the records themselves need to be updated, the system needs to be reappraised and scheduled.

Recommendation 3: USAID must develop procedures to execute disposition of the records contained in the executive secretariat system. This would include deleting any temporary records and transferring the permanent records to NARA at the end of the approved retention period. (36 CFR Part1236.20(b)4)

Records Disposition and Storage
USAID conducts regular, annual updates to agency file plans. The agency maintains a list of permanent records that includes records overdue for transfer to NARA. However, eligible executive secretariat records have been proposed for transfer. Some have already been accepted into NARA's custody and some others are under NARA's review in the ERA system.

Internal Evaluations
The RM team conducts site visits when visiting the missions. During these site visits, the RM team provides technical assistance that includes any records management assistance, answers questions, and reviews records. There is a plan in the future that RM assistance will be more focused with specific questions to answer. RM assessments have also been conducted in HQ.

Appendix B
Inspection Process

OBJECTIVE AND **S**COPE

The objective of this inspection was to determine if Executive Secretariat records created and maintained at the agencies chosen are in compliance with the Federal Records Act; 36 CFR Chapter XII, Subchapter B.

This inspection focused on records of the Executive Secretariat of various federal departments and agencies. There was an emphasis on electronic records management and the management of records in electronic systems, with a particular focus on how Executive Secretariat's manage the correspondence records of their respective agencies.

METHODOLOGY

This inspection was carried out virtually during video or conference calls with the records managers, custodians, coordinators and/or liaisons from the Executive Secretariat of the selected agencies. In some instances, meetings also included the Agency Records Office, Senior Agency Official for Records Management or other members of departments or agencies. In addition, the inspection team:

- Reviewed records management policies, directives, and other documentation.
- Conducted interviews with staff members at participating agencies.
- Used a detailed checklist of questions based on Federal statutes and regulations, and NARA guidance.
- Reviewed responses to current and past annual Records Management Self-Assessments (RMSA), Senior Agency Official for Records Management, and Federal Email Management reports.

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 *Transition to Electronic Records* (M-19-21)
- Other NARA Bulletins currently in effect - https://www.archives.gov/records-mgmt/bulletins

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

All inspected departments and agencies will submit to NARA a Plan of Corrective Action (PoCA) responsive to all applicable findings and recommendations for the office or programs involved 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 the action plan, provide comments to the department and agency on the plan within 60 calendar days of receipt, and assist in implementing recommendations.

The department or agency ROs will submit to NARA progress reports on the implementation of the action plan until all actions are completed. NARA will inform each department or agency when progress reports are no longer needed.

Appendix D
ACRONYMS AND ABBREVIATIONS

ARO	Agency Records Officer
CFR	Code of Federal Regulations
DHS	Department of Homeland Security
DOT	Department of Transportation
DRO	Departmental Records Officer
EPA	Environmental Protection Agency
ERM	Electronic Records Management
FDA	Food and Drug Administration
FOIA	Freedom of Information Act
HHS	Health and Human Services (Department of)
HQ	Headquarters
IT	Information Technology
NARA	National Archives and Records Administration
NIH	National Institutes of Health
OCIO	Office of the Chief Information Officer
ODNI	Office of the Director of National Intelligence
OIG	Office of the Inspector General
OPM	Office of Personnel Management
OS	Office of the Secretary
RC	Records Custodians or Coordinators
RL	Records Liaison
RLO	Records Liaison Officer
RM	Records Management
RMLO	Records Management Liaison Officer
SOP	Standard Operating Procedures
USAID	United States Agency for International Development
USCIS	United States Citizenship and Immigration Services

Appendix E
AGENCY COMMENTS

Department of Transportation

During the agency adjudication process the Department of Transportation provided the following comments to NARA regarding Finding 1 and Finding 2. Additionally, the Department of Transportation would also like it documented that the two key individuals who participated in the inspection interview left the agency within weeks of the inspection interview and that NARA nor the executive secretariat included the Senior Agency Official for Records Management or the Department Records Officer in the interviews.

Finding 1: While the Department of Transportation conducts mandatory training for all employees, there is no enforcement to ensure that all employees complete the annual RM training.

The DOT does not concur with this finding. The term "enforcement" implies consequences should an employee not complete the annual RM training. DOT recommends that NARA provide detailed, government-wide, consequences that can be incorporated into policies and then enforced. DOT also recommends that NARA negotiate the consequences with relevant bargaining units (NTEU, AFGE, etc.) so that the government is consistent with enforcing the NARA recommended consequences.

Adjudication – NARA confirmed with DOT during the adjudication meeting that the training is tracked. It was agreed that the finding/recommendation will stand, but NARA would add clarification of the tracking of the training to the report.

Finding 2: Legacy data is at risk for being inaccessible over time.

The DOT does not concur with this finding. This is a universal data migration risk and not something local to DOT or the EDMS system. As NARA noted, the migration to EDMS was successful in that all data was still accessible. DOT recommends that NARA work with GSA, OMB, Microsoft, and Adobe to develop Robotic/Repeatable Process Automation (RPA) routines that can "crawl" an agency's network of repositories and identify artifacts (content) that has an internal software dependent data structure (e.g. Word, WordPerfect, or Excel) that is becoming obsolete. These routines should be able to report and/or take corrective action accordingly based upon the internal software dependent data structure obsolescence requirement. GSA, OMB, and NARA can then make these universally required routines available and budgeted accordingly, for a nominal fee to agencies on the appropriate GSA Schedule.

Adjudication – Upon further discussion as to the recommendation (i.e., the request that DOT executive secretariat create SOPs to ensure trustworthiness of the older records in the system), DOT has no objection to the finding/recommendation.

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