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**RECORDS MANAGEMENT OVERSIGHT ACTIVITIES
JULY 1, 2022 THROUGH DECEMBER 31, 2022**

Semi-Annual Report

National Archives and Records Administration
March 2023

Records Management Oversight Activities Semi-Annual Report July 1 through December 31, 2022

INTRODUCTION

This report shares recurring themes, key observations, and recommendations for action identified by the Records Management Oversight and Reporting program of the Office of the Chief Records Officer through various oversight activities completed July 1 through December 31, 2022.

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

During this six-month period, we completed:

Inspections

- Permanent Records of Selected Components of the Department of Agriculture

Assessments

- Video Surveillance Records
- Portable Electronic Devices

For further information on each of the above reports, along with all other previously issued agency inspection and assessment reports, and the tracking of allegations of [unauthorized disposition](#) of federal records located on our [Oversight website](#).

We also continued our tracking and monitoring of Plans of Corrective Action (PoCAs). As of December 31, 2022, NARA is actively working with agencies on 54 open PoCAs with 591 total recommendations. For the open PoCAs, 193 recommendations have been closed as a result of agency action.

TRENDS

- Records are at risk when the fundamentals of records management, including policies, internal controls, records schedules, and procedures for implementation, are out of date or not in place.
- Availability of financial, technological, and staffing resources impact the effectiveness of managing records.
- New technologies, particularly portable electronic devices, present new challenges for records management programs.

SUMMARY OF OVERSIGHT ACTIVITIES

- **Permanent Records of Selected bureaus and offices of the Department of the Agriculture**

For this inspection, NARA examined the Department of Agriculture's (USDA) compliance with federal RM statutes and regulations with regard to permanent records and assessed the effectiveness of agency RM policies and procedures. In particular, it focused on the creation, management and transfer of permanent records, with an emphasis on electronic records; policies; strategic planning; training; records schedule implementation; and oversight.

NARA selected a representative group of USDA agencies and offices with significant permanent records. Selection was also made based on annual Records Management Self-Assessment (RMSA) responses and data from background research on USDA agencies. Based on the RMSA data, we selected agencies where scores declined significantly from 2019 to 2021, moving the agencies from the low- or moderate-risk categories to the high-risk category.

While this inspection did not involve all the agencies within USDA, the risks demonstrated by the participating agencies were pervasive enough to conclude they could extend throughout the Department. In addition, while the scope of this inspection concerned the management of permanent records, it is clear that issues and non-compliance with federal statutes and regulations impacts all records regardless of whether they have permanent or temporary retention.

The findings and recommendations focused on risks to permanent records and improvements needed around:

- Fundamental records management program requirements
- Internal controls, policy, guidance and procedures
- Senior leadership advocacy and support for records management within the agencies for implementation of policies, guidance and permanent records handling procedures, as well as compliance with regulations; and
- Resources to effectively manage and oversee the records management program implementation.

The current Department Records Officer, with the support of the Senior Agency Official for Records Management (SAORM), has been working on a variety of initiatives to improve the program. These, along with the PoCA related to the inspection, are expected to improve records management programs across USDA.

- **Video Surveillance Records**

NARA conducted an assessment of six agencies on their policies and procedures related to how they create, manage, use and ultimately dispose of video surveillance records. This assessment also served as information gathering for NARA to identify the different types of video surveillance records agencies are creating, the different methodologies used to create, capture, and preserve these types of records, and how the agencies are approaching the use of these records.

Conducting this assessment for these agencies was challenging as all involved are law enforcement agencies and had higher levels of classification and confidentiality regarding their internal policies and procedures that governed the creation, use, and management of video surveillance records. Only three of the agencies interviewed provided policies and procedures documentation as part of the data call; however, most of the agencies cited their policy or discussed them in further detail during the interview process. Only one of the agencies stated that they were not able to disclose additional information as that information was either “classified” or “confidential.”

The trends found in this assessment closely mirror general records management issues; however, there were challenges unique to the topic such as:

- All agencies indicated that lack of resources is a major issue in managing these records.
- There is currently a lack of hardware for the agencies to store videos adequately.
- Most of the agencies had established policies and procedures for the different types of video surveillance records generated.
- Lack of funding impairs agencies by not allowing adequate manpower to staff their facilities. Lack of funding also requires agencies to create ad hoc solutions for individual facilities.
- All agencies indicated that the lack of guidance on electronic records is a concern. All of the agencies are managing their video surveillance records digitally, but this is not standardized.

- **Portable Electronic Devices**

NARA conducted an assessment of five agencies on their policies, practices, and procedures related to the use of portable electronic devices (PEDs), to evaluate how agencies ensure proper management of federal records on or accessed by these devices. This assessment also evaluated each participating agency’s information technology (IT) tools used to manage government-furnished and personally-owned smartphones, tablets,

and laptops for agency business, with a particular focus on the management of federal records created, stored or accessed by these devices.

Every agency had policies that outlined the appropriate use of government-furnished and personally-owned devices, two agencies had a mobile device management (MDM) policy, four agencies had a specific policy regarding IT system security, four agencies provided RM policies, and three agencies had guidance that discussed frequently asked questions (FAQ) or rules of behavior for PED usage and use of IT networks and systems. Only one agency submitted training materials that discussed IT security of mobile devices and general RM.

Challenges unique to the topic include:

- Although agencies issued policies that discuss the roles, responsibilities, and even some processes relied on to govern the usage of PEDs, many policies did not substantially address the relationships that exist between IT networks and systems, PEDs, agency records and RM.
- Most agencies do not have effective mechanisms in place to assess whether or not PED users consistently adhered to agency policies, guidance and training
- Regular and effective collaboration between IT and RM programs is needed to ensure that policies do not address recordkeeping requirements and RM regulations in a vacuum, but within the context of PED functionalities, IT systems and network access, administrator and user rights, overall user behaviors, and the ever-changing realities agencies are facing with remote work environments.

RECOMMENDATIONS FOR EXECUTIVE ACTION

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

NARA makes the following recommendations for SAORMs to consider based on the oversight activities covered by this report:

- Senior level support is essential for records management programs to be successful and requires SAORMs to proactively endorse and promote these programs to other senior officials within their agencies.

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- Agencies must ensure that the basic fundamentals of a records management program are in place and comply with all regulations under 36 CFR Chapter XII.
 - Agencies must develop procedures to regularly review their internal controls for implementing records management program policies and recordkeeping requirements the same as any other program. (36 CFR 1226.10, OMB A-123 and A-130).
 - Agencies must ensure that policies, procedures, and controls adequately cover new technologies that create records, such as portable electronic devices, electronic messaging environments, and collaboration platforms. (36 CFR 1222.32 and 36 CFR 1222.34)

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

UPCOMING OVERSIGHT ACTIVITIES

The following are some of the oversight activities expected to be completed in calendar year 2023.

Annual Federal Agency Records Management Report

- Annual report to Congress covering records management activities in CY 2022, based on the annual SAORM reports, Records Management Self-Assessment, and Federal Electronic Records and Email Management reports received January-March 2023.
- Preparation for the next reporting cycle to run in January 2024

Multi-Agency Inspections

- Records Management in Judicial Agencies

Single Agency Inspections

- Department of the Navy
- Department of the Army

Assessments

- Social Media Records

Systems Audits

- Email and Calendar Records of the Equal Employment Opportunity Commission and Peace Corps



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