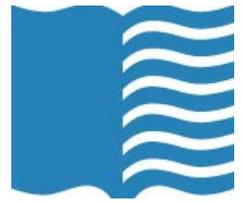




The Library of Congress
Office of the Inspector General



Integrated Support Services

*The Library's Records Management
Program Needs to be Overhauled*

Report No. 2009-PA-104
March 2010

FOR PUBLIC RELEASE



UNITED STATES GOVERNMENT

LIBRARY OF CONGRESS

Memorandum

Office of the Inspector General

TO: James H. Billington
Librarian of Congress

March 18, 2010

FROM: Karl W. Schornagel
Inspector General

SUBJECT: Federal Records Management Program
Report No. 2009-PA-104

This transmits our final report summarizing the results of the Office of the Inspector General's audit of the Library of Congress federal records management program. The executive summary begins on page *i* and our complete findings and recommendations appear on pages 7 to 13.

Based on the written comments to the draft report, we consider all of the recommendations resolved. Please provide, within 30 calendar days, an action plan addressing implementation of the recommendations, including implementation dates, in accordance with LCR 211-6, §11.A.

We appreciate the cooperation and courtesies extended to our staff during this review by Office Systems Services.

cc: Director, Integrated Support Services
Chief Operating Officer

▶▶ TABLE OF CONTENTS

- ▶▶ Executive Summary *i*
- ▶▶ Background 1
- ▶▶ Objectives, Scope, and Methodology 6
- ▶▶ Findings and Recommendations 7
 - I. The Library’s Records
 - Management Program Is Deficient 7
 - a. No Directives Outlining the Library’s
 - Records Management Requirements 7
 - Recommendation 9
 - Management Response 9
 - b. No Oversight 9
 - Recommendation 11
 - Management Response 11
 - c. No Records Management Training Program 11
 - Recommendation 12
 - Management Response 12
 - II. The Library Should Assess the Need for
 - an Electronic Recordkeeping System 12
 - Recommendation 13
 - Management Response 13
- ▶▶ Conclusion 14
- ▶▶ Appendix: Management Response 15

▶▶ EXECUTIVE SUMMARY

Every federal agency has a responsibility to create and maintain records regarding its existence and operations. Doing so enables agencies to protect the legal and financial rights of the government, taxpayers, and other stakeholders; ensure continuity and consistency in the agencies' administrations; assist agency officials and their successors in making informed decisions; and provide information required by Congress and agencies which perform oversight functions.

Federal agencies are required to manage their records according to the Federal Records Act and corresponding regulations. The Act requires each agency to establish and maintain an active, continuing program for economically and efficiently managing the agency's records. Among other things, the program must provide effective controls over the creation, maintenance, and use of the records involved in conducting business.

This report provides the results of our audit of the Library's program for managing official records. The Library's Integrated Support Services (ISS) organization administers the program. Our principal objective was to determine whether ISS was providing direction, oversight, and support to Library organizations and employees to help them comply with the Federal Records Act and corresponding regulations. Our scope included records in both hard-copy and electronic formats.

We determined that the Library's records management program is not in compliance with the Federal Records Act. As a result, the Library has no assurance that service and support units are appropriately managing the records in their custody and that important records are not lost. The following is a summary of our findings and recommendations:

The Library's Records Management Program is Deficient– The Library lacks records management directives that establish recordkeeping requirements, including records created or received using electronic mail and distinguishing records from non-records. As a result, there is a lack of consistency in recordkeeping practices. In addition, ISS' Records Management Section does not play an active role in

ensuring that service and support units are aware of and complying with the Library's recordkeeping policies. The Records Management Section neither performs inspections nor surveys service units' recordkeeping practices to determine if the Library complies with its own recordkeeping policies.

Lastly, the Library lacks an employee records management training program designed to inform Library employees of required recordkeeping policies, responsibilities, and techniques.

We recommend that ISS promptly (1) develop and implement records management policies and procedures which will provide an organized means for the Library to conform to federal records management requirements; (2) initiate active oversight of the Library's recordkeeping practices; and (3) develop and implement, in coordination with Human Resources Services, a training program on federal records management.

The Library Should Assess the Need for an Electronic Recordkeeping System—As the volume of electronic records increases, the Library should weigh the costs and benefits of implementing an electronic recordkeeping system. Therefore, we recommend that the Library conduct a cost/benefit analysis of an electronic recordkeeping system.

ISS concurred with all of our recommendations. The full text of management's response is included as an appendix.

▶▶ BACKGROUND

Records management includes the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved in records creation, maintenance, and use. Additionally, it involves disposals and transfers of record materials to achieve adequate and proper documentation of the policies and transactions of the federal government and effective and economical management of an agency's operations.¹

Federal Law and Regulations on Records Management

The Federal Records Act and corresponding regulations² provide the framework for records management programs in federal agencies, including the Library of Congress (Library). The Act requires each federal agency to make and preserve records³ that (1) document the organization, functions, policies, decisions, procedures, and essential transactions of the agency, and (2) provide the information necessary to protect the legal and financial rights of the federal government and of persons directly affected by the agency's activities. Such records also include electronic mail (e-mail) records.

Additionally, the Act requires federal agencies to institute adequate records management controls over the maintenance and use of records wherever they are located to ensure that all records, regardless of format or medium, are organized, classified, and described to make them accessible to all

¹ 44 U.S.C. Chapter 29, §2901.

² Relevant National Archives and Records Administration (NARA) regulations implementing the Federal Records Act are found at 36 C.F.R. 1220–1239.

³ 44 U.S.C. Chapter 3301 states, " 'records' includes all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference and stocks of publications and of processed documents are not included."

appropriate agency staff during their authorized retention periods.

The National Archives and Records Administration (NARA) has the primary responsibility for overseeing the management of federal records. NARA regulations provide federal agencies with high-level requirements for their records management programs. Since the functions, activities, and administrative practices of federal agencies vary widely, NARA does not specifically identify all the categories of documentary materials an individual agency should retain as evidence of its activities.

NARA regulations require federal agencies to implement records management policies and programs that:

- Identify records that need to be created and maintained to conduct agency business;
- Create and preserve records which document the organization, functions, programs, policies, decisions, procedures, and essential transactions of the agency; and
- Manage records according to NARA-approved schedules indicating how long a record must be kept before it is transferred to a Federal Records Center, destroyed, or transferred to NARA for permanent preservation.

Consequences of failing to implement an adequate records management program could include the loss of monies or critical information which could cause embarrassment for an agency and/or ignite congressional inquiries and investigations.

As a direct result of poor recordkeeping, the U.S. Department of Interior experienced the unwanted limelight. In 1982 the Department's Bureau of Indian Affairs (BIA), which was responsible for managing funds of individual Indians and



The National Archives and Records Administration Building
Washington, D.C.

tribes, was unable to account for hundreds of millions of dollars in grant, contract, and Indian trust fund accounts. The loss of accountability was primarily attributable to the Bureau’s failure to implement controls to ensure accounting transactions were recorded and to protect records from

inappropriate and unauthorized access. As a result, the account holders lost confidence in the Bureau’s management capability and credibility.⁴ The ensuing publicity significantly tarnished the BIA’s public image.

Records Management Administration in the Library



Native Americans could win \$10B over dispute

By Tom Kenworthy, USA TODAY

02/14/2002 - Updated 01:00 AM ET

“...The government’s mishandling of the proceeds from Indian lands it held in trust dates almost to the 1887 passage of the Dawes Act....Over the decades, Indians often have discovered that the records — if there are any — are a shambles....”

The Library has promulgated Library of Congress regulation (LCR) 1920, *Records Management*, which sets forth the program’s objectives, responsibilities, and authorities for the creation, maintenance, and disposition of Library records. The LCR assigns primary responsibility for records management to the Director of Integrated Support Services (ISS). The Director has designated the Chief of Office Systems Services (OSS) as the Library’s Records Officer. The section’s responsibilities include issuing guidance, working with service units to implement effective controls for the creation, maintenance, and use of records, overseeing records management programs of the service units, and providing storage facilities for Library records.

The Records Management Section includes the Correspondence Unit and the Records Management Unit. The Correspondence Unit is responsible for maintaining the Librarian’s correspondence and the official record copies of various Library publications, such as service units’ annual reports, Library of Congress Information Bulletins, and regulations. The Records Management Unit is responsible for the storage and disposition of records transferred to the unit and for processing Freedom of Information Act requests.

At the time of this audit, the Records Management Section was realigning its full-time equivalent staff positions (FTEs).

⁴ *Major Improvements Needed in the Bureau of Indian Affairs’ Accounting System*, (GAO/AFMD-82-71, September 8, 1982).

According to ISS management, all the employees of the Records Management and Correspondence Units will be trained so that they can perform the job duties of either unit. Prior to 2001, the Records Management Unit operated with at least four full-time employees and that staffing level enabled the unit to conduct inspections of the service and support units' recordkeeping practices. Due to its staffing issues since then, the unit has been unable to inspect these practices for many years.

Management of Electronic Records

The volume of electronically generated records such as e-mail and word processing documents is increasing rapidly. Electronic records present a records management challenge for the Library because they are created and maintained in a largely decentralized way. Electronic recordkeeping responsibilities are frequently overlooked by employees. Moreover, electronic records can easily be deleted without leaving an obvious trail.

Compounding the Library's control challenges are unresolved questions throughout the Library's organizations regarding electronic records and their management. For example, what, exactly, constitutes an electronic record and who must preserve it? Additionally, there is confusion surrounding the appropriate treatment of multiple versions of documents and document drafts.

The Library e-mail system is not designed to be a recordkeeping system and therefore, Library employees must print e-mail records and file the copies in traditional paper recordkeeping files.⁵ Identifying electronic records in their control which should be maintained and preserved for future access is part of an employee's responsibilities. Some guidance is available from NARA, but it is the agency's job to instruct its employees on how to accomplish their records management responsibilities.

⁵ 36 C.F.R. §1236.22.



The National Archives and Records Administration Campus
College Park, Maryland

In 2007 NARA conducted a study on the implementation of “Records Management Application (RMA)” products at five federal agencies, including NARA itself.⁶ An RMA is one of the tools available to federal agencies to accomplish electronic recordkeeping. An RMA can facilitate electronic records management by managing records from desktop applications, and maintaining electronic mail in an electronic format for recordkeeping purposes.

In the study, NARA concluded that RMA products can be beneficial to federal agencies and help them comply with NARA regulations. The five agencies involved in the study were generally satisfied with the performance of their RMA software product. The products were performing up to

expectations in capturing, categorizing, and storing electronic records and agency employees were making use of their RMAs to file their electronic documents including “record” e-mail messages.

Although there is no perfect software solution for successfully managing electronic records, the choices are increasing over time and software products continue to evolve and become more robust. An RMA offers compliant electronic recordkeeping, but it can be expensive to acquire, time consuming to prepare for and implement, requires user intervention to file records, and can be costly over time.

More importantly, part of the necessary groundwork that needs to be performed before an electronic recordkeeping system is implemented is a records management program in good working order and which follows NARA standards. Purchasing an electronic recordkeeping system will not solve problems inherent in the current records management program; it will only serve to cement those problems in a computer system.

⁶ *A Survey of Federal Agency Records Management Applications*, NARA, 2007.

» OBJECTIVES, SCOPE, AND METHODOLOGY

Our objective was to determine whether ISS was administering a records management program that was providing direction, oversight, and support to Library organizations and employees, for conforming to the Federal Records Act and corresponding regulations. Our work focused on the Library's practices for administering, storing, and retrieving official government records and included evaluating the management of both hard-copy and electronic records.

We researched the Federal Records Act and NARA regulations to identify federal requirements applicable to the Library's operations. We also interviewed and held discussions with OSS management and staff to: 1) obtain an understanding of the Library's records management program, 2) identify and assess the adequacy of the program's controls, and 3) assess the Library's compliance with applicable federal requirements on records management.

In addition, we interviewed staff representing five different divisions within the Library's various service and support units to determine whether the recordkeeping practices of those organizations were adhering to the Library's requirements. We also researched information regarding federal agencies that have acquired systems intended to facilitate electronic records management to ascertain whether those systems have met the agencies' expectations.

We conducted our fieldwork for this performance audit from October through November 2009 in accordance with generally accepted government auditing standards and LCR 211-6, *Functions, Authority, and Responsibility of the Inspector General*. Government auditing standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our conclusions based on our audit objectives.

» FINDINGS AND RECOMMENDATIONS

The Library's Records Management Program is governed by the Federal Records Act and LCR 1920, which both require that the program develop records management directives, provide oversight over recordkeeping activities, and develop and coordinate a records management education program.

We found three major deficiencies in the administration of the Library's records management program that prevent it from complying with the Federal Records Act, corresponding regulations, and LCR 1920. Specifically, the program lacked 1) directives specifying how federal recordkeeping requirements must be satisfied; 2) active agency-level oversight for Library organizations' records management practices; and 3) agency-wide training on how Library employees should be managing official Library records in their control. As a result, there was confusion regarding records management requirements and inconsistency in recordkeeping practices throughout the Library.



Boxed records stored in an underground storage facility.

We observed that the Library's organizations have accumulated a large – and rapidly increasing – volume of electronic records. Effectively managing the rising volume of electronic records has posed a challenge because electronic records must be managed according to federal recordkeeping requirements, and the Library's only solution has been to print and file each record e-mail.

Further details on and recommendations to address these issues are provided in the following sections.

I. The Library's Records Management Program Is Deficient

a. No Directives Outlining the Library's Records Management Requirements

The Federal Records Act requires that federal agencies institute adequate controls over the maintenance and use of records. This includes establishing and implementing policies and procedures on how recordkeeping requirements will be satisfied at the agency, including records created or received using e-mail, distinguishing between records and non-records,

and prohibiting the maintenance of records at unauthorized locations.⁷

Our review found that the Library has not established directives which specify how recordkeeping requirements will be satisfied at the Library. Moreover, as we explain in parts *b* and *c* of this section, the Records Management Section is not providing oversight for Library organizations' records management practices and an agency-wide training program on managing Library records does not exist.

This general lack of management at the agency level for the Library's official records is manifesting itself in various ways. Our survey of service unit's recordkeeping practices found that some Library service units are storing electronic records in unauthorized locations, while others are maintaining records for indefinite time periods.⁸ Additionally, because the practice is widely misunderstood as being appropriate, Library employees are storing official Library e-mail records in electronic form in their work e-mail accounts instead of following the Library's policy of printing and filing "record" e-mails.

It is the Library's policy that e-mail records are to be printed and filed in a paper recordkeeping system. Yet, this policy is neither published in an LCR nor posted on the Records Management Section's website. ISS informed us that its standard practice is to issue a yearly memo intended to remind Library employees of the Library's recordkeeping policy. However, service units we contacted stated that they had not received any information about recordkeeping from ISS for a long time. ISS acknowledged that its last memo on the subject was issued in April 2008.

We believe that ISS' annual memo is neither an effective nor appropriate method to communicate the Library's recordkeeping policy. The Library's policy should be published in an appropriate forum and made available

⁷ 36 C.F.R. 1220.32

⁸ During our survey of five Library divisions' recordkeeping practices, we discovered that some divisions were converting records into electronic form and storing them on their shared network drive. We also found that some divisions were unaware of the Library's record schedule, which governs the disposition of records.

library-wide. In addition, ISS must develop directives which specify how recordkeeping requirements will be satisfied at the Library, including records created or received using e-mail, distinguishing between records and non-records, and prohibiting the maintenance of records at unauthorized locations.

Recommendation

We recommend that the Director of ISS develop and implement policies and procedures which will provide an organized means for Library organizations and employees to conform to federal records management requirements.

Management Response

Management agreed with our recommendation. ISS has already prepared draft directives which will be finalized during the 3rd quarter and promulgated during the 4th quarter of fiscal year 2010. These directives will provide guidance to the Library's service and support units on implementing the Library's records management policies.

b. No Oversight

Oversight is a key activity of governance because it provides the means to confirm whether organizations are properly carrying out their responsibilities. Effective oversight includes monitoring, evaluating, and reporting on an organization's performance and holding an organization's management accountable for their actions.

NARA regulations require that each federal agency perform periodic evaluations of its records management program to obtain reasonable assurance that the agency is in compliance with federal recordkeeping requirements.⁹ Notwithstanding this regulatory requirement, the Records Management Section is not providing any oversight for the Library organizations' recordkeeping activities. Moreover, communication between the section and the service units is inadequate. The section is relying on the service units to be knowledgeable about, and to fully conform to federal recordkeeping requirements on their own. However, such reliance is accompanied by substantial risk, especially in view of the Library's lack of directives on

⁹ 36 C.F.R. 1220.34

records management and training on service units' recordkeeping responsibilities.

The Records Management Section acknowledged that it was not aware of the service units' records retention activities. As a result of this lack of oversight, the Section has no assurance that service and support units are appropriately managing the records in their custody.

The Records Management Section's lack of oversight for Library organizations' recordkeeping activities is attributable to the staffing level in the Records Management Unit. Prior to 2009 the Records Management Unit had two FTEs. As a result, it has not been able to perform inspections of the service units' recordkeeping practices for many years.

ISS informed us that active oversight of the service units' recordkeeping practices would be resumed shortly and that, due to four important factors, staffing resources to perform ISS' oversight activities would be available soon. First, the use of modern technology (e.g., electronic correspondence, digitization, etc.) has made the Records Management Unit's work process more efficient and has changed the personnel skills required for the unit's operations. Second, the work of the Records Management Section is being realigned. ISS and OSS recognize that the work processes of the Records Management and Correspondence Control Units became intermingled at a point and determined that most of the units' functions require the same personnel skills. Accordingly, the employees of the two units are scheduled to be cross-trained and will subsequently be available to perform the duties of either unit. Third, a generic Management Assistant position description used by the Records Management Section will be used by ISS for staffing junior-level vacancies in the Correspondence Control and Records Management Units. Fourth, in fiscal year 2010, all Records Management Section staff will be trained in basic records management at NARA.

We support the personnel actions ISS is taking to make more efficient use of its limited staff resources and believe ISS should begin active oversight of the Library's recordkeeping practices as soon as the organization can do so. We wish to commend ISS for having an effective plan to redeploy its resources in light of changing program requirements.

Recommendation

We recommend that the Director of ISS initiate a program to provide active oversight of the service units' recordkeeping practices. The Director should ensure that the oversight program's design provides adequate assurance that service units' practices are in compliance with the Federal Records Act and NARA regulations.

Management Response

Management agreed with our recommendation. ISS plans to initiate a number of improvements in the Library's Records Management Program, including establishing a more formal program for records management reviews. The Records Management Program will perform systemic briefings, and guidance and reviews of service and support units' paper-based recordkeeping systems.

c. No Records Management Training Program

The Federal Records Act requires agencies to provide guidance and adequate training to all agency personnel on policies, responsibilities, and techniques for implementing federal recordkeeping requirements. Such guidance and training should ensure that agency personnel recognize the distinction between records and non-record materials, regardless of media, including materials involved in sending and receiving electronic mail.¹⁰

At the time of this audit, the Library lacked an agency-wide training program for federal recordkeeping requirements. The lack of a training program along with the lack of other controls to ensure that employees are knowledgeable of their recordkeeping responsibilities, results in the Library having little assurance that records are being properly identified, stored, and preserved. ISS informed us that the Records Management Section was in the process of developing a training program, and attributed its past failure to establish such a program to a lack of resources.

Because it would provide a means of informing line management and employees of their recordkeeping

¹⁰ 36 C.F.R. 1220.34

responsibilities and bring the Library into compliance with the Federal Records Act, an agency-wide training program on records management should be implemented at the Library as soon as possible.

Recommendation

We recommend that the Director of ISS, in coordination with Human Resources Services, develop and implement a training program on federal records management for Library staff.

Management Response

Management agreed with our recommendation. The Records Management Section will work with the service and support units in identifying records liaisons in each unit. The section will also draft a training course on federal records management which will be mandatory for all service and support units' records liaisons. In addition, in collaboration with the Office of the General Counsel and Human Resource Services a mandatory on-line basic records course will be provided to all Library staff members. Finally, the Records Management Section is negotiating with Human Resource Services to add the section to the new employee orientation agenda to discuss basic records management awareness with all new Library staff.

II. The Library Should Assess the Need for an Electronic Recordkeeping System

As mentioned earlier, federal recordkeeping requirements are applicable to electronically generated records, such as e-mail and word processing documents, as well as records which are in paper form. The Library does not maintain a recordkeeping system. In addition, neither the Library's current nor future e-mail system has recordkeeping capabilities that satisfy NARA requirements.¹¹ Accordingly, Library employees must follow traditional paper recordkeeping procedures in managing their electronic records, i.e., printing and filing.

Computers are now used by Library staff to create and access most, if not nearly all, official records. The volume of

¹¹ The Library is in the process of changing its e-mail system, from Novell GroupWise® to Microsoft Outlook®.

electronic records is rapidly increasing. Despite this increasing volume, these records must be managed according to federal recordkeeping requirements. However, doing so means that employees must go through the time-consuming process of printing paper copies of these records and filing them in traditional recordkeeping files for paper documents. In our view, this process for handling electronic records is arduous, cumbersome, and overly prone to error or omission. Accordingly, we believe that the Library should conduct a cost/benefit analysis to determine the viability of an electronic recordkeeping system.

As part of this assessment, the Library should review the 2007 study conducted by NARA on the implementation of an electronic recordkeeping tool by five federal agencies.

Recommendation

We recommend that the Library perform a cost/benefit analysis to determine whether the Library should implement an electronic recordkeeping system. The assessment should compare and contrast the costs, risks, and benefits of both a new electronic system and the existing paper-based system. Assessment work should also include developing a time line and identifying substantive milestones which would apply to the acquisition and implementation of a new system.

Management Response

ISS deferred this recommendation to the Library's senior management since the implications of an electronic recordkeeping system would affect the entire Library and this decision must be made at the executive management level. ISS management has already been in informal contact with Information Technology Services, which has indicated that "...ITS could, once the subject matter experts of the Library have identified their requirements for an electronic records management system, conduct a market survey, identify possible solution products and cost out the implementation."

» CONCLUSION

Records are evidence of an agency's actions, and are the currency of transparency. They provide evidence of agencies in action, reveal information which allows stakeholders to observe what the federal government is doing, and promote accountability for its actions and decisions. Without reliable and accurate records, federal government accountability, transparency, and integrity are at risk.

It is essential that the Library establish and maintain an adequate records management program that provides directives on recordkeeping requirements, oversight to ensure compliance with directives, and training for employees on recordkeeping responsibilities and compliance. Library management must initiate improvements in all of these areas to assure its stakeholders that Library activities demonstrate accountability, transparency, and integrity.

Finally, in this period of increased fiscal scrutiny, Library management must establish that it is collecting and managing its record keeping operations in the most efficient manner. The magnitude and speed of twenty-first century business activity produces an ever increasing amount of information that presents a recordkeeping challenge for collecting, storing, and retrieving information. Library management must evaluate and choose the most operationally effective and fiscally responsible processes to meet its recordkeeping requirements.

Major Contributors to This Report:

Nicholas Christopher, Assistant Inspector General for Audits
John Mech, Lead Auditor
Elizabeth Valentin, Auditor

▶▶ APPENDIX: MANAGEMENT RESPONSE

UNITED STATES GOVERNMENT

LIBRARY OF CONGRESS

Memorandum

Integrated Support Services

TO: Karl Schornagel
Inspector General

DATE: March 2, 2010

FROM: Mary Levering
Director, Integrated Support Services

SUBJECT: ISS comments on Draft Report No. 2009-PA-104 on "The Library's Records Management Program needs to be overhauled"

This is in response to your memo of February 3, 2010, requesting comments from Integrated Support Services on the draft Audit Report No. 2009-PA-104, on "The Library's Records Management Program needs to be overhauled" and Nick Christopher's email of February 18, 2010, asking for ISS comments by March 8.

Attached are comments and responses from the ISS Director, and the Chief of Office Systems Services with input from the Head of the OSS/Records Management Section.

Thank you for giving ISS the opportunity to review and comment on this draft report.

Attachment: ISS Response to draft audit report

cc w/copy of attachments:
Nick Christopher, OIG
Elizabeth Valentin, OIG
Jo Ann Jenkins, COO
Lucy Suddreth, LIBN
Robert Williams, ISS/OSS
Emmet Devine, ISS

File: ISS Audits – Records Mgmt #2009-PA-104
Net: I:\director\admin\audits\2009-PA-104 Records Mgmt.wpd

Attachment

**Integrated Support Services/OSS
Response to Audit Report No. 2009-PA-104
Records Management Program
March 2, 2010**

IG FINDINGS, RECOMMENDATIONS AND ISS RESPONSES:

1. IG Finding: The Library's Records Management Program is Deficient

a. No Directives Outlining the Library's Records Management Requirements

IG Recommendation: *We recommend that the Director of ISS develop and implement policies and procedures which will provide an organized means for Library organizations and employees to conform to federal records management requirements.*

ISS Response: ISS Agrees. The Records Management Section (RMS) of the Office Systems Services division (OSS/RMS) had prepared draft directives prior to initiation of this audit. These draft directives will be finalized during 3rd quarter and promulgated during the 4th quarter of FY10. These directives will provide guidance to LC Service and Support Units (SU/SUs) so that they can implement the records management policies contained in LCR 1920, *Records Management*. Additionally, these directives will provide specific guidance to Library Service and Support Units on the NARA policy concerning the handling of electronic records such as emails and other electronic records by printing and filing "record" copies in their paper-based recordkeeping systems. RMS will update its intranet website to reflect the most current records management policies of the Library of Congress.

b. No Oversight

IG Recommendation: *We recommend that the Director of ISS initiate a program to provide active oversight of the service units' recordkeeping practices. The Director should ensure that the oversight program's design provides adequate assurance that service units' practices are in compliance with the Federal Records Act and NARA regulations.*

ISS Response: ISS Agrees. ISS plans to initiate a number of improvements in the Library's Records Management Program, including establishing a more formal program for records management reviews similar to the program initiated by ISS two years ago for improvements in the Library's asset control program. This records management program will include systemic briefings, guidance and reviews of Service and Support Units' paper-based recordkeeping systems, OSS/RMS is also currently investigating an appropriate level of program oversight, given the staffing levels of OSS/RMS, needed to meet the requirements and spirit of the Federal Records Act and NARA directives. OSS/RMS plans to conduct annual reviews of SU/SU recordkeeping practices to assure that these programs are in compliance with LCR 1920. OSS/RMS is looking into the availability of NARA to advise and assist in this endeavor. Additionally, the Head of OSS/RMS will require annual feedback from each SU/SU of their records management activities after all records management liaisons have been trained.

c. No Records Management Training Program

IG Recommendation: *We recommend that the Director of ISS in coordination with Human Resources Services, develop and implement a training program on federal records management for Library staff.*

ISS Response: ISS Agrees: The OSS/Records Management Section will work with SU/SUs for the identification of Records Liaisons in each SU/SU and OSS/RMS will work closely with these individuals

to improve the Library's records management programs. OSS/RMS will draft a training course on federal records management to be offered for all SU/SU Records Liaisons' mandatory attendance. OSS/RMS will provide appropriate hand-outs and other training materials. In addition, in collaboration with the Office of General Counsel, and Human Resource Services, a mandatory on-line Basic Records Course will be provided to all Library staff members. Finally, OSS/RMS is negotiating with Human Resource Services to add RMS to the agenda for the New Employee Orientation at the Library of Congress to discuss basic records management awareness to all new Library staff, including providing guidance for staff to recognize the distinction between records and non-records materials regardless of the media.

OSS/RMS does have a training program for staff assigned to the Records Management Program. In addition to a comprehensive in-house on-the-job training process, each RMS staff member will receive either initial or refresher Basic Records Management training through NARA. The Head of the Records Management Section was in the track for certification in Federal Records Management. This certification is earned through the completion of a series of Records Management classes.

2. IG Finding: The Library Should Assess the Need for an Electronic Recordkeeping System

IG Recommendation: *We recommend that the Library perform a cost/benefit analysis to determine whether the Library should implement an electronic recordkeeping system. The assessment should compare and contrast the costs, risks, and benefits of both a new electronic system and the existing paper-based system. Assessment work should also include developing a time line and identifying substantive milestones which would apply to the acquisition and implementation of a new system.*

ISS Response: ISS defers this recommendation to the Library's senior Library management since the implications of an Electronic Recordkeeping System would affect the entire Library of Congress and this decision must be made at the executive management level. ISS does have knowledge of federal records program requirements as defined by NARA and could provide requirements for an electronic records management system, well as general advisory assistance, to an appropriate Library office that would conduct a cost/benefit analysis of electronic recordkeeping systems. ISS management has already been in informal contact with the Library's Information Technology Services (Jim Gallagher) who indicated that "... ITS could, once the subject matter experts of the Library have identified their requirements for an electronic records management system, conduct a market survey, identify possible solution products and cost out the implementation."