NARA Review of UMD CIP Report
"Best Practices in Electronic Records Management"

In 2005, the University of Maryland (UMD), Center for Information Policy (CIP). examined recordkeeping practices in 21 Federal agency offices, two state agencies, and a private sector organization. This survey, which focused particularly on electronic records, was funded in part by the National Archives and Records Administration (NARA). This paper presents NARA's review of the CIP's survey report, "Best Practices in Electronic Records Management."

The report found that most of the surveyed offices maintain recordkeeping copies in paper format, although all of the offices maintain electronic records (frequently electronic duplicates of paper records). Only one office has adopted an Electronic Recordkeeping System (ERKS), defined as a Records Management Application (RMA), and most offices maintain electronic records on a shared drive. The CIP report cited the importance of NARA's role in promoting agencies' adoption of an ERKS.

The report identified several key problems and put forward suggestions to resolve them. Each is summarized below, followed by NARA's response. In addition, CIP proposed a number of areas where further research is warranted. This paper addresses these suggestions as well.

Problem 1: "Most offices, particularly in large agencies, have not developed or deployed Electronic Recordkeeping Systems [ERKS]." (Page 61 of report.) This situation is partly due to a lack of financial resources. Large agencies typically find it more difficult to undertake the planning and coordination necessary for an ERKS and to make use of commercial off the shelf (COTS) software.

Solution Proposed by CIP: NARA and the Office of Management and Budget (OMB) should encourage all agencies to include in their budget requests to Congress a dedicated appropriation for electronic records management. A model for this program is the NARA 117X fund for facility repairs and restoration.

NARA Response: The report has identified the key barriers to agencies' adoption of an ERKS. However, the proposed solution, involving appropriations in each agency's budget dedicated to electronic records management (ERM), does not appear to be practical. The model cited for this proposal, the NARA 117X fund for facility improvements, relates to a well defined activity in one agency. It would be difficult to define the parameters of analogous appropriations government-wide covering a broad and evolving activity like ERM. ERM can be achieved through various methods besides an RMA, such as Records Management Service Components (recordkeeping functionality incorporated into software applications) and the integration of recordkeeping functionality into new agency systems. Additional methods may be developed in the future. Moreover, it appears unrealistic to expect that the necessary ERM appropriations

could be achieved government-wide, given the large expense involved in ERM and current budgetary constraints.

Problem 2: "Disposition of electronic records is too cumbersome and uncertain." (Page 63.) Many offices do not use a disposition schedule or file plan to determine when to delete electronic records. Records creators generally delete individual electronic records rather than entire electronic folders of related records. Records creators do not review electronic records at the end of year for possible deletion and fail to use standard naming conventions for electronic records to facilitate disposition. Improper disposition of e-mail is of particular concern. These practices largely mean that electronic records are kept too long, creating liabilities in regard to litigation discovery and the Freedom of Information Act (FOIA).

Solution Proposed by CIP: CIP did not propose an immediate solution to this problem but looks ahead to the use of an ERKS to systematize disposition of electronic records.

Problem 3: "Organizations are maintaining unsynchronized parallel paper and electronic systems." (Page 65.) These systems maintain both an electronic and paper version of most records. This situation results in extra work to keep copies in both formats, confusion about which format is the recordkeeping copy, and retention of many electronic records beyond their disposition date.

Solution Proposed by CIP: An interim solution for an office not yet implementing an ERKS is a synchronized filing system covering paper records and electronic records maintained on a shared drive. The office first must have adopted a file plan linked to the disposition schedule and covering records in both paper and electronic format. This solution offers several advantages for managing electronic records. Disposition is done at the folder rather than document level, and access is improved through the orderly arrangement of electronic folders and standardized naming of folders and documents.

NARA Response: Problems 2 and 3 will be discussed together, because, in NARA's view, they are closely related. NARA believes that, although the report accurately identifies poor disposition practices for electronic records, it overemphasizes the importance of this issue for the majority of offices which still maintain paper as the recordkeeping copy. For such offices, the early destruction of electronic copies is not a significant problem because such copies generally have very short term retentions under General Records Schedule 20, items 13 and 14. It is the overly long retention of such electronic copies in some offices that is a source of concern due to liabilities for discovery, FOIA, or the Privacy Act. While this might be a problem in some offices, its impact is limited, especially because no information is lost.

After issuance of the CIP report, NARA disseminated a new regulation allowing agencies to maintain many transitory e-mail records on the e-mail system itself rather than creating a separate recordkeeping copy. This regulation should result in fewer e-mails being printed to paper, thereby reducing the degree of duplicate recordkeeping noted in the CIP report.

In regard to CIP's suggestion that offices implement a parallel electronic filing system on a shared drive, NARA believes that the effort required for this synchronized filing system is likely to be warranted only for certain paper-based offices. (Offices maintaining electronic recordkeeping copies on, for example, a document management application, would not need to keep another electronic copy on a shared drive). Paper-based offices may wish to maintain a synchronized electronic filing system if they (a) are especially liable to litigation discovery, FOIA, or the Privacy Act, (b) accumulate records of such significance that the risk of losing significant information which may not be printed out justifies the cost of systematically maintaining duplicate electronic copies, or (c) wish to use the synchronized system as an interim step toward exclusively adopting electronic recordkeeping on a shared drive. NARA also believes that, for the synchronized system to be successful, an office first must have established an effective recordkeeping system for paper records.

In assessing their need to implement the synchronized system, offices should also take into account some associated drawbacks. First, considerable effort is needed to properly maintain standardized electronic folders and file records in them. The report appears to underestimate this effort. Second, because paper-based offices' adoption of the synchronized filing system means that electronic copies would be designated as recordkeeping copies rather than duplicates covered by GRS 20, items 13 and 14, an agency's disposition schedules would need to be revised systematically to cover records in electronic format. Such a revision would involve the substantial effort of evaluating many temporary paper records to determine if they warrant permanent retention in electronic format because of increased utility due to manipulability, compactness, or capability of being linked to other electronic records.

In sum, maintaining a dual file system may be warranted in some paper-based offices but this approach will likely not be worth the effort in many offices. Before adopting this approach, agency offices need to assess their needs very carefully.

Future Research Opportunities: CIP suggested several areas of electronic records management as warranting future research. In general, NARA finds these areas to be worthwhile and welcomes investigations into them. Listed below are the suggested research areas, along with NARA's comments including references to NARA actions and policy.

Research suggested by CIP: Various topics involving e-mail management, including effective filing methods, techniques for determining record status, and a better understanding of the proportion of e-mail which typically is record vs. non-record and transitory vs. substantive.
NARA comment: E-mail management is a significant issue warranting further study. We particularly favor investigations into the proportion of record, non-record, transitory, and substantive e-mails.

Research suggested by CIP: New technologies such as instant messages and electronic images, maps, and recordings.
NARA comment: In recent years, NARA has issued technical standards for permanently valuable electronic records in several widely used formats (e.g., digital geospatial data, digital photographic records, scanned images of textual records) for transfer to the National Archives. (http://www.archives.gov/records-mgmt/initiatives/erm-guidance.html.) In 2006 NARA will issue basic records management guidance relating to instant messages and specialized web records such as blogs and WIKIs.

Research suggested by CIP: The need for new legislation, changes in records officer roles and employee education, and greater recognition of model programs.
NARA comment: NARA believes that the existing framework of Federal law is sufficient to provide for the effective management of electronic records. NARA has substantially upgraded its educational offerings for Federal records managers, adding important new information on electronic records. NARA also now offers on the worldwide web a basic course for all Federal employees, "Records Management for Everyone" (http://www.archives.gov/records-mgmt/training/.)   NARA's annual Records Administration Conference (RACO) recognizes model records management programs in Federal agencies.

Research suggested by CIP: Increased partnering by the government with the private sector.
NARA comment: NARA has worked with industry, academia, and other Federal agencies to develop functional requirements for Records Management Service Components to manage electronic records. (http://www.archives.gov/era/rms/rms-documents.html.)   NARA will provide management consultant firms and information technology providers with criteria and standards to ensure that appropriate records management requirements are incorporated into solutions which create electronic records in Federal agencies. (http://www.archives.gov/records-mgmt/bulletins/2006/2006-02-attach-2.html.)

Research suggested by CIP: Application of an international standard (such as ISO 15489, "Information and Documentation: Records Management") to Federal recordkeeping.
NARA comment: ISO 15489 in general guides NARA's view of records management. NARA currently is revising its regulations to incorporate key elements of this standard.

Research suggested by CIP: Impediments to adoption of an ERKS, remedies for haphazard disposition practices, and NARA's role in implementing solutions.
NARA comment: NARA has taken a number of actions in this area. We have issued electronic recordkeeping guidance and included it in a toolkit available on the worldwide web. (http://toolkit.archives.gov/pls/htmldb/f?p=102:1:3964954243408649667.)
We are developing the Electronic Records Archives, which will be implemented incrementally from 2007 to 2012 and will help ensure proper recordkeeping for electronic records government-wide. (http://www.archives.gov/era/.)   As part of the President's e-government initiative, the Environmental Protection Agency under NARA's overall

direction has produced important guidance to facilitate enterprise-wide electronic records management. (http://www.archives.gov/records-mgmt/initiatives/enterprise-erm.html.)

Conclusion

The CIP report makes a significant contribution to the understanding of how electronic records are maintained in office environments. Of particular importance are the observations that disposition of electronic records, including e-mail, is frequently done haphazardly and that NARA needs to continue to support adoption of an ERKS or equivalent by agencies.

The report's proposed solutions are thought-provoking, but we have reservations about them. We do not consider the solution involving a dedicated appropriation for ERKS implementation to be practical at this time. We also believe that the solution involving a synchronized filing system is appropriate only for offices having certain characteristics, as discussed above. Lastly, we welcome the suggested future research involving electronic records management and note that NARA already has been working in a number of the suggested areas.