



UNITED STATES CAPITOL POLICE OFFICE OF INSPECTOR GENERAL

Performance Audit of the United States Capitol Police Records Management Program

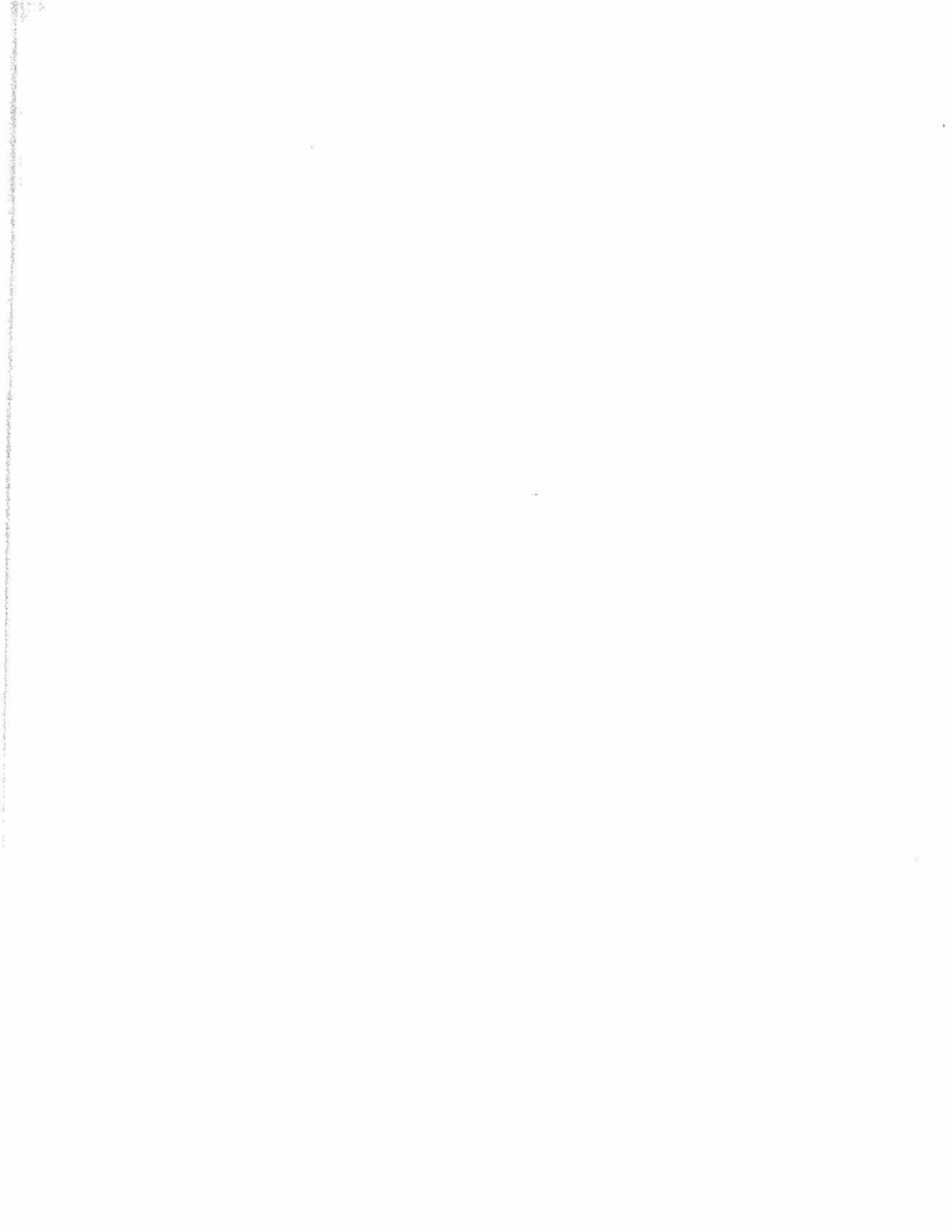
Report Number OIG-2019-10

July 2019

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INSPECTOR GENERAL

PREFACE

The Office of Inspector General (OIG) prepared this report pursuant to the Inspector General Act of 1978, as amended. It is one of a series of audits, reviews, and investigative and special reports OIG prepares periodically as part of its oversight responsibility with respect to the United States Capitol Police (USCP) to identify and prevent fraud, waste, abuse, and mismanagement.

This report is the result of an assessment of the strengths and weaknesses of the office or function under review. Our work was based on interviews with employees and officials of relevant agencies and institutions, direct observation, and a review of applicable documents.

We developed our recommendations based on the best knowledge available to OIG and discussed in draft with those responsible for implementation. It is my hope that the recommendations will result in more effective, efficient, and/or economical operations.

I express my appreciation to those contributing to the preparation of this report.

A handwritten signature in black ink, which appears to read "M. A. Bolton".

Michael A. Bolton
Inspector General

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Abbreviations and Acronyms

General Records Schedule	GRS
Government Accountability Office	GAO
National Archives and Records Administration	NARA
Office of Policy and Management Systems	OPOL
Office of Information Systems	OIS
Office of Inspector General	OIG
Office of Management and Budget	OMB
United States Capitol Police	USCP or the Department

EXECUTIVE SUMMARY

In accordance with our *Annual Performance Plan Fiscal Year 2019*, the Office of Inspector General (OIG) conducted a performance audit of the United States Capitol Police (USCP or the Department) Records Management Program. OIG objectives were to determine if the Department (1) established adequate policies and procedures for its Records Management Program, (2) established effective controls for ensuring the integrity of the Records Management Program, and (3) complied with applicable laws, regulations, and guidance. Our scope included controls, processes, and operations during calendar year 2018.

USCP's [REDACTED], dated February 18, 2005, did not reflect USCP's prevailing infrastructure or practices and was not in alignment with best practices. For example, the policy did not adequately address electronic records such as email retention timeframes. The policy also did not include adequate procedures for converting physical records to electronic records or records maintained in an information system.

USCP lacked an internal control for establishing an inventory of Department records. The Government Accountability Office's *Standards for Internal Control in the Federal Government*, state, "Documentation and records are properly managed and maintained." Although the Department documented its guidance for [REDACTED], the Records Manager within the Office of Policy and Management Systems (OPOL) did not have an inventory of record types and their locations. Each office and bureau independently managed internal records through appointed Records Liaisons. The individual office record types and inventories were not transparent to the Department's Records Manager.

USCP did not comply with best practices related to training of Records Liaisons. National Archives and Records Administration (NARA) Bulletin 2017-01, *Agency Records Management Training Requirements*, dated November 29, 2016, states, "Agencies must provide records management training to all agency personnel that create, receive, access, or use Federal records on behalf of the agency, regardless of whether those individuals have email accounts or IT [Information Technology] network access." As a legislative branch agency, USCP was not required to follow NARA guidance; however, this guidance constitutes best practices. OPOL developed an outreach program using individual bureau and office Records Liaisons to assist in the governance of records management across the Department. However, Records Liaisons from each bureau and office did not attend the 2015 and 2017 Records Liaison training sessions. In addition, the training did not encompass all the responsibilities for records management activities.

OIG made three recommendations as shown in Appendix A. On June 14, 2019, OIG provided a draft report to the Department for comments. We incorporated the Department's comments and attached its response in its entirety in Appendix B.

BACKGROUND

The Office of Policy and Management Systems (OPOL) is responsible for USCP's Records Management Program. OPOL's other responsibilities include the United States Capitol Police (USCP or Department) written directive system for policies and standard operating procedures, law enforcement accreditation, strategic planning, management of the force development process, performance measures, and forms management and printing services.

The [REDACTED], dated February 18, 2005, established the Department's records management process. As described on PoliceNet,¹ the policy and schedule:

- Describe and documents services under the jurisdiction of the Chief of Police.
- Apply to all records of the Department—regardless of medium (paper, microform, electronic, audiovisual, and record copies of Department publications)—created, collected, processed, used, stored, and/or disposed of by Department organizational units and their employees.
- Define the mission and principles of the Department's Records Management Program, incorporates applicable requirements into standard departmental practices, enumerates basic Records Management Program requirements, and sets forth responsibilities for records management.

The policy and schedule is in the revision process to modernize the Department's Records Management Program.

On June 5, 2015, the USCP Chief of Police Memorandum [REDACTED]

[REDACTED] established the Records Liaison role to assist OPOL with the managing records within Department bureaus and offices. The duties of Records Liaisons include:

- Creating and updating procedures for their offices in accordance with established USCP and program policies.
- Performing evaluations of their Records Management Program
- Developing plans and procedures for bureaus/offices to organize records, which should aid in faster location of records
- Assisting with disposition activities, including retirement of inactive records, transfer of permanent records to the National Archives and Records Administration (NARA), and destruction in accordance with approved records schedules

¹ PoliceNet is the Department's intranet.

- Conducting an annual audit to ensure office records are current and initiate procedural changes
- Initiating and keeping retirement, transfer, and destruction documentation of records.
- Reviewing and recommending requests for records equipment, services, and supplies.

OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with our *Annual Performance Plan Fiscal Year 2019*, the Office of Inspector General (OIG) conducted a performance audit of the USCP Records Management Program. OIG objectives were to determine if the Department (1) established adequate policies and procedures for the records management program, (2) established effective controls for ensuring integrity of the records management program, and (3) complied with applicable laws, regulations, and guidance. Our scope included controls, processes, and operations during calendar year 2018.

To accomplish our objectives, we interviewed officials from OPOL and the Office of Information Systems (OIS) and reviewed documentation to gain an understanding of the evaluation process. To determine records management efforts within individual bureaus and offices, we provided a questionnaire to the Records Liaison identified for each office. To determine compliance, we reviewed the following guidance, consisting of USCP policies, and best practices:

- NARA, *The General Records Schedules*, dated December 2017.
- NARA Bulletin 2017-01, *Agency Records Management Training Requirements*, dated November 29, 2016.
- U.S. Government Accountability Office (GAO), *Standards for Internal Control in the Federal Government*, dated September 2014.
- Office of Management and Budget (OMB) and NARA, *Memorandum for the Heads of Executive Departments and Agencies and Independent Agencies*, dated August 24, 2012.
- USCP [REDACTED] dated February 18, 2005.

OIG conducted this performance audit in Washington, D.C., from February through May 2019 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence that will 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 findings and conclusions based on our audit objectives. On June 14, 2019, we provided a draft copy of this report to Department officials for comments. See Appendix A for a complete list of OIG recommendations. OIG

incorporated Department comments as applicable and attached their response to the report in its entirety as Appendix B.

RESULTS

Overall, USCP did not have up-to-date policies and procedures related to the Records Management Program. In addition, the Department lacked an internal control to establish an inventory of all records. Finally, USCP did not comply with best practices related to training of Records Liaisons.

Outdated Policies and Procedures

The [REDACTED], dated February 18, 2005, did not reflect USCP's prevailing infrastructure or practices and was not in alignment with best practices. The policy references outdated NARA recommended email (electronic records) retention guidelines. Additionally, the Department did not develop timeframes or a written policy for retention or litigation holds for emails. Although it had procedures for maintaining emails, the Department did not develop a defined policy for both the retention and litigation holds for emails.

NARA developed *The General Records Schedule* (GRS), dated December 2017, including Section 6.1 *Email Managed under a Capstone Approach*. The GRS requires that emails for key staff members are retained permanently, cut off in accordance with the agency's business needs, then transferred to NARA for retention. For other staff members, emails must be retained between 3 and 7 years for administrative/support and other staff, respectively.

The Department's [REDACTED] did not include adequate policies or procedures for converting physical records to electronic records or records maintained in an information system. The policy states that the Department "does not recommend or encourage bureaus/offices to maintain permanent records exclusively in electronic format." However, that guidance is not in line with the transition most Government entities have followed for converting physical files to electronic media.

As a best practice, OMB and NARA *Memorandum for the Heads of Executive Departments and Agencies and Independent Agencies*, M-12-18, dated August 24, 2012, "requires that to the fullest extent possible, agencies eliminate paper and use electronic recordkeeping. It is applicable to all executive agencies and to all records, without regard to security classification or any other restriction."

Furthermore, the Department has drafted a directive to replace the [REDACTED] that assigns roles and responsibilities to Records Liaisons. However, the draft directive has been in development for the past 5 years and is under review by the Office of General Counsel. The draft directive focuses primarily on

physical records management. The Department did not, however, have a up-to-date organization-wide policy for retention of records. In addition, a USCP official stated that the Department did not have defined policies and procedures for storage and retention of electronic records. Without defined policies and procedures for retention of electronic records and their management, USCP could incur additional costs for storage capacity or end up with inadequately secured electronic records.

Conclusions

The Department did not have up-to-date procedures related to its Records Management Program. Failure to keep policies and procedures up-to-date could result in inadequate preservation of records. Thus, OIG makes the following recommendation.

Recommendation 1: We recommend the United States Capitol Police (1) update the [REDACTED], (2) consider documenting policies and procedures for digitizing records and requirements of information system records management, and (3) consider implementing a retention policy for all electronic records including emails and media.

Lack of Internal Controls to Establish a Records Inventory

USCP lacked internal controls to establish an inventory of all Department records. GAO's *Standards for Internal Control in the Federal Government*, dated September 2014, state, "Documentation and records are properly managed and maintained." Although the Department documented the [REDACTED], the Records Manager within OPOL did not have an inventory identifying record types and locations. Each office and bureau independently managed internal records through appointed Records Liaisons. The individual office record types and inventories were not transparent to the Department's Records Manager. In some cases, offices did not have Records Liaisons assigned, or the Records Liaison identified by the Records Manager was unaware that they were a Records Liaison. Without an accurate inventory of records and locations, managing records in accordance with Records Liaison responsibilities and OPOL guidance may not occur, potentially resulting in inadequate management of known records.

Conclusions

The Department lacked internal controls to establish an inventory of all Department records. Without such an inventory, USCP may not be able to manage records appropriately. Thus, OIG makes the following recommendation.

Recommendation 2: We recommend the United States Capitol Police (1) develop a records inventory that documents the types of records used across the Department, and (2) document Records Liaisons and periodically update assignment records.

Non-compliance with Best Practices Related to Training

USCP did not comply with best practices related to training of designated Records Liaisons. NARA Bulletin 2017-01, *Agency Records Management Training Requirements*, dated November 29, 2016, states, "Agencies must provide records management training to all agency personnel that create, receive, access, or use Federal records on behalf of the agency, regardless of whether those individuals have email accounts or IT [Information Technology] network access." As a legislative branch agency, USCP was not required to follow NARA guidance. However, this guidance constitutes best practices. OPOL developed an outreach program using individual bureau and office Records Liaisons to assist in the governance of records management across the Department. However, Records Liaisons from each bureau and office did not attend the 2015 and 2017 training sessions. In addition, the training did not encompass all records management responsibilities. Records Liaisons require additional training for all stages of the records management lifecycle, such as the creation, maintenance and use, disposition, and the distinction between temporary and permanent records.

Conclusions

USCP did not comply with best practices related to training of Records Liaisons. Without proper training, Department Records Liaisons may not be aware of their responsibilities. Thus, OIG makes the following recommendation.

Recommendation 3: We recommend that the United States Capitol Police implement a process for providing Records Liaisons with periodic training that encompasses all of the phases for records management and liaison responsibilities.

APPENDICES

List of Recommendations

Recommendation 1: We recommend the United States Capitol Police (1) update the [REDACTED], (2) consider documenting policies and procedures for digitizing records and requirements of information system records management, and (3) consider implementing a retention policy for all electronic records including emails and media.

Recommendation 2: We recommend the United States Capitol Police (1) develop a records inventory that documents the types of records used across the Department, and (2) document Records Liaisons and periodically update assignment records.

Recommendation 3: We recommend that the United States Capitol Police implement a process for providing Records Liaisons with periodic training that encompasses all of the phases for records management and liaison responsibilities.

DEPARTMENT COMMENTS



Phone: 202-224-0006

UNITED STATES CAPITOL POLICE

OFFICE OF THE CHIEF
119 D STREET, NE
WASHINGTON, DC 20510-7213

June 27, 2019

COP 190127

MEMORANDUM

TO: Michael A. Bolton
Inspector General

FROM: Steven A. Sund
Chief of Police

SUBJECT: Response to Office of Inspector General draft report *Performance Audit of the United States Capitol Police Records Management Program* (Report No. OIG-2019-10)

The purpose of this memorandum is to provide the United States Capitol Police response to the recommendations contained within the Office of Inspector General's (OIG) draft report *Performance Audit of the United States Capitol Police Records Management Program* (Report No. OIG-2019-10).

The Department generally agrees with all of the recommendations and appreciates the opportunity to work with the OIG to further improve upon the policies and procedures in place with the Records Management Program. The Department will assign Action Plans to appropriate personnel regarding each recommendation in effect in order to achieve long term resolution of these matters.

Thank you for the opportunity to respond to the OIG's draft report. Your continued support of the women and men of the United States Capitol Police is appreciated.

Very respectfully,

A handwritten signature in black ink, appearing to read "Steven A. Sund".

F&K Steven A. Sund
Chief of Police

cc: Chad B. Thomas, Acting Assistant Chief of Police
Richard L. Braddock, Chief Administrative Officer
[REDACTED] JSCP Audit Liaison

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Washington, DC 20003***



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