At a Glance

Management Alert: EPA Region 5 Needs to Implement Effective Internal Controls to Strengthen Its Records Management Program

What We Found

Region 5 does not know whether electronic files that contained records or information subject to litigation holds were included in the files lost when the complainant migrated those files to the Agency's cloud file storage system.

> **Federal law requires agency heads to establish and maintain a records program that includes safeguards against the removal or loss of agency records.**

Additionally, Region 5 did not communicate the suspected loss of potential records to the agency records officer until February 2020, 11 months after the complainant learned that the files could not be recovered. The suspected loss of these electronic files and the lack of communication about this suspected loss occurred because Region 5 did not:

- Have effective internal controls to verify that employees were using the Agency's official record-keeping system, preserving records, or appropriately storing and preserving electronic files subject to litigation holds.
- Make it mandatory for employees to use the file storage system.
- Make it mandatory for employees to take training on how to use the cloud file storage system and on the tools that would facilitate successful migration of their data.
- Have internal controls to report and investigate a suspected loss of records.

As a result, Region 5 cannot verify that personnel are preserving all electronic files needed to fulfill their federal record-keeping responsibilities. Region 5 also cannot verify that an actual or suspected loss of records is communicated to the agency records officer, who would then report any loss to the U.S. National Archives and Records Administration in accordance with federal law and regulations.

Recommendations and Planned Agency Corrective Actions

We recommend that the regional administrator for Region 5 develop internal controls to verify that records are maintained in the Agency's official record-keeping system and that suspected losses of records are reported, as required; establish policy on use of portable hard drives and the Agency's cloud file storage system; and track training on new technology systems. We also recommend that the assistant administrator for Mission Support update Agency records management policy, procedures, and guidance, as well as notify staff regarding the requirement to report the loss or destruction of records to the agency records officer. The EPA agreed with our six recommendations; completed corrective actions for three of them; and provided acceptable planned corrective actions and estimated milestone dates for the remaining three, which we consider resolved with corrective action pending.