September 30, 2020

TO: David S. Ferriero
           Archivist of the United States

FROM: James Springs *James Springs*
           Inspector General

SUBJECT: *Review of NARA's COVID-19 Plans to Begin Safely Reopening Offices across the Country*
           OIG Report No. 20-R-16

On June 15, 2020, the United States House of Representatives Committee on Oversight and Reform requested several Offices of Inspectors General (OIGs) examine the reopening plans and procedures of their respective departments in the wake of the coronavirus pandemic. While the National Archives & Records Administration Office of Inspector General was not among the OIGs to receive a congressional request, we understood the importance of the federal oversight community in providing some assurance during these unprecedented times. For this reason, we initiated a limited review[1] to evaluate NARA's plans for reopening and returning federal employees to their normal duty stations amid the ongoing coronavirus pandemic.

In our limited review, we found no instances where it appeared that NARA's reopening decisions were not objective and sound. Senior leadership has demonstrated through the *NARA Phased Reopening Plan* that health and safety of the workforce is the top priority. Given these are unprecedented times, we are pleased to report on the commendable work occurring at NARA.

Results

We provided management with the questionnaire from the United States Senate Committee on Homeland Security and Governmental Affairs[2] to further facilitate our review and better understand NARA's decisions toward resuming normal operations. Along with NARA's response to the questionnaire (see Appendix), we reviewed the *NARA Phased Reopening Plan*, and guidance established in the National Guidelines for *Opening Up America Again (National Guidelines)*and the Office of Management and Budget and Office of Personnel Management memo, *Aligning Federal Agency Operations with the National Guidelines for Opening Up*

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[1] Our limited review did not assess the following: (1) baseline metrics for future office re-openings, (2) access to appropriate volumes of critical resources, such as personal protective equipment, (3) protocols for when an employee tests positive for the coronavirus, and (4) inter-agency collaboration. Furthermore, our review did not include the $8.1 million in funding NARA received under the Coronavirus Preparedness and Response Supplemental Appropriations Act. These are areas of potential future audits and reviews.

[2] On July 14, 2020, the United States Senate Committee on Homeland Security and Governmental Affairs requested that 24 federal agencies provide details about their plans for reopening and returning federal employees to their normal duty stations in the midst of the ongoing COVID-19 pandemic.

America Again. Overall, NARA demonstrated meaningful decision-making processes that often exceeded the basic parameters stipulated in federal guidance. For example, NARA maintained that they would only solicit volunteers to return to facilities for onsite work as part of Phase One reopening. This policy adheres to *National Guidelines* while allowing discretion for individual situations and circumstances. In another example, the *National Guidelines* required employers to develop and implement policies and procedures for workforce contact tracing following employee COVID+ test. NARA established a process whereby the number of COVID-19 cases among its employees and contractor employees are not only tracked, but the results are also reported, agency wide, every two weeks. From that data, NARA has provided a snapshot of COVID-19 cases and exposures by NARA facilities, in that, staff remain aware of current conditions affecting their workplace.

On June 19, 2020, NARA shared plans for the phased reopening of facilities and offices. Outlined in the *NARA Phased Reopening Plan*, management presented a three-phased approach to which NARA would resume operations, starting first with recalling a very limited number of employees and restarting only a limited number of activities. NARA established, for each phase, specific "gating criteria" to meet before proceeding to the next phased opening. The gating criteria provided management with an objective assessment taking into account local public health conditions, availability of dependent care, transportation situations, and the agency's ability to protect staff at work. As public health conditions improved, management would implement additional controls to protect staff while gradually expanding the number of employees permitted onsite. NARA also considered and has implemented processes for regressing a facility to an earlier reopening Phase or closing a facility if state or local movement control orders require a closure or if local public health conditions merit a change. There are currently 40 NARA facilities in 17 different states, thus further illustrating the complexities involved for management when deciding to restart NARA operations. NARA has set regression targets and will consider closing a facility if a county housing a NARA facility experiences more than 200 new cases per 100,000 population and a positivity rate greater than 10% over the last 14 days. For example, the Civilian Personnel Records Center at Valmeyer, Illinois closed as a result of the nationwide shutdown on March 23, 2020 with only essential staff remaining on duty. The facility then entered into Phase One reopening procedures on June 29, 2020. On August 14, 2020, the Archivist closed the facility after local public health metrics exceeded NARA's regression target.

We found the *NARA Phased Reopening Plan* addressed key points in the *National Guidelines*. For example, the National Guidelines for employers indicated that appropriate policies for all phases cover social distancing and protective equipment, temperature checks, testing, isolating, and contact tracing, sanitation, use and disinfection of common and high-traffic areas, and business travel. Similarly, protocols outlined in the *NARA Phased Reopening Plan* communicated the agency's requirements for each factor.

In addition, we observed many instances of the agency's commitment to transparency throughout the reopening process. Since March 2020, the Archivist of the United States has held "All-Hands" teleconferences that have brought together more than 1,000 employees for monthly discussions on NARA's ongoing response to the coronavirus pandemic. During that time, NARA has issued approximately 60 internal notices and 15 procedural updates, all focused foremost, on the safety of staff. NARA has also established an online training course titled "COVID-19: Returning to Work Safely" that staff must complete before returning to work.

As the uncertainty of the pandemic remains a concern, it is critical that NARA continues along this cautious approach to reopening and remains committed to administrating in a transparent manner.

As with all OIG products, we will determine what information is publicly posted on our website from the attached report. Should you or management have any redaction suggestions based on FOIA exemptions, please submit them to my counsel within one week from the date of this report. Should we receive no response from you or management by this timeframe, we will interpret that as confirmation NARA does not desire any redactions to the posted report.

Please call me with any questions, or your staff may contact Jewel Butler, Assistant Inspector General for Audits.

cc: Debra Wall, Deputy Archivist of the United States
    Micah Cheatham, Chief of Management and Administration
    William Bosanko, Chief Operating Officer
    Kimm Richards, Accountability
    United States House Committee on Oversight and Government Reform
    Senate Homeland Security and Governmental Affairs Committee

Appendix

The following are responses from NARA's Chief of Management and Administration to the questionnaire (provided to the OIG on September 2, 2020) about NARA''s plans for reopening and returning federal employees to their normal duty stations.

1. Please describe NARA's plan for reopening. Be sure to include, at minimum: (1) which employees will be asked to return to their duty stations and when; (2) whether leave and telework flexibilities will still be available to employees, for how long, and to what extent; (3) any regionalized or localized plans to account for areas that continue to see an increase in COVID-19 cases; (4) any estimates or timelines of when NARA will return all employees to normal duty stations.

   NARA's phased reopening plan is available here.

   (1)   NARA is currently only soliciting volunteers to return to facilities for on-site work.
   (2)   Leave and telework flexibilities are still available for employees.
   (3)   NARA leadership tracks county-level public health data and has established specific targets to use when making progression and regression decisions.
   (4)   NARA does not have any estimates or timelines to return all employees to normal duty stations.

   Follow-up response. I have maintained records of all recommendations to the Archivist and all approvals to reopen NARA facilities. We do not have records of public health data before July. We got access to HHS Protect data in July. Before that, we used publicly available health metrics, mostly from CDC and news media websites, and we did not retain those records. At that time, though, we used public health metrics to help inform our reopening decisions. We didn't formally include public health metrics in our reopening decision-making process until we got access to HHS Protect.

2. Has NARA's plan for reopening been made publicly available? If so, please provide the appropriate web address. If not, why? Will it be made publicly available in the near future? Has the plan been distributed or made available to NARA employees?

   NARA proactively disclosed our phased reopening plan to the public through our on-line FOIA reading room here.

   NARA shared our phased reopening plan with staff in NARA Notice 2020-132, NARA Phased Reopening Plan. On June 24, NARA presented the plan to staff in a virtual all-hands and responded to questions.

3. Who was responsible for developing NARA's reopening plan?

   a. If individual offices within NARA are responsible for developing their own plans, how is NARA leadership involved in that decision-making process? Who amongst NARA leadership is involved?

   NARA's phased reopening plan was developed by a team of Executives: CMA, COO, Executive for Business Support, CFO, CHCO, and CAO. The plan was briefed to NARA's Management Team and approved by the Archivist of the United States prior to publishing and executing the plan.

   NARA required the Designated Official at each facility to prepare a Phase I Facility Readiness Plan for reopening. The Executive Team developed a template to collect information on Phase I reopening criteria at each facility. The Designated Official for each facility worked with local managers and supervisors to complete the template and submit the plan. The Executive Team reviewed each plan, provided edits and guidance, and approved the final versions before any facility was authorized to reopen for staff.

4. What was the process for drafting and approving the plan? What data and/or guidance was taken into consideration when preparing the plan?

   The process for drafting and approving the plan is largely described in the response to question 3, above.

   NARA relied on four main sources of data and guidance to prepare our reopening plan:

   (1) White House guidance, especially Opening Up American Again, was the primary resource for developing NARA's reopening plan.
   (2) CDC and other public health resources. NARA's reopening plan relied heavily on the CDC guidance posted to their website, several State public health agencies, and other non-governmental resources, especially guidance published by the Johns Hopkins Bloomberg School of Public Health.
   (3) Smithsonian and Library of Congress plans. NARA has partnered throughout the pandemic with the two agencies most similar in mission to NARA. We have shared plans and concerns throughout the closure period and reopening process.
   (4) Other agencies and institutions. NARA has collected (and continues to collect) reopening plans, guidance, and other materials from a wide range of sources, including other Federal agencies, States, and private entities. In particular, the Presidential Libraries maintain a list of the reopening status of local museums near each Library and they have shared reopening plans from their respective Foundations.

5. Did NARA submit its reopening plan for consultation, review, or approval by OMB? If so, to whom at OMB did NARA submit its plan? When? What was OMB's response?

No, NARA did not submit our reopening plan to OMB.

6. Did NARA submit its reopening plan for consultation, review, or approval by the Centers for Disease Control and Prevention (CDC)? If so, to whom at CDC did NARA submit its plan? When? What was CDC's response?

No, NARA did not submit our reopening plan to the CDC.

7. Did NARA submit its reopening plan to any other guidance-issuing or central-management agencies, such as the Office of Personnel Management (OPM), the Department of Homeland Security (DHS), or the General Services Administration (GSA), for consultation, review, or approval? If so, to whom did NARA submit its plan? When? What was the response?

No, NARA did not submit our reopening plan to any of the named agencies.

8. To what extent did NARA consult with its bargaining units or national union representatives when developing its reopening plans? Please describe any such communication NARA had.

The CMA and COO meet weekly with the President and Executive Vice President of AFGE Council 260. We have consulted with the Union on issues impacting conditions of work and reopening procedures. We have negotiated agreements covering workplace conditions and flexibilities during the pandemic, Phase I reopening procedures, and changes to performance plans to address COVID-19 closures.

9. Do any of NARA's current collective bargaining agreements require that NARA participate in post-implementation bargaining? If so, please describe NARA's timeline for engaging in post-implementation bargaining.

NARA's CBA does not provide for post-implementation bargaining.

10. Has NARA determined that gating criteria have been met for any of NARA's employees? If so, for which employees has the gating criteria been met? What data was used to make this determination?

NARA has established 10 gating criteria to move to Phase I reopening (slide 3, here) and is developing criteria to move to Phase II reopening (slide 2 of the second attachment here[3]).

NARA makes decisions by facility, not by employee. As of August 25, 27 facilities had met the Phase I gating criteria and have been authorized to reopen to Phase I. NARA initially used local public health data from publicly available data sources to

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[3] NARA OIG note – This is a post on NARA's Internal Collaboration Network (ICN), recapping the virtual All-Hands meeting on July 29, 2020.

make reopening decisions but later gained access to HHS Protect, a database managed by the Department of Health and Human Services, to access the most current local public health data. Other data was collected from the Phase I Facility Readiness Plans described in response to question 3.

11. Who has the ultimate responsibility for deciding to open regional or field offices throughout the country? How are local or regional officials being consulted in this process?

The Archivist of the United States makes the decision to reopen or close all NARA facilities. Each facility was consulted during the preparation and review of their Phase I Facility Readiness Plans. The COO has made a practice of confirming readiness with local Designated Officials immediately before a reopening decision is made, when practicable.

12. How are employees classified as "essential" workers? Who makes this determination? Can a position be deemed "essential" after being previously classified as non-essential?

NARA has not made a determination whether to classify any positions or employees as "essential".

13. How will NARA reopening plans be altered, adjusted, or rolled back if there are local spikes in COVID-19 cases or changes in directions from state or local leaders? Who will be responsible for making this decision?

NARA will consider regressing a facility to an earlier reopening Phase or closing a facility if state or local movement control orders require a closure or if local public health conditions merit a change. NARA has set regression targets and will consider closing a facility if a county housing a NARA facility experiences more than 200 new cases per 100,000 population **and** a positivity rate greater than 10% over the last 14 days.

The Archivist of the United States makes all reopening and closure decisions. The Archivist closed the Civilian Personnel Records Center at Valmeyer, IL, on August 17, after local public health metrics exceeded our regression target.

14. Is NARA tracking the number of COVID-19 cases among NARA employees? If so, please provide the number of employees affected to date, and whether any specific regions or offices have been particularly affected.

NARA tracks the number of COVID-19 cases among employees and contractor employees. The count will be reported every two weeks on the ICN here. As of August 27, 2020, NARA counted 66 COVID-19 cases and exposures among employees and contractors. Most cases have been reported in our two largest facilities: Archives II and the NPRC.

If NARA is tracking the number of COVID-19 cases among employees, does NARA report these numbers to any other agency, such as OMB, CDC, DHS, OPM, or GSA?

No, NARA does not provide COVID-19 case data to any of these agencies.

15. What steps have you taken to limit COVID-19 exposure for employees who must interact with the public during the pandemic, either through field visits outside the office or by members of the public visiting NARA facilities? Please be sure to include what personal protective equipment (PPE), if any, NARA provides to these employees.

NARA has closed all public-facing functions due to the pandemic. No employees are required to interact with the public as a part of their official duties.

    a. What requirements are you placing on individuals entering facilities where federal employees work? Are you requiring temperature checks? Masks?

NARA is restricting access to our facilities to just our employees and NARA contractors. All entrants are required to wear masks while in our facilities and are asked to perform a health self-assessment before arriving.

16. How is NARA modifying office spaces to comply with CDC social distancing guidelines? Has NARA consulted with GSA on this matter?

NARA's primary approach to meeting social distancing guidelines has been to limit the number of employees in each facility at one time, and to further restrict the number of days per week and hours per day that any single employee can spend in one of our facilities. The most significant space modification occurred at the NPRC, where the Records Retrieval Branch was relocated to the ground floor lecture rooms. The partitions were opened to create a very large, contiguous space, to allow for appropriate spacing of employees, the flow of records on carts, and increased air circulation. Other, smaller-scale space configurations have been made at different NARA facilities to meet the unique needs of each facility.

Follow-up response. NARA has not consulted with GSA at a headquarters-to-headquarters level. I don't know if any Designated Officials have consulted with their GSA building managers on space modifications. It seems likely that some GSA facility managers may have been engaged. The NPRC is in a facility that GSA leases from a private landlord. I know that NPRC leadership consults with their landlord pretty regularly and it's hard to imagine that they could have implemented this change without engaging the landlord (or the landlord noticing). I don't know how much direct contact they have with GSA out there. I interpreted this question as asking whether NARA headquarters has approached GSA for support at all or several facilities across a Region or our whole portfolio: This has not happened.

17. How does NARA plan to support employees who need additional leave and telework flexibilities to care for dependents or other family members? How is this policy being communicated to employees?

NARA has authorized supervisors to approve up to five days per week of telework to maximize employee flexibility. We have also expanded the availability of paid leave and issued clear guidance so staff know how to apply leave rules. This guidance

was communicated to employees in COVID-19 Fact Sheet #1, Leave and workforce flexibilities, here.

NARA suspended core hours and expanded eligibility for a maxiflex work schedule to allow any employee to request a temporary work schedule change to maximize flexibility in scheduling their hours of work. This was communicated to employees in NARA Notice 2020-089.

The Archivist of the United States has authorized up to 8 hours of administrative leave in pay periods 08-10, and 4 hours of administrative leave in pay periods 11-18. This was communicated to staff in NARA Notices, one per pay period.

NARA communicated employee eligibility for Family First Coronavirus Response Act Emergency Paid Sick Leave (FFCRA EPSL) in NARA Notice 2020-123.[4] Because IBC was not able to add a new timekeeping code for this type of leave into Quicktime, we coordinated with ARC to develop and offer two options for staff to record this leave.

NARA extended the expiration date for time-off awards from one year to two years after the date of issuance. This will give staff greater flexibility to use the time off to support family commitments. This was communicated to staff in NARA Notice 2020-143.[5]

18. Does NARA require employees to do temperature checks to enter workspaces? Are employees required to wear masks in shared office spaces?

NARA requires daily self-certification for staff returning to our facilities. Self-certification includes temperature checks. Our policy for health entry screening is posted in COVID-19 Fact Sheet #9, Health Screening for NARA Employees and Contractors, here. All facility occupants (employees and contractors) are required to wear face coverings inside our facilities. Our policy on face coverings was issued to staff by NARA Notice here.

   a. If employees are required to wear masks in shared office spaces, is NARA providing masks to employees?

   Yes. NARA provides 5 reusable cloth face coverings for each employee. We have also procured additional, disposable face coverings which are available at the entrance to our facilities in the event that employees forget their face coverings.

19. What protocols are in place for alerting NARA employees about possible contact with COVID-19? For example, if an employee shows symptoms of, or tests positive for, COVID-19, does NARA do any contact tracing around that employee?

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[4] NARA OIG Note – This is a NARA Notice posted for employees on June 4, 2020.
[5] NARA OIG Note – This is a NARA Notice posted for employees on July 8, 2020.

NARA's protocols for notifying employees about potential exposure to COVID-19 are posted in COVID-19 Fact Sheet #8, Contact Tracing, here.

20. How does NARA procure PPE? How does NARA make decisions about distributing PPE to field offices across the country?
The Executive for Business Support Services consulted with her workplace safety staff to develop a standard for PPE that NARA would provide to staff. The standard was socialized with key field personnel and reviewed by the Executive recall team before being recommended to and approved by the Archivist of the United States.

The Chief Acquisition Officer established a Blanket Purchase Agreement to purchase the approved equipment. Each facility created their own purchase request against the BPA, according to NARA guidance, and supplies were shipped directly to the facility. FEMA made available free, reusable face coverings to Federal agencies, so we acquired as many as possible from FEMA. Other PPE, including disinfectant wipes, hand sanitizer, disposable gloves, disposable face masks, and some reusable face masks, were purchased through NARA's BPA. In one instance, PPE shipments were lost in the mail and the CAO authorized the facility to purchase PPE using the Government Purchase Card.