

# An FBI Case Study: Incorporate RIM Into System Development Processes

John Charles Krysa  
Chief, Records Automation Section  
Records Management Division, FBI

# Learning Objectives

**Upon completion of this session,  
participants will be able to:**

- \* Employ a change in business processes to enhance collaboration and coordination among major stakeholders or electronic information within your organization

(continued)

# Learning Objectives (cont')

- \* Address records management concerns early during system development to meet regulatory, security, and legal requirements for all electronic systems
- \* Provide risk mitigation assessments and plans to system developers to meet all regulatory, security and legal records management requirements for the data in their systems

# Motivation for Change

## \* Black Fridays

- FBI Agents were not allowed to carry firearms until after “Black Friday” in 1933, which spurred legislation authorizing arming agents
- Black Fridays for Records Management
  - Delay of execution of Timothy McVeigh
  - 9/11 Commission Report

# When Black Friday comes . . .

- \* September 1933 – Kansas City Massacre
  - Gangsters ambushed and killed [FBI] Agent Raymond Caffrey, Jr. and other law enforcement officials.
  - Until that event, the FBI was considered an “investigative” agency only, not law enforcement

# The Guilty Ones, 1933



- \* All photos were reproduced from FBI files (Charles "Pretty Boy" Floyd, Vernon Miller, and Adam Richetti).

# Lessons Learned from Black Friday

- \* Update of Bureau Mission, 1934
  - Congress gave Special Agents the power of arrest and the authority to carry firearms
  - Previously, Special Agents could only make a "citizen's arrest," otherwise the agent had to call on a U.S. Marshal or local police officer to take custody of a suspect
- \* FBI now sets the Gold Standard as the Lead Law Enforcement Agency

# When Black Friday comes . . .

- \* Delay of Timothy McVeigh's Execution
  - Electronically stored information discovered late in the appeal process that had not been revealed during initial discovery
  - FBI had to prove that the discovered items were pre-decisional and had no bearing on the outcome of the trial before the death sentence could be carried out
- \* Led to an article “Analysis: Furor continues over evidence the FBI withheld in its case against Timothy McVeigh” on National Public Radio, May 2001

# Lessons Learned from 2001

- \* The Bureau needed to update electronic case management
  - J.E. Hoover had developed a classification system that resembled library-type classification systems, not records or case management (he was a certified librarian)
  - Information was grouped, but difficult to locate or share internally and externally

# Lessons Learned from 2001

- \* Cases and information needed to be managed better
  - Hundreds of case classifications, not easily sorted or managed
  - Many stenographers and file clerks necessary
  - Agents spending an inordinate amount of time performing indexing and classification



# When Black Friday comes . . .

- \* 9/11 Commission Report
  - “the FBI’s information systems were woefully inadequate. The FBI lacked the ability to know what it knew.”
  - “There was no effective mechanism for capturing or sharing its institutional knowledge”
  - Phoenix Memo

# When Black Friday comes . . .

- \* Phoenix Memo (continued)
  - An FBI agent advised the “possibility of a coordinated effort by Usama Bin Laden” to send students to the US to attend civil aviation schools
  - On September 4, 2001, the FBI sent a teletype to the CIA, the FAA, the Customs Service, the State Department, the INS, and the Secret Service summarizing facts known about Moussaoui, but did not report that he planned to hijack an airplane
  - Disagreement between field office and HQ as to Moussaoui’s intentions

# Use IT Failures to Leverage RM

- \* First attempt to modernize case management by IT (with little or no RM input) failed (Virtual Case File)
- \* IT Governance was established as necessary for proper management of large IT projects
- \* FBI Records Management learned to play in the IT sandlot

# Change the Information Management Business Process

- \* Establish the major stakeholders, to include Records Management
- \* Approach the change as a “value added” change in process
- \* Establish that Records Management is a key player to help manage information, not hinder system development

# Learning the IT Sandlot

- \* Established records management processes as part of the IT System Development Lifecycle (SDLC), first in an “advisory” role, then as a voting member
- \* Illustrated the impact points within the SDLC
- \* Provided examples of how Records Management can save money during SDLC
- \* Used existing resources to glean records management information for systems (so no new demands were made on project managers)

# Electronic Recordkeeping Certification

- \* Early in system development, system owners must decide how they will approach recordkeeping
  - \* Integration with an RMA
  - \* Export data to an RMA
  - \* Recordkeeping functions Integral to system
- \* All legacy systems evaluated under “integral” approach
- \* Evaluation of record declaration, capture, maintenance and use, disposition, and national security classification

# Certification Processes

- \* Use existing system documentation, system testing data, FISMA, and Privacy Impact Assessments for gleaning system information
- \* Incorporate e-discovery guidance for systems that do not maintain records
- \* Provide system owners with a Risk Mitigation plan to address shortcomings for recordkeeping

# Lessons Learned

- \* IT System Owners generally cannot answer RM questions on their own
  - We use the same terms to describe totally different actions: i.e. archive, record, file
- \* Incorporate e-discovery guidance for systems that do not maintain records
- \* Provide examples of good and bad planning for information management in briefings to Project Managers

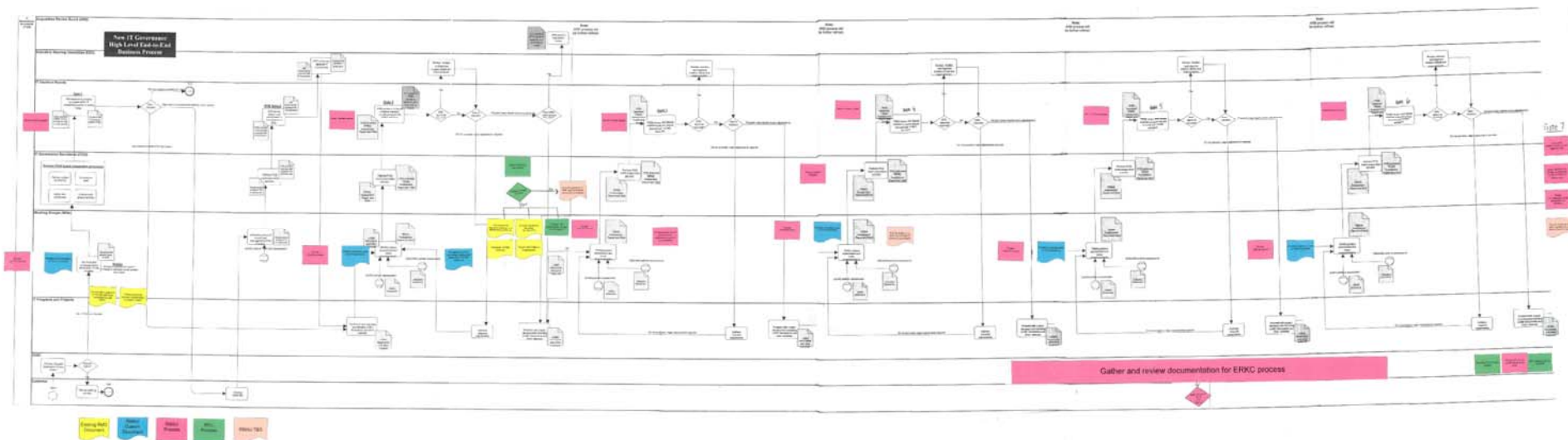
# Lessons Learned

- \* E-Discovery is a business driver that gets attention
  - Information must be managed, whether or not it is considered records
  - RM brings a disciplined process for managing the information
  - Metadata management is key (and is part of the ERKC process)

# RM as Part of SDLC

- \* Records Management has input at every development milestone
- \* Records Management can provide system owners with cost justifications for data migration or disposition preparations, if needed, as part of their system lifecycle costs
- \* Records Management can stop a system early in development if necessary

# Mapping RM into SDLC



- \* Where you see color, this is where records management processes interface with the system development lifecycle

# Open Interfaces between IT and RM

- \* RM now includes IT portfolio managers in all discussions regarding system certification for electronic recordkeeping
- \* RM is included as a voting member on all IT project review boards at all development stages
- \* RM involves General Counsel early in system reviews when concerns are noted

# Acceptance

- \* Records Management has been accepted as a professional discipline at the FBI
- \* Project Managers now seek out RM involvement during early system concept reviews
- \* Other stakeholders now seek RM impact when they notice it is missing from system documentation (such as General Counsel during Privacy Impact Assessment development)
- \* FBI Records Management now becoming the Gold Standard for managing electronic records

# The Gold Standard for E-RM

- \* Recordkeeping certification the FBI uses for electronic systems can be found online at <http://www.archives.gov/records-mgmt/toolkit/pdf/erkc-manual.pdf>
- \* Records assessments are performed early in system development
- \* Record schedules are developed early in system development, sometimes prior to full system implementation
- \* Shortcomings to meet recordkeeping are identified early in system development, reducing cost of implementation
- \* Records management concerns are addressed before old systems are discontinued and corporate memory is lost

# Questions/Comments?

- John C. Krysa, CRM  
Chief, Records Automation Section  
Records Management Division, FBI  
[john.krysa@ic.fbi.gov](mailto:john.krysa@ic.fbi.gov)
- Tammy J. Strickler, CRM  
Team Lead for Electronic Recordkeeping  
Certification and Electronic Records Scheduling  
[tammy.strickler@ic.fbi.gov](mailto:tammy.strickler@ic.fbi.gov)

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## Please Complete Your Session Evaluation

John C. Krysa, CRM  
Chief, Records Automation Section  
Records Management Division, FBI  
[john.krysa@ic.fbi.gov](mailto:john.krysa@ic.fbi.gov)

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