The National Archives and Records Administration (NARA) requires Senior Agency Officials for Records Management (SAORM) to provide an annual report demonstrating how agencies are handling important records management initiatives as identified by NARA.

NARA uses the reports to determine the overall progress of the federal government in managing its records and the transition away from paper to digital formats, and to identify best practices and model solutions within federal agencies.

On June 28, 2019, the Office of Management and Budget (OMB) and NARA issued a memorandum, *Transition to Electronic Records* (M-19-21), to ensure that all federal records are created, retained, and managed in electronic formats. M-19-21 gave agencies until the end of December 2022 to comply with several specific deadlines.

On December 23, 2022, OMB and NARA issued a new memorandum, *Update to Transition to Electronic Records* (M-23-07) reinforcing the goals in M-19-21 and extending the 2022 deadlines to June 30, 2024.

Additionally, on January 1, 2021, Congress enacted the Preservation of Electronic Messages and Other Records Act, amending 44 U.S.C. Chapter 29, that requires the electronic capture, management, and preservation of such electronic records in accordance with the records disposition requirements of 44 U.S.C. Chapter 33.

This year's SAORM report provides an opportunity for agencies to report on plans and progress towards electronic recordkeeping and preservation under these requirements, as well as other important records management initiatives.

The reporting period begins on January 9, 2023, and reports are due back to NARA no later than March 10, 2023.

NARA plans to post your 2022 SAORM report on the NARA website upon receipt. Please ensure that your agency's report is a publicly releasable version. This action is in the interest of transparency in government and to promote collaboration and communication among agencies. NARA intends to list any non-responding agencies in a summary report on our website.

Instructions for Reporting:

- This template covers records management program developments, including those related to the transition to electronic recordkeeping as required by M-19-21 and M-23-07.
- Please be brief and precise in your answers. Limit answers to each question to no more than 500 words.
- Please complete the questions/items below and send the report to rmselfassessment@nara.gov. Include the words "SAORM 2022 Annual Report - [Agency Name]" in the subject line of the email.
- If you are responsible for records management in multiple agencies, components, or bureaus, please determine how you will submit reports to NARA. While NARA prefers a comprehensive report, you may submit separate reports for each component.

NARA may follow up with agencies to obtain additional information and/or documentation related to responses provided in the template.

As in previous years, we will be validating selected questions and responses from agencies. Your agency may be selected at random to provide additional documentation and/or take part in interviews to discuss your records management program activities.

Provide the following information (required):

- Name of SAORM: Adam Martinez
- Position title: Chief Operating Officer
- Address:
  Consumer Financial Protection Bureau (CFPB)
  1700 G Street, NW Washington, DC 20552

1. **What agencies, bureaus, components, or offices are covered by this report and your position as SAORM and which will be reporting separately?**

   Please provide a list and indicate any that are new or have been changed due to reorganization or other circumstances.

   The Consumer Financial Protection Bureau (CFPB) and no others.

2. **In response to the COVID-19 pandemic, have any of the temporary adaptations to agency business processes become permanent improvements to the management and preservation of electronic records?**

   X Yes
   ☐ No
   ☐ Not applicable, no adaptations were needed

☐ Do not know

Please explain your response. (If Yes, include details of the changes and why they became permanent. If No, or Do not know, please explain your answer.)

The Records and information Management (RIM) Program developed and implemented specified training for CFPB employees requesting resources (e.g., printers, level 3 shredders, and locking file cabinets) for telework use. This training is now enhanced, automated, and used at a broader scope to support CFPB's hybrid workforce where employees telework, work in a traditional office environment, or work remotely. The RIM Program has developed additional training, best practices, and provides additional support to employees and contractor personnel focused on managing records in remote environments. These adaptive improvements have become continued practice.

3. **Has your agency taken action to meet the goal to manage, preserve and transfer all permanent records in an electronic format with appropriate metadata by June 30, 2024? (M-19-21, 1.2 and M-23-07, 1.1 and 1.2)**

X Yes
☐ No
☐ Do not know

Please explain your response with specific actions taken, challenges and results.

The CFPB's RIM program manages all permanent records electronically with appropriate metadata. CFPB implemented Microsoft 365 as our primary system to manage permanent electronic records in an electronic format.

The RIM Program is currently working with T&I creating electronic file plans to apply retention policies on folders within Microsoft 365. The system's auto-classifying capability will apply the appropriate retention policy to newly created or modified records which will aid the CFPB with the effective and efficient accessioning of records.

4. **Has your agency taken action to meet the goal to manage and preserve all <u>temporary</u> records in an electronic format by June 30, 2024? (M-19-21, 1.3 and M-23-07, 1.3)**

X Yes
☐ No
☐ Do not know

Please explain your response with specific actions taken, challenges and results.

The CFPB has made great strides and continues to make progress in managing temporary records in electronic format. The CFPB is a data driven agency and most of the records created are electronically born. The CFPB currently manages nearly 95 percent of its temporary records in electronic formats via Microsoft 365 and digitizes temporary records

with lengthy retention requirements. Additionally, the CFPB will continue to disposition records stored in commercial facilities once their disposition eligibility is reached further reducing the quantity of physical temporary records.

5. **Will your agency meet the requirements of M-19-21, 1.3 and M-23-07, 1.3 to close agency-operated records storage facilities and transfer inactive, temporary records to Federal Records Centers or commercial records storage facilities by June 30, 2024?**

X Yes
☐ No
☐ Not applicable, all records are in electronic format
☐ Do not know

Please explain your response with specific actions taken, challenges and results.

The CFPB only uses commercial records storage facilities that meet the requirements set forth in 36 CFR 1234, Facility Standards for Records Storage Facilities to house physical record assets. The CFPB does not have any agency-operated facilities.

6. **Does your agency have policies and procedures that incorporate records management into the information governance (IG) framework for information, data, and other agency information management? (This includes a relationship between CIO, CDO, SAORM, DRO/ARO, Records Management (RM) Staff, Security, Privacy Officers, and FOIA)**

Note: The incorporation of records management into information governance is part of the framework covered by [OMB Federal Data Strategy - A Framework for Consistency (M-19-18)](#) as it provides a vision for managing and using federal data, along with recordkeeping requirements included in [OMB Circular A-130, Managing Information as a Strategic Resource](#).

X Yes
☐ No
☐ Do not know

Please explain your response and provide details about how your agency's policies enhance IG and RM's role or relationship to it.

The CFPB's Office of the Chief Data Officer (OCDO), within the Operations Division, functions at the Assistant Director level and reports directly to the Chief Operating Officer. This structure aligns the Bureau's data and compliance functions.

The OCDO is comprised of the RIM Program, Freedom of Information Act Program, Data Policy and Governance, Paperwork Reduction Act Program, and Knowledge Management functions. Within the organization, the Records Officer serves as a OCDO program leads providing guidance and support across the OCDO and CFPB-wide. The OCDO maintains a

superb and trusted partnership with the Office of Technology and Innovation and its programs (i.e., Cybersecurity and Privacy).

Currently, the RIM Program is leading the effort to establish an Information Marking and Labeling Program charged with ensuring sensitive data/records are safeguarded using sensitive information categories provided in the Controlled Unclassified Information (CUI) registry.

7. **Has your agency developed policies and procedures to ensure the capture and preservation of electronic messages, including when hardware or software is upgraded?**

    Note: Electronic messages means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals. Electronic messages that satisfy the definition of a federal record under the Federal Records Act are electronic records. This includes email, text messages, chat messages, voicemail, social media posts, and other similar applications. (See: Email Management and CFR 1236: Electronic Records Management)

    X Yes
    ☐ No
    ☐ Do not know

    Please explain your response and include details of your agency's methods to capture and preserve electronic messaging records or challenges preventing you from doing so.

    The CFPB plans to continue using the Capstone Approach for managing electronic records by adopting the expanded GRS 6.1 and the requirements outlined within.

8. **Is your agency using or exploring cognitive technologies to identify records and distinguish between temporary and permanent retention?**

    Note: Cognitive technologies generally describe automated technologies that can be applied to recordkeeping practices and procedures. These include Artificial Intelligence, Robotic Process Automation, Software Robot or Bot, and other machine learning technologies.

    ☐ Yes
    X No
    ☐ Do not know

    Please explain your response. (If Yes, include details on both methods and tools being explored, the level of accuracy and how that level is determined.)

    The CFPB is exploring the use of Microsoft 365 records management solution and its auto-classification capabilities. It is too early to report that these types of technologies listed will be explored.

9. **Do you as SAORM regularly oversee and evaluate the effectiveness of your records management program and its compliance with statutes and regulations?**

X Yes
☐ No
☐ Do not know

Please explain your response including what specific measures you have incorporated into the SAORM role.

As the SAORM and Chief Operating Officer, I provide management oversight and support on all RIM activities, functions, and operations ensuring compliance with records management statutes, regulations, NARA policy, and OMB policy.

The CFPB transferred the RIM Program to the OCDO as part of a reorganization that aligned companion compliance teams under one centralized office in 2019. Doing so increased efficiency and effectiveness across all compliance teams.

The results of the Records Management Self-Assessment and Federal Electronic Records and Email Management annual reports are the RIM Program's primary tools for measuring compliance.

10. **Is there specific policy or guidance you need from NARA to support the strategic direction of your records management program?**

☐ Yes
X No
☐ Do not know

Please explain your response and include any comments on existing, pending, and future topics.

No specific policy or guidance is needed at this time.

11. **Do you have any suggestions for how NARA can better engage with you and your program in your role as SAORM?**

☐ Yes
X No
☐ Do not know

Please explain your response and include any comments on previous NARA SAORM engagements, topics for future engagements, or other suggestions.

No suggestions for improving engagement.