NATIONAL ARCHIVES

OFFICE *of the* CHIEF RECORDS OFFICER

Senior Agency Official for Records Management
2020 Annual Report

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 and the National Archives issued a memorandum: *Transition to Electronic Records* (M-19-21) to ensure that all Federal records are created, retained, and managed in electronic formats by December 31, 2022. This year's SAORM report provides an opportunity for agencies to report on plans and progress towards the milestones and target goals in this memorandum, as well as other important records management initiatives.

The reporting period begins on January 19, 2021, and reports are due back to NARA no later than March 19, 2021.

NARA plans to post your 2020 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 and on the website.

Instructions for Reporting:

- This template covers both records management program developments towards the transition to electronic recordkeeping outlined in M-19-21 through December 31, 2022, and other aspects of agency records management programs.
- 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 2020 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.

Provide the following information (required):

- Name of SAORM: Rob Schwartz
- Position title: Acting General Counsel
- Address: 1155 21st St NW, Washington DC 20581

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 also indicate any that are new or have been changed due to reorganization or other circumstances. Commodity Futures Trading Commission

2. **Has the COVID-19 pandemic changed any policies or practices related to records management at your agency?**

   ☐ Yes **X**

   ☐ No

   ☐ Do not know

   Please explain your response (include details of specific challenges, if applicable):
   The COVID-19 pandemic dramatically intensified the need for staff to work remotely and fully electronically. This has accelerated the pace of transition to tools and systems to support remote work, and it will be important to ensure that records management requirements are considered and reflected in policies and practices as these new tools and systems are enabled.

3. **Does your agency have an established information governance framework that connects records management, data management, and other agency information lines of business? (A relationship between CIO, CDO, SAORM, DRO/ARO, RM Staff)**

   ☐ Yes **X**

   ☐ No

   ☐ Do not know

   Please provide details on what support is needed:
   CFTC is in the process of establishing a formal information governance framework. The agency has long had an informal network connecting records management and some other information management lines of business.

4. **Has your agency made progress towards managing all permanent records in an electronic format with appropriate metadata by December 31, 2022? (M-19-21, 1.2)**

   ☐ Yes **X**

☐ No

☐ Do not know

Please explain your response (include specific goals and example metrics):
Some of CFTC's permanent electronic records currently meet the transfer guidance criteria and metadata requirements for transfer to the National Archives. Additionally, we have already sent the majority of our legacy, permanent paper records to a Federal Records Center or transferred them to the National Archives; well in advance of the December 31, 2022 deadline.

5. **Has your agency made progress towards managing all <u>temporary</u> records in an electronic format by December 31, 2022? (M-19-21, 1.3)**

☐ Yes **X**

☐ No

☐ Do not know

Please explain your response (include specific goals and example metrics):
Due to other priorities, including an agency-wide reorganization, and limited resources, we have made limited progress on this effort this year. As mentioned in last year's report, CFTC has a rough list of records still being created in non-electronic format. The next steps are to determine if there are any planned business transformation efforts for these records, with which we may be able to partner. Also, as part of the rollout of the agency's new, largely comprehensive records schedules, we plan to identify any additional records still being created in paper format. We will pursue these goals over the next several years as our resources permit.

6. **Is your agency investing resources in IT to support the transition to electronic recordkeeping?**

☐ Yes **X**

☐ No

☐ Do not know

Please explain your response. If Yes: Please include specific examples of resources and how this will support records management processes. If No or Do not know: Please explain.
CFTC has purchased licenses for technology products that support automating records management functions.

7. **To meet the requirements of M-19-21, 1.3, related to records storage facilities, does your agency have plans to use commercial storage to replace agency-operated records centers and NARA Federal Records Centers by December 31, 2022? (M-19-21, 1.3)**

☐ Yes

☐ No **X**

☐ Do not know

Please explain your response (include specific goals and example metrics):
This requirement is not applicable to CFTC. CFTC does not have any agency-operated records centers, and already uses commercial storage facilities.

8. **Does your agency have policies and procedures that include documentation to ensure records of <u>newly appointed and outgoing senior officials</u>* are properly captured and/or processed and not improperly removed, altered, or deleted including electronic records and email?**

*Senior officials are the heads of departments and independent agencies; their deputies and assistants; the heads of program offices and staff offices including assistant secretaries, administrators, and commissioners; directors of offices, bureaus, or equivalent; principal regional officials; staff assistants to those aforementioned officials, such as special assistants, confidential assistants, and administrative assistants; and career Federal employees, political appointees, and officers of the Armed Forces serving in equivalent or comparable positions.

☐ Yes **X**

☐ No

☐ Do not know

Please explain your response (include specific details of policies and procedures):
CFTC briefs newly appointed senior officials on their recordkeeping responsibilities to ensure that records (including electronic records and email) are not improperly removed, altered, or deleted during their tenure. CFTC also has procedures to ensure that records of outgoing senior officials are captured and processed. Records management staff begin to coordinate with senior officials prior to their departure to ensure that records are transferred to the office that will have custody of the record after the senior official's departure. Specifically, with respect to email processing, we provide instructions for senior officials and/or their assistants to manually remove their personal files and information from their email records before they are captured. CFTC also has automated means of removing non-record materials from captured email records, and then those records are stored in a secure, permissioned repository, where they are searchable by authorized users until eventual transfer to NARA.

9. **Do you, as the SAORM, see challenges within your agency in meeting the goal of fully-electronic recordkeeping?**

☐ Yes **X**

☐ No

☐ Do not know

Please explain your response (include details of specific challenges, if applicable):

As a small agency, one of the challenges is simply determining where to focus our limited resources. Our records management program consists of two staff, who are also assigned other related duties. Also, in our SAORM report last year, we wrote about the challenges of incorporating records management controls into the information systems development lifecycle process. We continue to believe that a NIST records management framework similar to the privacy framework would lend additional authority to records management requirements in the IT community, and it would also provide a common path toward incorporating records requirements into the systems development lifecycle that both records management and IT professionals could follow.

10. Do you have suggestions for NARA to improve its engagement with you as the SAORM?

☐ Yes **X**

☐ No

☐ Do not know

Please explain your response (include any comments on previous NARA SAORM engagements, topics for future engagements, or other suggestions):
It would be helpful to learn about any best practices, lessons learned, or successes that other SAORMs have had in championing records management in their agencies.