



Senior Agency Official for Records Management 2023 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 (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 8, 2024, and reports are due back to NARA no later than March 8, 2024.

NARA plans to post your 2023 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:

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- 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 rmsselfassessment@nara.gov. Include the words “SAORM 2023 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: Frederick Steckler _____

Position title: USPTO Senior Agency Official for Records Management (SAORM) and Chief Administrative Officer (CAO)

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 United States Patent and Trademark Office (USPTO) is an Agency within the Department of Commerce. As USPTO’s Senior Agency Official for Records Management (SAORM), all USPTO components and offices are covered by this report and position.

Those components and offices include, but are not limited to: Office of the Under Secretary and Director, Regional Offices, Office of the Commissioner for Patents, Office of the Commissioner for Trademarks, Office of Policy and International Affairs, Office of the Chief Administrative Officer, Office of the Chief Communications Officer, Office of the Chief Financial Officer, Office of the Chief Information Officer, Office of the General Counsel, Office of Equal Employment and Diversity, Office of the Patent Trial and Appeal Board, Office of the Trademark Trial and Appeal Board, Office of Ombudsman and Office of Government Affairs and Oversight.

2. Will your agency 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)

- Yes
 No
 Not applicable, all records are in electronic format

USPTO filed an exceptions plan to M-19-21/M-23-07 on October 6, 2022. From 2003 forward all records are in digital format. Permanent records prior to 2003 are in textual format and are covered by the USPTO Exceptions Plan. Permanent records have historic value in their textual form.

3. Will your agency meet the goal to manage and preserve all temporary records in an electronic format by June 30, 2024? (M-19-21, 1.3 and M-23-07, 1.3)

- Yes
 No
 Not applicable, all records are in electronic format

USPTO filed an exceptions plan to M-19-21/M-23-07 on October 6, 2022. From 2003 forward all records are in digital format. Temporary records prior to 2003 are in textual format and are covered by the USPTO Exceptions Plan. The cost of digitizing temporary records is not cost effective for the Agency.

4. 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 by June 30, 2024? (Choose all that apply)

- Yes
 No
 Not applicable, my agency does not have agency-operated records storage facilities
 Not applicable, all records are in electronic format

5. Will your agency meet the requirements of M-19-21, 1.3 and M-23-07, 1.3 and transfer inactive records to a NARA Federal Records Center (FRC) or commercial storage facilities by June 30, 2024? (Choose all that apply)

- Yes, we will transfer to the FRC
 Yes, we will transfer to commercial storage facilities
 No
 Not applicable, all records are in electronic format

If 'No,' why not? (Please include if you will be submitting an exception request and/or details of specific challenges in meeting the goal.)

6. Does your agency have a Data Management Strategy that includes records management principles? (<https://www.archives.gov/files/records-mgmt/resources/cdo-rm-assessment-report.pdf>)

- Yes
 No

Please explain your response.

USPTO made strides in FY23 in its Data Strategy efforts. Records management has been incorporated into its information governance and the management of federal data along with recordkeeping requirements is being evaluated.

7. In your role as SAORM, do you meet with your Agency Records Officer(s) to discuss the agency records management program's goals?

- Yes
 No
 Not applicable, my agency does not currently have a designated Agency Records Officer

8. Has your agency incorporated NARA's digitization standards into your Information Resource Management (IRM) Strategic Plan? (44 U.S.C. 3506(b)(2) and OMB Circular A-130)

- Yes
 No
 Not applicable, my agency is not currently digitizing records

Please explain your response. (If 'Yes,' what steps have been taken? If 'No,' why not?)
NARA's digitization standards were sent to all Records Liaisons and Custodians and briefed at the quarterly Records Liaison/Custodian update meeting on 30th January 2024. The digitization standards are readily available on the USPTO web portal.

9. Does your agency have a social media strategy that includes capturing and maintaining records in accordance with records management statutes and regulations?

- Yes
 No

Please explain your response.

USPTO captures and maintains social media records in accordance with NARA approved records schedules and USPTO is developing a social media policy together with the Department of Commerce.

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

Yes

No

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

USPTO would appreciate a response to the Exceptions Plan filed on October 6, 2022. This is integral to the correct management of USPTO's textual records.