



Senior Agency Official for Records Management **2019** 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 13, 2020, with reports due back to NARA no later than March 13, 2020.

NARA plans to post your 2019 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 records management program developments towards the transition to electronic recordkeeping outlined in M-19-21 through December 31, 2019.
- 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 2019 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: Michael H. Allen
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1. What agencies, bureaus, components, or offices are covered by this report and your position as SAORM and which will be reporting separately? Please also indicate any that are new or have been changed due to reorganization or other circumstances.

Please provide list:

- Offices, Boards, and Divisions as defined in 28 CFR § 0.1 *et seq.*
- Bureau of Alcohol, Tobacco, Firearms, and Explosives
- Bureau of Prisons
- Drug Enforcement Administration
- Executive Office for Immigration Review
- Executive Office for United States Attorneys and United States Attorneys' Offices
- Federal Bureau of Investigation
- Office of Justice Programs
- United States Marshals Service

2. Is your agency managing all permanent electronic records in electronic format as of December 31, 2019? (M-19-21, 1.1)

Yes

No

Please explain your response: As described in the 2018 Department of Justice SAORM Report, the Department of Justice (Department or DOJ) uses Strategic Planning as a tool for continued development and implementation the DOJ Records and Information Management (RIM) Program.

While the Office of Records Management Policy (ORMP) is currently updating the DOJ 2015-2019 RIM Strategic Plan, the plan will continue to operate within the DOJ RIM

Program Framework that includes the program elements of governance and policy, business foundations, supporting technologies, training, and evaluation and review. Updates will address changes resulting from the use of new technologies, the OMB/NARA Memorandum M-19-21, Transition to Electronic Records, and the DOJ A-123 RIM Maturity Model.

Below are examples of new and continuing Departmental efforts, as well as component specific work that demonstrates the Department's progress in RIM.

Department of Justice Enterprise Projects

- Joint ORMP/Office of the Chief Information Office (OCIO) project on records requirements and configuration management for O365 as the Department pilots O365 OneDrive and SharePoint in the cloud. This effort involves the participation of three DOJ components in addition to ORMP as pilot participants. The end product will be policy and guidance for components on managing records in the O365 applications in the cloud.
- DOJ use and refinement of the RIM Certification, as mandated in DOJ Policy Statement 0801.01, Records and Information Management Certification process that requires departmental components to provide information on recordkeeping approaches for review and certification for any new systems, services, or applications that contain federal records.
- Continued use and refinement of the DOJ RIM Program Capability Maturity Model (DOJ CMM) evaluation and review effort that aligns with DOJ RIM Strategic Plan Program elements. The DOJ CMM uses the Department's OMB A-123 controls process to measure and evaluate elements of component RIM program progression and effectiveness.
- Acquisition and implementation of a modernized Executive Secretariat correspondence management system envisioned in the future as capable of an enterprise wide approach that fully incorporates electronic recordkeeping requirements for permanent records.
- The continued development of up to date policy and guidance at the Department level, as well as the requirement for component level RIM Directives. Existing policies and guidance include the following:
 - DOJ Policy Statement 0300.02 Use of Social Media to Communicate with the Public
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 - DOJ Order 0801, Records and Information Management
 - DOJ Policy Statement 0801.01, Records and Information Management Certification
 - DOJ Policy Statement 0801.02, Removal of and Access to Department of Justice Information
 - DOJ Policy Statement 0801.03, Digitizing/Scanning DOJ Records and Information

- DOJ Policy Statement 0801.04, Electronic Mail Electronic Messaging Records Retention
- DOJ Instruction 0801.04.01 Electronic Mail Instruction
- DOJ Instruction 0801.04.02 Electronic Messaging Instruction
- DOJ Instruction 0801.04.03 Capstone Account Creation
- DOJ Instruction 0801.04.04 Record Processing for Capstone Officials
- 2015-01 DOJ Policy Memorandum, Protecting DOJ Information on Mobile Devices
- 2014-01(E) DOJ Policy Memorandum Lync Retention

DOJ Component Specific Examples

Federal Bureau of Investigation (FBI)

There are a number of ongoing activities and projects which evidence our management of all permanent electronic records in electronic format as required under M-19-21, section 1.1.

First, the Federal Bureau of Investigation (FBI) established and executed plans and processes to manage records across multiple enclaves including the unclassified, secret, and top secret networks.

Second, the FBI created a streamlined information technology (IT) governance process. IT governance work groups and boards provide the opportunity to review records management compliance throughout the IT systems' lifecycle.

Third, the FBI continuously conducts extensive analysis process known as the electronic recordkeeping certification (ERKC), to ensure FBI systems retain records appropriately in an electronic format and dispose of such records according to the records retention.

Fourth, the FBI proactively provides guidance to program offices which instructs them to capture, preserve, and transfer non-transitory records generated in the course of business operations outside of an electronic recordkeeping system to an ERKC approved system.

Fifth, the FBI manages a robust disposition and transfer program of permanent records to NARA, including electronic records.

Sixth, the FBI is currently converting permanent legacy paper files to a digital format. Upon the approval and release of NARA's Media Neutrality Standards for Digitally Converting Permanent Records, FBI will execute disposition.

Drug Enforcement Administration

The Drug Enforcement Administration's (DEA) Records Management Unit (FSRR) conducted agency-wide permanent electronic records inventories in 2017 and 2019.

FSRR has maintained oversight of all permanent electronic records reported via the agency-wide inventory.

FSRR and FSM successfully developed a four phase action plan with milestones which will enable FSRR to transfer all permanent electronic records into a secure SharePoint site by the end of June 2020. The SharePoint site will be accessible to DEA Administrative Officers and Records Liaisons in the domestic, foreign, and Headquarters offices. FSRR will maintain oversight of the permanent records in the SharePoint site. FSRR will manage the agency's permanent electronic records throughout the records lifecycle and ensure eligible records are transferred to the National Archives and Records Administration (NARA). The SharePoint site will remain the repository for permanent electronic DEA records until a more sophisticated Records Management Application tool is identified and acquired.

The Office of Compliance (ADC) and the Administrator's Office are currently maintaining permanent electronic records in an electronic format. Agency policy records are maintained by ADC in a SharePoint site which is the repository for current and archived DEA policies. The DEA Administrator's office maintains their records in an IT system.

DEA maintains permanent records in both structured and unstructured electronic formats. The structured formats (systems and applications) collect the appropriate metadata to transfer the information to NARA. FSRR maintains a list of all systems and applications that contain DEA records, along with the retention schedule that applies to the content. DEA is in the process of implementing approved retentions on all systems and applications, which would include the capture of all metadata elements for permanent records. This project is directed by DOJ Policy Statement 0801.01, *Records and Information Management Certification (RIMCert)*.

FSRR will ensure that each required metadata element is aligned with appropriate content to properly curate the content. While a SharePoint site will be the initial solution, some testing and modifications will be required to get a final solution in place for use across the agency.

Finally, over the last three years, DEA has been working with NARA on the revision to DEA's Records Control Schedule (RCS). DEA is moving to "Big Bucket" schedule and has collapsed over 1,000 granular schedules down to approximately 80 broad category schedules. The RCS is media neutral covering both permanent and temporary records.

Environment and Natural Resources Division

Environment and Natural Resources Division (ENRD) has configured eDOCS Records Management System that will apply retention to the case file once closed and store until the transfer to NARA. There is also dedicated space on the internal share drive to manage permanent electronic records that have access controls in place to ensure the integrity of the official record. ENRD has communicated with the eDOCS vendor to ensure that all

applicable metadata will be captured through filling out the profile screen when saving a new document under a DJ number.

Antitrust Division

Antitrust Division (ATR) uses iManage as a Document Management System without the Records Management Center. ATR continues to work with IT staff to develop ways to maintain all permanent records in an electronic format. ATR is currently exploring the Azure Cloud environment until further development can continue on obtaining an ERMS. ATR is working on updating directives, developing/updating their file plan in JRCS and working with ORMP on records retention schedules.

3. 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

No

Please explain your response (include specific goals and example metrics):

The Department manages its records through the lifecycle to meet their retention requirements and provide for accession or destruction. This management occurs, often in systems that contain both permanent and temporary records. When implementing and operating electronic systems, implementation includes technical configuration and development of records policies, procedures and processes that align the appropriate schedule to the covered record. The Department distinguishes Capstone Officials by position, identifies Capstone records, maintains inventories of Capstone records, applies agency unique Capstone schedules, and trains Capstone officials on their record keeping responsibilities. Therefore, the underlying management of electronic Capstone records for retention and disposition in electronic systems, which are identified, does not differ in terms of system capabilities available for any permanent records. The only difference is their unique retention schedules.

In those examples described above in item two for permanent records, the Department takes into account the metadata requirements related to the type of record retained. In terms of metadata for permanent records, NARA has not yet released new metadata standards for permanent records. To the extent that NARA adopts additional metadata standards for permanent records, DOJ will work to apply those additional metadata standards to all permanent records, including Capstone records.

4. Has your agency made progress towards managing all temporary records in electronic format? (M-19-21, 1.3)

Yes

No

Please explain your response (include specific goals and example metrics):

Please see the responses to items numbered 2 and 3 above.

- 5. Have you, as the SAORM, taken steps to ensure that your records management program complies with the Federal Records Act and its regulations through strategic plans including performance goals, objectives and measures? (M-19-21, 1.4)**

Yes

No

Please explain your response (include specific goals and example metrics):

The Department engages in strategic planning, assesses programs at the Department level and component level, identifies needs, and solicits leadership support and resources. The SAORM continues to advocate for additional resources where there are shortfalls and continuing long-term needs.

More specifically, the Department uses Strategic Planning as a tool for continued development and implementation of the DOJ RIM program. The Office of Records Management Policy is currently updating the DOJ 2015-2019 RIM Strategic Plan. The updated strategic plan will continue to operate within the DOJ RIM Program Framework that includes the program elements of governance and policy, business foundations, supporting technologies, training, and evaluation and review. The new Strategic Plan will also identify, as it has in the past, specific goals and success criteria. Finally, the updated plan will address changes needed for new technologies, the OMB/NARA Memorandum M-19-21 Transition to Electronic Records, and the DOJ A-123 RIM Maturity Model evaluations.

Also, the Departmental Records Officer (DRO) contributes to the Department's Information Technology Strategic Plan and, most recently, the DOJ Data Governance Strategy. The DRO collaborates regularly with the Department OCIO on policy development and various projects to identify and implement Federal Records Act requirements. Finally, both the SAORM and the DRO sit on the DOJ Data Governance Board.

- 6. If applicable, have you identified all agency-operated records centers and made plans to either close them before 2022, or have you submitted a request to NARA for an exception? (M-19-21, 1.3)**

Yes

No

Please explain your response (include specific goals and example metrics): Currently, the department is working on a project plan and guidance to meet the 2022 deadlines set by the M-19-21 OMB/NARA. The plan, which is in draft, will address agency operated records centers and any requests for exceptions.

In addition, DOJ Policy Statement 0801.03, Digitizing/Scanning DOJ Records and Information provides Department level digitization guidance to all components on conducting an operational business analysis, recordkeeping requirements, and technical standards, including those published by NARA.

The below are examples of digitization projects currently underway:

Federal Bureau of Investigation

- Since 2002, the FBI has been actively digitizing paper and microform records through the development and continued evolution of the DocLab. The DocLab units are responsible for digitizing paper records, evidentiary material, and other hard copy format information as needed to accomplish the FBI mission. As the FBI digitizes these records, it manages the electronic versions with the same disposition schedules that apply to hard copy equivalents.
- Office of the Inspector General continues active digitization projects for permanent Audit reports and follow-up materials as well as for employee background investigations, and is exploring digitization of investigation cases as part of moves to automate the larger business processes.
- The Office of Justice Programs (OJP) RIM Team has been working with OJP's OCIO staff on an office-wide digitization effort to manage OJP records (temporary and permanent) in an electronic format. In addition, in conjunction with that effort, OJP is working with a contractor that specializes in digitization services. This includes scanning, applying metadata, creating csv files, applying OCR to digital images, and creating PDF records.
- The Office of Professional Responsibility (OPR) has implemented a scanning solution to ensure that the documentation in their document management system is the complete record. OPR records managers review paper documentation to verify their classification and retention schedule and to determine if the paper records are stored in the electronic records management system as part of the overall record.
- The Office of the Pardon Attorney has been working on a project to digitize historic grant and denial records as well as continuing to digitize previously closed case files that are needed for current business use (as time and staffing permit).
- The Office of Information Policy (OIP) scans all incoming paper FOIA or Privacy Act requests, appeals, consultations, etc., as well as any responsive unclassified documentation as part of the FOIA case file.

7. Does your agency have procedures that include documentation to ensure records of outgoing senior officials* 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

No

Please explain your response (include specific details of procedures):

The DRO briefs all incoming Senior Officials on their recordkeeping responsibilities within 90 days of their start date. That briefing provides information on their recordkeeping responsibilities as Capstone Officials and includes reference to DOJ Policy Statement 0801.02, Removal of and Access to Department of Justice Information, which makes clear that upon departure, staff are not permitted to take any federal records but, within limitations outlined in the policy, may be permitted to take copies of certain records with appropriate approval.

The Department also has established checkout procedures and checklists for departing officials and staff to assist in the identification of all records and records repositories. With respect to electronic records, OCIO and ORMP also work together to incorporate controls into the opening and closing of electronic accounts. Changes include identifying Capstone accounts and incorporating records managers as signing authorities for the appropriate handling of content in electronic accounts upon departure of senior officials.

Federal Bureau of Investigation

The FBI has an established records briefing for all senior officials and their staff. Typically, the FBI's Records Officer conducts the briefing shortly after the senior official is appointed. In this briefing, detailed requirements are given for each medium type to ensure compliance. Additionally, an FBI case file is opened in Sentinel for the senior official and their staff to store and manage records. Upon departure, the FBI collects, stores, and manages all of the senior official's paper and electronic records including, but not limited to, email, calendars, texts, and documents. Finally, the FBI established a policy which outlines the roles and responsibilities of all senior officials to ensure records created by them are managed in accordance with federal recordkeeping laws and regulations.

Civil Rights Division

Civil Rights Division (CRT) has designated all senior leadership in the Office of the Assistant Attorney General (including the Assistant Attorney General, Principal Deputy Assistant Attorney General, Deputy Assistant Attorneys General, Director of Operational Management, Chief of Staff, Senior Counsels) and all career and non-career federal employees (whether acting, on detail or otherwise temporarily performing these roles; excluding any administrative or clerical staff in the Office of the Assistant Attorney General) as Capstone officials, whose email accounts will be retained as permanent, historically significant records. As a result, all email contained in their email accounts will automatically be retained as long-term records, including emails deleted by the user. Their electronic records will also be transferred as permanent records.

Drug Enforcement Administration

The Drug Enforcement Administration's (DEA), FSRR, implemented the *Departing Senior Officials Records Management Checkout* process. This process requires all Capstone officials to complete a RIM checkout form and document all recordkeeping actions prior to their departure. The Capstone officials must also sign a RIM nondisclosure agreement. The DEA Records Officer maintains the official *Departing Senior Officials Records Management Checkout* process form in accordance with retention requirements.

FSRR also provided input on a new exit clearance form for all DEA employees. The exit clearance form was published along with the exit clearance policy in October 2019. The exit clearance form incorporates RIM responsibilities for departing agency employees in compliance with DOJ Policy Statement 0801.02 *Removal of and Access to Department of Justice Information*.

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

Yes

No

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

Continuing challenges remain digital systems, services and applications that do not include sufficient capabilities to meet recordkeeping requirements for electronic records. Additional challenges exist in acquiring sufficient funding and staffing.

9. Do you need support from NARA to ensure a successful transition to fully-electronic recordkeeping?

Yes

No

Please provide details on what support is needed:

It would be helpful for NARA to focus its guidance and support for agencies on the following:

- a. Approaches for funding records management programs and the management of digital information in the current environment of continuing agency budgetary cuts and reduced funding for Chief Information Officers and business offices that manage digital information.
- b. Specific, more practical, and realistically implementable approaches for managing messaging applications, such as text messaging and other forms of electronic messaging, that address the limitations on capture and management inherent in these communications tools.
- c. More concrete guidance on the appropriate management of Social Media information as it relates to records retention.
- d. Development or identification of automated tools that provide support for overarching records program management. NARA tends to focus its guidance on electronic recordkeeping tools that automate the management and capture of record content such as records and document management applications.

Simply acquiring a records management or document management application, without management of the other elements of the records program, does not adequately support full-scale compliance with record keeping requirements.

The larger programmatic management issues include the need for other types of tools that would assist records program management. Agencies need business consulting services and applications or software tools that:

- support digital records requirements development and business process analysis and reengineering
 - facilitate the development of taxonomies
 - serve as repositories for records control schedules and inventories
 - automate and assist tracking Capstone Officials, titles, names and tenures, or tools that support the analysis and approval of systems, services, or applications that house records, and
 - support shared drive clean up and deduplication that meets NARA standards
- e. Please provide clear guidance on the accepted format for transferring electronic records and exact date the agencies can no longer accept paper. Right now, per NARA guidance, we are still accepting paper as the official record copy, while maintaining an electronic copy as well.

