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: Leslie C. Bayless
- Position title: Chief Operating Officer and SAORM
- Address: 1331 Pennsylvania Ave N, Suite 520 N
  Washington, DC 20004-1710

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

The entire agency, the Federal Mine Safety and Health Review Commission (FMSHRC, the Commission), is covered by this report.

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?**

☐ 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 Commission already transitioned to a fully digital environment. The agency did not make any temporary adaptations to our records program or systems because we did not experience any issues related to records retrieval.

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)**

    ☒ Yes
    ☐ No
    ☐ Do not know

The Commission manages its permanent records in an electronic format. The agency's permanent records are currently maintained in a secure electronic record-keeping system.

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)**

    ☒ Yes
    ☐ No
    ☐ Do not know

All temporary records are stored and managed in internal information systems and through inter-agency agreements with other agencies. All temporary records are maintained in electronic format and disposed of in accordance with their approved disposition authorities.

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?**

    ☐ 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 Commission does not utilize storage 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](#).

☒ 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 Commission has established information governance that connects records management, data management, and other information lines of business with the proper coordination between the CIO, SAORM, ARO, Privacy Officers, FOIA Officers.

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](#))

   ☒ 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 Commission's primary information systems are Office 365 and an Entellitrak case management system. Both systems provide built-in functionality to implement the NARA Universal Electronic Records Management requirements. Some challenges remain on file share data; however, this will be addressed through agency plans to transfer data to Office 365.

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
☒ No
☐ Do not know

Not at this time given limited budgetary resources as a small agency.

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

☒ Yes
☐ No
☐ Do not know

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

The SAORM regularly meets with the ARO to review status of the records program. The SAORM and ARO also receive regular email updates from NARA on changes to policy, process, regulations, and statutes on records management. When needed, the SAORM will brief senior staff and political appointees on projects and activities being managed by the ARO.

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

☐ Yes
☒ 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
☒ No
☐ Do not know

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