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: Jonathan R Feibus
- Position title: Director, Governance and Enterprise Management Services Division
- Address: 11555 Rockville Pike, Rockville, MD 20852

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.

   This report covers the entire U.S. Nuclear Regulatory Commission (NRC).

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
   X 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 NRC has continued to develop policies and practices related to electronic records management, but the agency has not required any changes due to the COVID-19 pandemic.

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 agency has attached retention to 100% of its permanent electronic records within the Agencywide Documents Access and Management System (ADAMS), where they are being managed from creation or receipt to disposition. Appropriate metadata, including the required NARA fields, is attached to all permanent and temporary electronic records in ADAMS.

There are 28 other electronic systems in the agency that contain permanent records. Assessments continue whether a 'manage-in-place' method is feasible for these systems. For systems that cannot manage-in-place, the retention policies and disposition instructions continue to be managed by the agency's current records management software. The agency purchased software in 2020 that will also allow us to better manage metadata and retentions for permanent records outside of ADAMS.

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 agency is actively working toward managing all records in ADAMS, including temporary records. As of March 1, 2023, approximately 80% of the agency's temporary records in ADAMS had retentions attached to them, which means they are being managed from creation or receipt to disposition. We have set periodic goals to increase the percentage of temporary records managed in order to meet the June 30, 2024, deadline to the fullest extent possible, but don't believe we will achieve 100%. Large collections of documents in

ADAMS were identified and dispositions have been analyzed. However, these large collections contain both permanent and temporary dispositions and need to be managed manually until an automated solution is applied to improve the percentage.

Additionally, the agency is planning to add the requirement to identify the Category, Function, and Activity of records at our entry point into ADAMS, so that the records will be automatically categorized and the retention attached to them. The agency is also developing several automated solutions to manage and apply NRC categorization to support metadata compliance.

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 NRC has submitted almost all of its paper records to an FRC, and plans to have them all in storage at an FRC by June 30, 2024. The agency does not use commercial storage nor have an agency-operated records center.

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.

Records Management is formally integrated into the agency's information governance framework via Management Directive 3.53, "NRC Records and Document Management Program", which describes the agency's records management policies as an integrated component of its information management program. The respective roles of the CIO, CDO, SAORM, DRO/ARO, RM Staff, Security, Privacy Officers, and FOIA are described, as applicable, throughout the Management Directive.

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 agency has developed policies and procedures on capturing and preserving electronic messages, as applicable, including when hardware or software is upgraded. The agency is in the process of developing policies and procedures to ensure the capture of Capstone officials' chat messages.

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 NRC is not yet using cognitive technologies to identify records and distinguish between temporary and permanent retention.

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 SAORM, I meet with the ARO on a regular basis; at a minimum of a one-on-one half-hour conversation every other week. She is very cognizant of NARA's requirements laid out in statutes, regulations, bulletins, and AC memos, and forwards revisions and new requirements regularly in order to continue to educate me. During these meetings, as well as in regular and ad hoc written reports, she identifies what is going well within the agency's records management program and where she needs my support. My manager, the CIO, is very knowledgeable of NARA requirements, which requires me to be able to speak honestly and openly about the effectiveness of the agency's records management program.

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

    X Yes
    ☐ No
    ☐ Do not know

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

    I am concerned about the cost and difficulties of meeting NARA's proposed rulemaking requirements for digitizing permanent records. The agency shared those concerns with NARA as comments on successive drafts of the digitization requirements.

    In 1999, the NRC was given permission from NARA to digitize permanent records and destroy the source records under a NARA-approved records schedule. It would be impractical and unnecessarily costly for the NRC to rescan all permanent records digitized since 1999 (4+ million records) to meet the new standard. The new proposed requirements will be a new burden on resources. The ARO and I are looking forward to the promised guidance for agencies that have had prior permission to destroy source records.

    The significant number of "mandatory" and "mandatory if applicable" metadata fields in the proposed rule will pose an increase in workload to capture and validate such metadata and a change management challenge to transition to these requirements from current requirements. For example, many of the metadata fields are not required to be captured in the NRC's current system for electronic permanent records. The NRC will face additional costs to

implement the capture of these mandatory fields (e.g., to purchase new scanning equipment, provide training, modify electronic data systems, and capture the data). Additionally, NRC receives digitized documents from licensees. These digitization standard changes will impact NRC's current processes and digitization standards when ingesting licensee's digitized data. Finally, requiring licensees to comply with the new mandatory digitization metadata requirements is both impracticable and will likely result in increased costs and burdens on licensees.

Additionally, I am concerned about NARA's recent changes to GRS 6.1, "Email and Other Electronic Messages Managed under a Capstone Approach". While I fully support the intention to capture these messages of Capstone officials, when AC 20.2023 was issued, along with the FAQs, Microsoft Teams was excluded from the scope. However, it is my understanding that during the FRON meeting February 7, 2023, it is now included in the scope. That doesn't provide a lot of time for the agency to plan, develop guidance, and communicate how Microsoft Teams chats will be saved for Capstone officials prior to the deadline of April 30, 2023, for resubmitting the agency's Form NA-1005, "Verification for the Use of GRS 6.1, Email and other Electronic Messages Managed Under a Capstone Approach". In addition, Microsoft Teams is still excluded in the FAQs.

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.

As I am a relatively new SAORM (but have been in the ARO's management chain for years), I am looking forward to NARA SAORM engagements.