



## ***Senior Agency Official for Records Management 2021 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. 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 records keeping and preservation under both these requirements, as well as other important records management initiatives.

**The reporting period begins on January 10, 2022, and reports are due back to NARA no later than March 11, 2022.**

NARA plans to post your 2021 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, 2021, 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 [rmsselfassessment@nara.gov](mailto:rmsselfassessment@nara.gov). Include the words "SAORM 2021 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: General Counsel
- Address: 1155 21<sup>st</sup> 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 impacted 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 accelerated the transition to collaboration tools and systems to support remote work. CFTC is working to understand the records management implications of these tools, ensure that use of these tools is consistent with records management policies and practices, update where needed, and communicate updates and guidance out to the user community.

**3. Does your agency have an established information governance framework that integrates records management, data management, and other agency information lines of business? (This includes a relationship between CIO, CDO, SAORM, DRO/ARO, RM Staff, Security, Privacy Officers, and FOIA)**

- Yes **X**
- No
- Do not know

*Please provide details. If 'Yes,' provide details on how your RM program is integrated into this framework. If 'No' or 'Do not know,' please explain your response.*

An Enterprise Data Governance Committee was established in CY21, which connects mission functions with information management roles. Both the SAORM and the Records Officer attend Committee meetings.

**4. Will your agency meet the goal to manage and preserve 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, example metrics, and/or challenges):*

CFTC is positioned to meet this goal with respect to existing permanent electronic records. However, we are uncertain if we will be back in the office with enough time to send the remainder of the permanent, paper records we have prepared to the National Archives or the Washington National Records Center in time to avoid having to digitize them after December 31, 2022. If necessary, we will submit a request for an exception to the M-19-21 requirement as a hedge against this unknown (see question 6 below).

**5. Will your agency meet the goal to manage and preserve all temporary records in an electronic format by December 31, 2022? (M-19-21, 1.3)**

- Yes  
 No **X**  
 Do not know

*Please explain your response (include specific goals, example metrics, and/or challenges):*

CFTC continues to make progress toward this goal as our resources and as the schedules for business transformation efforts permit. Out of necessity, the pandemic spurred some quick migrations of paper recordkeeping processes to electronic processes. It also resulted in longer-term plans to migrate others as resources and funding to do so become available. CFTC does not view this as a goal that ceases after December 31, 2022, rather the agency will continue to pursue this goal into the future.

**6. Does your agency have plans to submit to NARA a request for an exception to the M-19-21 requirements before December 31, 2022?**

- Yes  
 No  
 Do not know **X**

*Please explain your response. If 'Yes,' please include an estimate of when you plan to submit an exception and any relevant details. If 'No' or 'Do not know,' please explain your response.*

If necessary, CFTC may submit a request for an exception to the M-19-21 requirement that permanent paper records be approved for accessioning into to the National Archives transfer or to a National Archives-operated Records Center before December 31, 2022 to avoid digitizing those records after that date.

**7. Is your agency utilizing the General Services Administration’s Special Item Number for Electronic Records Management ([518210 ERM](#)) 6 to procure solutions to assist in transitioning to an Electronic Environment?**

- Yes **X**
- No
- Do not know

*Please explain your response. If ‘Yes,’ please include specific examples and how this will support records management processes. If ‘No’ or ‘Do not know,’ please explain.*

CFTC has reviewed this GSA schedule with the possibility of using it to procure services to support a variety of agency needs related to developing and implementing records management controls in an electronic environment.

**8. Has your agency developed plans to meet the requirements of M-19-21, 1.3 to store temporary records in commercial storage facilities by December 31, 2022?\***

- Yes
- No **X**
- Do not know

*\*M-19-21, 1.3 includes closing of agency-operated storage facilities and no new transfers of paper records to the Federal Records Centers.*

*Please explain your response. If ‘Yes,’ provide details about the use of commercial storage and other changes related to storage. If ‘No’ or ‘Do not know,’ please explain.*

This requirement is not applicable to CFTC. CFTC does not have any agency-operated records centers, and already uses commercial storage facilities.

**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 always, one of the challenges as a small agency, is scalability and determining where to focus our limited resources for maximum impact, given the increasing volume of electronic records, systems, and environments.

**10. NARA is always working on ways we can make your role as the SAORM easier, improve how we interact with you and how you interact with each other. Do you have any suggestions?**

- 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):*

NARA could help support the role of SAORM by advocating for the integration and alignment of records management requirements in related government-wide policies that address cybersecurity, information technology, data management, and other records management-related disciplines.