



Senior Agency Official for Records Management FY 2015 Annual Report

The *Managing Government Records Directive (M-12-18)* requires Senior Agency Officials (SAOs) for Records Management to provide an annual report to NARA. This report demonstrates how your organization is achieving the goals of the *Directive* and other important initiatives as identified by NARA.

NARA uses the reports to determine the overall progress of the Federal Government in meeting the goals of the *Directive*, including implementing proper email management and transitioning to electronic recordkeeping. Additionally, NARA uses the report for information sharing purposes to provide best practices and model solutions with Federal agencies.

The reporting period begins on November 16, 2015, and reports are due back to NARA no later than COB January 29, 2016.

Please note that NARA will post a version of your 2015 SAO report on the NARA website. This action is in the interest of transparency in Government and to promote collaboration and communication among agencies. Please let us know whether there is a specific justification as to why your report cannot be publicly shared (in whole or in part).

Instructions for Reporting

- This template covers progress through fiscal year (FY) 2015.
- Please be brief and precise in your answers. Limit answers to each question to no more than 500 words.
- Please complete the eight questions/items on the following pages and send the report to prmd@nara.gov. Include the words “SAO annual report” and your agency’s 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 SAO: **William D. Spencer**

Position title: **Clerk of the Board**

Address: **1615 M St., NW, Washington, DC**

Office telephone number: **202-653-7200**

1. What are the agencies, components, or bureaus covered by this report and your position as SAO?

Please list them below:

Merit Systems Protection Board

2. Is your agency going to meet the *Directive* goal to manage all email records in an accessible electronic format by December 31, 2016? (*Directive Goal 1.2*)

Yes No

2a) *Provide a list of actions your agency, components, or bureaus have taken to meet this goal. Include specific information on your progress regarding:*

- *establishing formally approved email policies,*
- *use of any automated systems for capturing email,*
- *providing access / retrievability of your email,*
- *establishing disposition practices for agency email (either destroy in agency or transfer to NARA), and*
- *possible implementation of the Capstone approach for applicable agency email.*

The Merit Systems Protection Board (MSPB) assessed the best approach to manage email based on the business requirements to meet our mission. MSPB will adopt the Capstone approach outlined by NARA; therefore, we will follow the Capstone retention periods set forth by the GRS. We are in the initial phase of developing an email policy establishing the Capstone approach.

We are conducting an agency-wide inventory on the records created as a part of our business processes, to include email. While new policy is developed, an interim hold is in place that restricts deletion of email accounts for all departing employees until the inventory is complete

and file plans are aligned with our records schedule. MSPB is working with our Appraisal Archivist to complete the inventory and update our records schedule to media-neutral in support of the December 2016 deadline.

2b) *Provide a list of the actions your agency, components, or bureaus plan to take in 2016 to meet this goal.*

Critical to the development and implementation of this policy is the formation of an integrated process team (IPT). In 2016, MSPB will form an IPT to include stakeholders from various offices (Information Technology (IT), General Counsel, and Human Resources) to determine the factors necessary for technical implementation, functional business rules, agency-wide training, legal issues, and the classification of MSPB Capstone officials.

MSPB will provide training to all employees on email policy and the responsibilities MSPB employees have for the email they create, receive, and transmit as part of their job.

3. Has your agency taken actions to implement the 2014 amendments to the *Federal Records Act* requiring Federal employees to copy or forward electronic messages (including email, texts, chats, and instant messaging) that are federal records from their non-official accounts to official accounts within 20 days?

Yes No

Please provide a brief description of the actions taken, such as establishing policies and providing training.

MSPB took several actions to implement the 2014 amendment to the Federal Records Act requiring Federal employees to copy or forward electronic messages that are Federal records from their non-official accounts to official accounts within 20 days. In August 2015, MSPB senior leaders were briefed on this requirement, specifically on the use of personal email accounts for conducting Government business. Additionally, MSPB developed training for all agency employees this year that includes the changes to the Federal Records Act and its implications.

4. Describe your agency's internal controls for managing electronic messages (including email, texts, chats, and instant messaging) of the agency head and other executives (including appropriate advisers, and other senior management staff).

To date, the management of electronic messages has been an activity lead by the IT office. Solutions regarding electronic messaging were primarily IT-driven given limited records management resources. With the addition of the new Records Officer in April 2015, the Records and Information Management (RIM) Program is now working alongside the IT office to develop a strategy to improve internal controls for managing all electronic messages.

5. Is your agency going to meet the *Directive* goal to submit records schedules to NARA for all existing paper and other non-electronic records by December 31, 2016? (*Directive Goal 2.5*)

Yes No

5a) *Provide a list of the actions your agency, components, or bureaus have taken to meet this goal.*

MSPB submitted a records schedule to NARA in 2014 requesting media-neutral status for our program records, Appellant Case Files. In 2015, in consultation with NARA's appraisal team, MSPB opted to rescind the submission, recognizing the need to update MSPB's entire schedule. We determined that the best way forward is to prepare a comprehensive records schedule that reflects more accurately MSPB as it is today regarding its mission, documents completely its activities, and supports the staff and senior leaders in their work. As a result, MSPB is actively engaged in an agency-wide inventory of its records, both in paper and digital form.

5b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to meet this goal.*

In 2016, MSPB will submit a comprehensive records schedule to NARA requesting media-neutral status for all our records.

6. Is your agency going to meet the *Directive* goal to manage all permanent electronic records in an electronic format by December 31, 2019? (*Directive Goal 1.1*)

Yes No

6a) *Provide a list of the actions your agency, components, or bureaus have taken to meet this goal. Include specific information on your progress regarding:*

- *establishing formally approved electronic records policies,*
- *use of any automated systems for capturing electronic records,*
- *providing access / retrievability of your electronic records, and*
- *establishing disposition practices for agency electronic records.*

MSPB currently manages all of our permanent electronic records in an electronic format with the exclusion of permanent electronic messages which will be managed using the Capstone approach. See comment above regarding electronic messages.

- 6b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to meet this goal.*

Not Applicable

7. Please provide any insight to your agency's efforts to implement the *Managing Government Records Directive* and the transition to a digital government.

Provide a brief description, including any positive or negative outcomes, challenges, and other obstacles.

Developing a broader understanding on the role RIM plays in an organization continues to be a challenge even with the importance associated with the Presidential Directive. We need to address the governance of information at an enterprise level, or "records management" will continue to be seen as an issue of compliance without the benefit of value added. Fortunately, we have and continue to build a strong team of RIM and other professionals, and we have the support of agency leadership for our program.

8. With regard to records management, is your agency preparing for the upcoming change in Presidential administration?

Yes No

- 8a) *Provide a list of the actions your agency, components, or bureaus have taken to ensure records of departing senior officials will be appropriately managed during the upcoming change in Presidential administration.*

MSPB has developed a checklist for senior leaders and their staff to use as they prepare for transition. The checklist provides guidance on what is and is not a Federal record and what is permissible under the Federal Records Act to take when they leave the agency.

- 8b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to ensure records of departing senior officials will be appropriately managed during the upcoming change in Presidential administration, including ensuring that federal records are not improperly removed from the agency.*

In collaboration with internal MSPB offices, we will update the out-processing procedures to include RIM Program staff on out-processing forms and exit interviews.