



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: Sharon Bradford Franklin

Position title: Executive Director

Address: 2100 K Street NW, Washington, DC 20427

Office telephone number: (202) 331-1986

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

Please list them below: The Privacy and Civil Liberties Oversight Board (PCLOB)

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 PCLOB's email records are managed according to the Capstone approach, as documented in the PCLOB's agency records schedule. The emails of senior PCLOB officials are retained as permanent records. They remain in the email platform for 15 years before being sent to NARA. The emails of all other PCLOB staff are temporary and retained in the email system for at least 7 years before being deleted. The PCLOB's email platform includes records management features such as in-place eDiscovery, preservation, and archiving.

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

During 2016, the PCLOB plans to memorialize its email policies by amending its records management policy.

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.

The PCLOB has updated its mandatory training for employees to include the requirement to copy or forward electronic messages that are federal records from their non-official accounts to official accounts within 20 days.

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).

All agency heads and senior officials are required to take records management training and have been briefed on their responsibilities pursuant to the Capstone program. Agency heads and senior officials are subject to the policy that expresses the preference for using their PCLOB email accounts for official PCLOB business and the requirement to copy or forward electronic messages that are federal records from their non-official accounts to official accounts.

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.*

The PCLOB's comprehensive agency records schedule was signed by the Archivist of the United States in December 2015.

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

The agency will continue to update its inventory of existing paper and other non-electronic 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.*

The PCLOB's comprehensive agency records schedule was signed by the Archivist of the United States in December 2015. The agency will continue to update its inventory in order to identify any other permanent records.

The PCLOB has completed digitizing of the vast majority of its permanent paper records and uploaded them into the agency's record-keeping drive. Moving forward, as the agency creates permanent electronic records, the record copies will be preserved in the agency's record keeping drive. Files in that drive are accessible to everyone in the agency but write permissions are limited to records management staff.

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

The PCLOB plans to formalize and memorialize its current electronic record-keeping practices in a revised policy in the upcoming year.

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.

The PCLOB has digitized our hard copy records. As a small, newer agency, this requirement has posed minimal problems.

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.*

The PCLOB is an independent agency headed by a bipartisan five-Member Board, with Members serving staggered six-year terms. Therefore, the transition to a new presidential administration does not signify the same type of change as at many other federal departments and agencies. In addition, the PCLOB provides all departing employees with a records management out-briefing that focuses on preserving government records and ensuring that the employees who take over the departing employee's functions maintain access to relevant materials. The out-briefing is subsequently documented. Records management responsibilities of departing employees are already included as part of the records training.

- 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.*

The PCLOB plans to reissue its records management policy to clarify records procedures for departing officials.