NATIONAL ARCHIVES

OFFICE *of the* CHIEF RECORDS OFFICER

Senior Agency Official for Records Management 2022 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 (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: **Stephen Kucharski**
- Position title: **Acting Chief Information Officer/SAORM**
- Address: **409 3rd Street, SW, Washington, DC 20416**

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.

   All components of the U.S. Small Business Administration (SBA) are 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
   X 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 COVID pandemic did not result in any SBA permanent adaptations for preservation of electronic records.

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.

   SBA has contracted with a company to complete permanent records digitization and is expected to complete this effort prior to June 2024.

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 SBA Records Management Division is completing an initiative to reach out to all program offices to assess their records, and to provide guidance and education on the preservation of temporary records in electronic format. For example, the Records Management Division issued recommendations regarding temporary paper files (i.e., loan files, etc.).

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 SBA Records Management Division has provided education and guidance to the offices with storage facilities regarding the transfer of temporary records to the FRC by June 2024. SBA is on track to have this completed prior to the deadline.

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
   X 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.

   Currently Records Management Policy is being revised by Records Management Division and there's a significant need for a documented policy and procedures to include a strategic plan of migrating towards the bigger picture of information governance from the perspective of data transformation, innovative technologies, and integrating formal structure.

   The Office of Chief Information Officer, Business Management Office is currently designing and formalizing an IT Governance Framework to consists of a number of domains: Data Architecture, Data Management, Records Management, Privacy Security, Change Management, Enterprise Architecture, Acquisition, etc., to name a few.

   Currently the CIO serves as the SAORM and collaborations with Records Management Division (RMD) which is currently under Office of Administrative Services, is routine. RMD efforts have been focused on the conversion to digitization. As the IT Governance Framework stands up, simultaneously, the shaping of the doctrine will manifest with the shift of electronic records management.

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
X 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.

Our current Cybersecurity and Privacy Policy covers the protection of confidentiality, integrity, and availability of Small Business Administration's data inclusive of electronic records. SBA uses Microsoft 365 GCC G5 Licenses which has the capability to:

- Captured and stored electronic messaging records in shared drives or personal drives.
- Captured and stored electronic messaging records using cloud services but records management IS NOT included.
- Generate reports, both routine and customized, to demonstrate effective controls and compliance with the requirements for managing email records including the ability to audit/track use of email records, including all events and actions related to the email record by person entities and non-person entities, changing the level of email record access, and changes in the location of email records.
- Email systems manage and preserve email in electronic format; limited end user input is needed to apply proper retention and disposition policies; permanent email is identified and managed; email systems maintain the content, context, and structure of the records; and email records are associated with their creator.
- Email is fully retrievable for requests; email review, preservation, and disposition are embedded into the processes for departing employees; records management controls are built into the email system to prevent unauthorized access, modification or destruction; processes for the identification and classification of email records are documented and integrated with agency business and mission at the strategic level.

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.

X Yes
☐ 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.)

Records Management Division is currently working with the Office of the Chief Information Officer to determine automated technologies that coincide with current SBA systems.

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.

SOARM designation by SBA Administrator is the CIO.

Past practice, RMD met with the SAORM on a weekly basis to validate status, identify gaps, and needs for the Records Management Division during a time they were short of resources and staffing. The SAORM provided assistance from OCIO to assist with reports, multiple surveys, and attend collaborations and meetings with NARA and CUI working groups. Last year, RMD received funding for staff and resources and were able to reduce the risk level for digitization conversion dramatically to "no risk" in less than 6 months. Periodically, on behalf of the SAORM, OCIO staff have reached out to RMD for status on CUI destruction, records digitization, archival, project plan, migration of electronic records management to OCIO, inventory, policy and procedures status.

SAORM is aware of some compliance issues.

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.

SBA could benefit from general support in the areas related to information technology and the development and deployment of an SBA records management system.

11. Do you have any suggestions for how NARA can better engage with you and your program in your role as SAORM?

X 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.

SBA could benefit from roundtable discussions with NARA and other agencies related to reviews on the Electronic Records Management Solution that other agencies/departments have implemented. Also, any opportunities where SBA could seek assistance with staffing and resource shortages could solicit detailees from NARA or other agencies, share lessons learned, and the growing pains of implementing full information governance on a broader scale.