



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: **James J. Wilson**

Position title: **Chief Human Capital Officer**

Address: **1730 M Street, NW, Washington, DC 20036**

Office telephone number: **202-254-3612**

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

Please list them below:

U.S. Office of Special Counsel

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*)

X 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 U.S. Office of Special Counsel (OSC) established a formally approved Records Management Program Directive on February 25, 2008, which was later updated, effective in February 2012. This directive establishes the principles, responsibilities, and requirements for managing the electronic records and information of the OSC. Our new Chief Operating Officer, in collaboration with the Chief Information Officer and other agency officials, will determine the best approach to manage our email based on business requirements and current IT initiatives to meet our mission.

All OSC email is managed in the cloud where it will be processed through an email records management solution that will allow an email to be designated as a record . Although we are in the initial phase of developing a new email policy to reflect this new automated process, the policy will identify the procedure for handling OSC legacy and future email records, establish the disposition practices for OSC email records, and explain proposed implementation dates.

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

Based on the criteria to be developed in the revised email policy, OSC will begin testing of the new email records management solution. At the conclusion of testing and approval of the email policy, OSC will implement the new email records management solution. During implementation, we will continue to explore any additional capabilities that OSC may need to incorporate to meet the deadline.

- **Schedule a meeting with the Archivist from the National Records Center to come to OSC and provide information/clarification on any questions we may have.**
- **Work to put a formal plan in place to manage all email records in an accessible electronic format;**
- **Notify employees of this plan and train all employees on the use and logistics of the plan;**
- **Assist employees in conforming their records to the new plan and updating the new e-mails going forward;**

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?

X Yes No

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

The new email policy (described above) will include a section addressing these new requirements for email records. Electronic messages (texts, emails, etc.) shall be forwarded to OSC's systems.

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).

OSC will implement systematic controls as part of its standard email and office procedures (including instant messaging) services for all staff to manage communication records according to established policies. Special Counsel memoranda of June 28, 2012 require records management training/briefing for all new and departing employees, and that employees print an official record copy of agency business emails prior to deleting the e-version. Most Special Counsel and (Principal) Deputy Special Counsel records are currently permanent records. These records would be maintained at OSC until terms end, and then be maintained at a federal records center. After 30 years, they would be transferred to the National Archives.

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*)

X Yes No

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

Our Administrative Services Officer is working with our Appraisal Archivist to update our records schedule to media-neutral and account for all currently known records in support of the December 2016 deadline.

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

OSC will continue to inventory its records periodically and as needed to ensure any new records are scheduled appropriately.

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*)

X 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.*

OSC is still in the development phase of its plan. The initial steps for electronic email will support this overall effort. OSC anticipates the launch of a new electronic case management system in the first half of calendar year 2016 that will enable staff to organize and retrieve electronic documents from their desktops.

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

- **Develop an Agency electronic email records plan.**
- **Implement the Agency's Records Management Directive.**

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.

In addition to the actions noted in response to questions 5a) and 6a), above, OSC is in the process of migrating electronic records into the government cloud. We are also in the process of implementing a new electronic case management system. This new initiative is OSC's first major step towards a paperless system, and it is the first major IT upgrade since 2000. As part of this effort, we are in the process of identifying an appropriate software solution to integrate electronic records management functions.

We expect positive outcomes in efficiency and effectiveness across the agency. The primary challenges relate to financial requirements and agency staff demands. An IT initiative of this scope presents a significant financial expense. This initiative also requires significant staff engagement for the system development and implementation stages. A secondary challenge relates to identifying an affordable NARA-compliant software approach for electronic records management functionality.

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

X 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 Special Counsel serves a five-year term appointment, with the ability to carry over an additional year in the event a new Special Counsel has not yet been appointed. The current Special Counsel, whose term expires in June 2016, has been re-nominated for a second term. The (Principal) Deputy serves at the pleasure of the Special Counsel. Hence, we are not anticipating the change in Presidential administration to have a significant impact on records management at OSC.

- 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.*

While OSC is not immediately affected by the change in Presidential administrations, senior officials are regularly apprised by the Office of General Counsel and the Records Officer of record retention requirements, including upon departure from the agency.