



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 rmsselfassessment@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: James Strawley
- Position title: Deputy Staff Director
- Address: One Columbus Circle, Suite 2-500
Washington, DC 20002

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.

United States Sentencing Commission

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
 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.)

Like most agencies, the COVID-19 pandemic impacted Commission record operations. The pandemic slowed the Commission's efforts to digitize records and caused a delay in the transfer of records to NARA. The Commission has now completed backlogged transfers, as well as its most recent transfer. Even with these impacts, the Commission retained access to essential records through its internal electronic management system. During the pandemic, the Commission developed additional ways to ensure the Records Team has full access to the backend systems maintaining records, all of which are fully secured against a disaster scenario. The Commission also redeveloped and expanded the search capabilities to ensure non-records personnel has easier access to historical documents and records. In addition to maintaining previous search methods, the Commission introduced a front-end search application, relying upon a full index of the Commission's records system. This permits users to conduct plain language searches of the records system. This index system, like the Commission's records database, is maintained on site and through duplicate backup to ensure availability. In conjunction, the Commission developed a separate electronic library and searchable system dedicated to its most mission critical records, which consist of monthly meeting materials provided to the policy-making Commissioners. These materials are also available in the more general records search system, but this separate system provides even easier (and duplicative) access to these mission critical documents. These materials are captured for all meeting materials dating back to the creation of the Commission in 1984.

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)

- Yes
 No
 Do not know

Please explain your response with specific actions taken, challenges and results.

The United States Sentencing Commission ("Commission") has converted from a traditional, largely paper-based records management system to maintaining an electronic system for

permanent records and temporary records. As part of this transition, although the Commission has retained its permanent paper records pursuant to applicable regulations (and while awaiting updated guidance from NARA), the Commission undertook an effort to scan all paper-based permanent records to an electronic format pursuant to its media-neutral records schedule. This was achieved through use of OCR-enabled scanners and scanning software. Once digitized, these scanned records were uploaded to a DOD 5015.2 compliant, Oracle-based electronic documents-and-records-management system. That system is called “Oracle WebCenter Content”; we use an “Oracle WebCenter Content: Records” module specifically for records management. The two components collectively comprise the agency’s user-friendly records management system, known internally as “eCommission.” As of the filing of this report, the Commission has completed the process of scanning all historical, paper based permanent records. In more recent years, the Commission is also transferring its previously-created electronic files (e.g., pdf, Word, Word Perfect, Excel, and Power Point files) into the eCommission system –including all files that qualify as permanent records. Lastly, the Commission has instituted a process by which all contemporaneous permanent records are maintained and uploaded into eCommission in electronic format. The metadata and filetype are maintained and each record also creates a PDF-A version of itself. A similar process is also underway to achieve full digitalization of the Commission’s temporary records. Once gathered and uploaded to eCommission, all records undergo a process to ensure proper disposition under the Commission’s records schedule. Our records specialist, Brittany Davis, is responsible for moving the documents uploaded into the eCommission from the “documents” side to the “records” side of the eCommission (if the documents qualify as “permanent” records), pursuant to our CRDS. Once a file is moved to the “records” side, it is set for disposition in accordance with the CRDS (i.e., depending on the document’s creation date, it will be sent to NARA in electronic form). An electronic copy of all records remains in the eCommission after they are sent to NARA for ongoing Commission business use.

4. Has your agency taken action to meet the goal to manage and preserve all temporary records in an electronic format by June 30, 2024? (M-19-21, 1.3 and M-23-07, 1.3)

- Yes
 No
 Do not know

Please explain your response with specific actions taken, challenges and results.

As noted, the Commission undertook the same digitization process discussed in the previous answer for the digitization of all permanent records. The Commission has converted from a traditional, largely paper-based records management system to an electronic system for records that will be sent to NARA. As part of this transition, the Commission undertook an effort to scan all paper-based temporary records to electronic format. This is achieved through use of OCR-enabled scanners and scanning software. Once digitized, these scanned records are uploaded to a DOD 5015.2 compliant, Oracle-based electronic documents-and-records-management system. That system is called “Oracle WebCenter Content”; we use an “Oracle WebCenter Content: Records” module specifically for records management. The

two components collectively comprise the agency's user-friendly records management system, known internally as "eCommission."

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?

- 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 Commission does not maintain agency-operated records storage facilities.

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
 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.

The Agency Record Office is in contact with all parts of the agency regarding records management issues and is an involved stakeholder in all projects that affect records management or agency digital records. The Agency Records Officer is in regular contact with the Senior Agency Officer for Records Management, who is in turn, a part of most major Commission business processes and has direct contact with the agency head, the Office of General Counsel, the Director of Information Technology and Systems.

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
 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.

The Commission has policies, procedures, and training in place regarding electronic messages. As it has always done, Commission staff are directed to submit any electronic message that could constitute a record through a dedicated and secure channel to the Agency Records Office for review. The Agency Record Office is a resource to all staff to assist with records determinations regarding any electronic message.

In addition, in the last year, the Commission has also implemented an automated system to capture electronic messages to or from agency leadership whose communication are most likely to involve a record. In this regard, electronic messages to or from a commissioner are automatically captured and send to a dedicated and secure folder system for review by the Agency Records Officer. If such messages qualify as records, they are uploaded to the Commission's recordkeeping system for preservation and appropriate disposition.

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.

- 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.)

The Senior Agency Officer for Records Management works closely with the Information Systems and Information Technology teams, including on many efforts to expand the Commission's use of data extraction, automation, and machine learning approaches in its data collection mission. As a corollary, the SAORM often explores methods to integrate such cognitive technologies into the records program. As noted, such work has already been utilized to improve and expand the ability of end users in the Commission to search and access Commission records. The Commission always welcomes further guidance from NARA as to the availability and success of any cognitive technologies utilized by other agencies.

9. Do you as SAORM regularly oversee and evaluate the effectiveness of your records management program and its compliance with statutes and regulations?

- Yes
 No
 Do not know

Please explain your response including what specific measures you have incorporated into the SAORM role.

The Commission is a small agency and therefore the Senior Agency Officer for Records Management is intricately involved in all aspects of the Commission's work, including significant involvement in each of the Commission's units and core missions. As such, the SAORM can oversee all aspect of both actual and potential records developed by the Commission. The SAORM works closely with ARO, as well as the Information Systems and Information Technology teams responsible for maintaining the Commission's records systems. The SAORM also has daily and direct access to the agency head on all matters, including record keeping requirements.

10. Is there specific policy or guidance you need from NARA to support the strategic direction of your records management program?

- Yes
 No
 Do not know

Please explain your response and include any comments on existing, pending, and future topics.

The Commission looks forward to receiving regulations regarding the disposal of hardcopy versions of permanent records that have been scanned to an electronic format. This guidance from NARA would prove beneficial to the Commission both in terms of its record-keeping workload and physical storage capacity.

The Commission would also welcome further guidance from NARA regarding maintenance of email records, particularly insight regarding existing software to assist with the process of greater automation, as well as insight into other cognitive technologies.

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

- 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.

It often appears that interactions with NARA, as well as guidance received from NARA, occurs with a one-size fits all model. While I recognize that NARA interacts with many agencies that are large, wide-spread and comprised of numerous units, divisions or offices, the Commission is a small agency with a staff of less than 100 all located in one suite. While the small size of the Commission brings advantages to its record keeping mission, it also has some challenges. It is often the case that NARA provides guidance and expectations that simply do not fit for a small agency's structure and/or budget. As just one example, the permanent record regulations NARA has been considering for several years envisions a multi-person and multi-tiered records staff with several layers of cross-checking by different personnel. For a small agency, such a records staff is neither feasible nor practical. As another example, my recent interactions with NARA demonstrate a lack of understanding or flexibility to recognize that certain common procedures may not work in a small agency, with NARA staff expecting or suggesting the same systems or procedures required for or available to monolithic agencies housed in the Executive Branch. Similarly, NARA staff seemed to have little understanding of the unique qualities and requirements of a Judicial Branch

Agency, again proceeding in the same manner one would expect for a large Executive Branch Agency.

It would be helpful to the extent possible that new NARA guidance accounts for the small size and structure of some small agency with a small records management staff.