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.

The reporting period begins on March 11, 2019 with reports due back to NARA no later than April 19, 2019.

NARA plans to post your 2018 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 and on the website.

Instructions for Reporting

- This template covers progress through December 31, 2018.
- 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 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.

Provide the following information (required):

- Name of SAORM   Frederick Steckler
- Position Title: Chief Administrative Officer
                                Senior Agency Official for Records Management
- Address

1. **What agencies, bureaus, components, or offices are covered by this report and your position as SAORM and which will be reporting separately? Please also indicate any that are new or have been changed due to reorganization or other circumstances.**

   The United States Patent and Trademarks Office (USPTO) is a Bureau within the Department of Commerce. As the USPTO's Senior Agency Official for Records Management (SAORM), all USPTO components and offices are covered by this report and position.

2. **Is your agency and its components making progress towards managing all permanent electronic records in electronic format by December 31, 2019? (M-12-18, Goal 1.1)**

   X Yes
   ☐ No

   Please explain your response:

   The USPTO continues to make tremendous strides to comply with Presidential Memorandum-M-12-18, Managing Government Records Directive, Goal 1.1 to manage all permanent electronic records to the fullest extent possible in an electronic format for eventual transfer and accessioning to NARA

   A few of our accomplishments are listed below:

   - *Successfully implemented the Capstone Approach to managing electronic mail records Enterprise-wide via production deployment using the Microsoft Office 365 mail topology and Message Rights Management (MRM) functionality for creating and maintaining role-based retention schedules and rules for generating, transmitting, and dispositioning electronic mail messages to include a hybrid exchange infrastructure consisting of both on premise and cloud-based technologies.*
   - *Successfully obtained NARA's approval of USPTO's three-tier Capstone Retention Schedule for the management of electronic mail messages.*
   - *In accordance with NARA's approval of the NA-1005 Capstone Retention Schedule and Transfer Guidance of Permanent Electronic Records, Bulletin 2014-04, USPTO plans to initiate disposition and accession activities of electronic mail messages that have either met or exceeded their retention schedules by calendar year-end 2019. This activity will include the destruction of temporary electronic mail messages and the transfer of legal custodianship of permanent electronic mail messages to NARA in an electronic format.*
   - *Successfully created an Agency-wide Administrative Order for Records and Information Governance for all USPTO employees and contractors to ensure compliance with Federal Records Management statutes and NARA guidelines.*

- *Successfully completed continued development of an Electronic Records Management (ERM) roadmap for strategic and tactical execution to meet M-12-18, Goal 1.1. to manage all permanent electronic records electronically to the fullest extent possible.*
- *Successfully completed development of a high-level technical architecture to serve as a baseline for ERM system design and records management processes.*
- *Continued "good faith" efforts to evaluate the landscape of USPTO legacy and next generation systems to determine the appropriate Electronic Records Management (ERM) solution alternatives to manage both structured and unstructured data that is cost-effective and scalable, without placing an unreasonable burden or undue hardship on the agency or its employees.*
- *Acquired contract support to assist in developing proof of concepts for our core mission critical business systems within the Patents and Trademarks business units that contain and produce permanent electronic records for eventual electronic transfer to NARA.*

3. **Has your agency implemented a plan that aligns to the criteria and requirements published by NARA in its *[Criteria for Successfully Managing Permanent Electronic Records](#)* (March 2018)?**

☐ Yes
X No

Please explain your response:

The USPTO has developed a plan and began executing several actions to ensure the successful management of permanent electronic records via a multi-phased implementation strategy. Key components of the plan include identification of the permanent record keeping "master file" and content within our automated information systems, web portal, and other electronic repositories.

4. **As included in the Administration's *[Delivering Government Solutions in the 21st Century: Reform Plan and Reorganization Recommendations](#)* (June 2018), NARA will no longer accept paper records after December 31, 2022. Is your agency developing strategic plans, goals, objectives, and initiatives that will enable it to comply with this deadline?**

The Reform Plan states:
Transition to Electronic Environment: *Transition Federal agencies' business processes and recordkeeping to a fully electronic environment, and end the National Archives and Records Administration's acceptance of paper records by December 31, 2022. This would improve agencies' efficiency, effectiveness, and responsiveness to citizens by converting paper-based processes to electronic workflows, expanding online services, and enhancing management of Government records, data, and information.*

X Yes
☐ No

Please explain your response (include specific goals and example metrics):

The USPTO continues to make progress to reduce the volume of its textual (paper) record holdings stored within the National Archives and Records Administration (NARA) Federal Records Centers (FRCs) and NARA approved/compliant record storage facilities by minimizing the overall footprint of those holdings through transfer, accession, and destruction activities. In fiscal year 2018, the USPTO

dispositioned approximately 630,000 paper files to the FRC and NARA and destroyed over 4 million paper files.

Since 2003, USPTO's core business records for both Patents and Trademarks are born digital. Further research and analysis continues to determine the economic and business feasibility of digitizing permanent textual records without placing an undue burden or hardship on the Agency.

5. **Is your agency utilizing General Service Administration's Schedule 36 to procure solutions to assist in transitioning to an Electronic Environment?**

    X Yes
    ☐ No

Please explain your response:

The USPTO has contracted records management services via the GSA Schedule 36 for its records and information governance program, records storage, records preservation, records restoration, and records lifecycle management and operational activities.

6. **Have you, as the SAORM, established or improved your agency procedures that ensure all incoming and outgoing senior officials receive briefings on their records management responsibilities including documenting their public service, use of personal email, and other recordkeeping requirements?**

    *Senior officials are the heads of departments and independent agencies; their deputies and assistants; the heads of program offices and staff offices including assistant secretaries, administrators, and commissioners; directors of offices, bureaus, or equivalent; principal regional officials; staff assistants to those aforementioned officials, such as special assistants, confidential assistants, and administrative assistants; and career Federal employees, political appointees, and officers of the Armed Forces serving in equivalent or comparable positions.

    X Yes
    ☐ Changes were unnecessary (click here for your agency's 2017 report)
    ☐ No, changes are being considered but have not been made
    ☐ No

Please explain your response:

The USPTO is proactive in establishing procedures and training materials for incoming and outgoing senior officials to educate them on their records management roles and responsibilities. Continuous process improvement efforts are on-going as we strive to ensure continuity of program objectives and achieve operational excellence.

7. **Have you, as the SAORM, ensured that your records management program has the support and resources it needs to be successful? (See NARA Bulletin 2017-02: *Guidance on Senior Agency Officials for Records Management*)**

    X Yes
    ☐ No

Please explain your response:

USPTO's Records Management Program continues to work collaboratively to establish strategic goals and objectives for the RM program to include financial and human capital resources. The SAORM meets directly with the Agency's Records Officer and other staff on a regular basis. In addition, the SAORM leverages his co-role of also being the Agency's Chief Administrative Officer, (CAO) to raise records management awareness through program outreach activities with key stakeholders to ensure the success of the Records Management program.

8. **Have you, as the SAORM, implemented an appropriate role-based records management training program that covers recordkeeping responsibilities for all staff including those with dedicated records management roles, Federal employees, contractors, senior executives and appointees? (See NARA Bulletin 2017-01:** *Agency Records Management Training Requirements***)**

   ☐ Yes
   X No

 Please explain your response:

In accordance with NARA Bulletin, 2017-01 as the Senior Agency Official for Records Management, the USPTO has developed an Agency Administrative Order, 205-16, Records and Information Governance, which requires annual mandatory training for all federal employees, contractors, and others that create, receive, access, or use federal records. Computer-based and role-based training materials have been established and the USPTO is working toward full compliance.

9. **Have you, as the SAORM, taken steps to direct and support Records Management staff in implementing an evaluation or auditing process to ensure records management directives, policies, procedures, and retention schedules are being properly implemented?**

   X Yes
   ☐ No

Please explain your response:

The USPTO's Records and Information Management Policy establishes principles, responsibilities, and requirements for managing records to ensure that the Agency is in compliance with Federal laws and regulations, policies, and best practices for managing records. This Agency-wide policy provides the framework for specific guidance and detailed operating procedures governing records management organization and implementation.

10. **Do you need support from NARA to ensure a successful transition to fully electronic recordkeeping?**

   X Yes
   ☐ No

Please explain your response:

USPTO appreciates NARA's continued efforts in establishing short and long-term plans regarding NARA's capabilities and readiness to support and accept system to system electronic file transfers and the capacity to accept and store textual (paper) records at the FRC's. Additional guidance would be helpful regarding compliance with electronic and voice messaging, collaboration tools, managing web content as a record, and social media.