

State of Tennessee
Public Records Commission
MINUTES

June 23, 2015 at 9:30 AM
Legislative Plaza, Room LP-29, Nashville, TN

Public Records Commission Members:

Chairman – Tre Hargett, Secretary of State – *present*
Secretary – Robert E. Oglesby, Commissioner, Department of General Services – *present*
Justin Wilson, Comptroller of the Treasury
David Lillard, State Treasurer - *present*
Herbert Slatery III, Attorney General
Joseph Barnes, Director of Legislative Office of Legal Services
Ann Toplovich, Tennessee Historical Society – *present*
Eddie Weeks, Legislative Librarian of Legal Services – *present*
John Greer, Representative of the Comptroller of the Treasury – *present*

Welcome

The Public Records Commission met this day at 9:30 AM in Legislative Plaza, Room LP-29, Nashville, TN with the noted Public Records Commission members present. Secretary of State and Chairman of the Commission, Tre Hargett, called the meeting to order promptly at 9:30 AM. He detects a quorum and requested action on the following matters as presented.

Approval of Minutes from March 30, 2015

1. Chairman Hargett entertains a motion to approve the minutes. The motion is properly moved and properly seconded; the minutes are approved.

Consent Agenda

1. Chairman Hargett asks if there is any discussion of the consent agenda.
 - a. Mr. Weeks draws the attention of the Commission to item 68, RDA 2442, Dept. of Military. Mr. Weeks states that the Commission has given the agency permission to keep copies of paper records permanently, and there are no provisions for microfilming or for keeping duplicate copies anywhere. Mr. Weeks points out, that this is not best practice and not basic standards. He will not object to this item, but would like to state that the Commission at some point will need to make a decision about which agencies will be allowed to keep their own paper copies permanently.
 - b. Chairman Hargett asks Mr. Callaghan what staff discussions were had about this matter.
 - c. Mr. Callaghan explains that this has been discussed with Dept. of Military and this is on the list of further discussion to see if this agency wants to microfilm and how to accomplish this in a way to not affect their budget too heavily.
 - d. Treasurer Lillard asks Mr. Callaghan if the reason these records are kept on hand in the agency, is because they have to access them regularly.
 - e. Mr. Callaghan states that the agency provides these records to veterans or family members when they are needed, this is the reason TSLA did not ask to have them. Mr. Callaghan agrees and his best practice would be to see these records be microfilmed because of the volume.

- f. Treasurer Lillard questions if these records are duplicate records because it is a form DD-214 issued by the Dept. of Defense, in which the Dept. of Defense has the original and our agency has a copy.
 - g. Mr. Callaghan explains that he believes form DD-214 is duplicated in the Dept. of Veteran Affairs. Mr. Callaghan continues to explain that the Records Management Division tries to take the approach at advising the use of best practices because there have been fires at a few of the VA locations. Mr. Callaghan also states that sometimes veterans will register a number of forms with the county recorder's office.
 - h. Treasurer Lillard asks Mr. Callaghan if there is a reason for microfilming these records instead of digitizing or imaging them.
 - i. Mr. Callaghan responds by explaining the best practice for storing electronic records permanently depends on how often the records are accessed. If the agency is accessing these records often best practice is to store those records in File Net or a good ECM system, which meets the standards for long term preservation. For records that are seldom accessed but are still permanent and need preserving, technique is to put them on microfilm. Because there is a large volume and that would take up many terabytes of data but are not accessed very often. To put a large volume of records on a server and to pay for the storage and the migration can get rather expensive, if you are not planning on heavily accessing that information.
 - j. Treasurer Lillard states that Mr. Callaghan said that the agency keeps these records so they can access them for veterans and family members to give them copies.
 - k. Mr. Callaghan agrees but states that the agency does not have a large volume and does not access those records repeatedly. If the agency has that large of a volume and they are continually going into the same records then it will be discussed with the agency.
2. With no further discussion, Chairman Hargett entertains a motion for approval. The motion is properly moved and properly seconded, motion is approved.

RDAs for Discussion

1. Chairman Hargett states that all items were on the consent agenda, therefore there are no RDAs for discussion.

Office for Information Resources Update

1. Chairman Hargett then states that Mark Bengel is here to give the Public Records Commission an Office for Information Resource update.
2. Mr. Bengel explains that the Records Management Division and the Office for Information Resources have been working together to develop a guide to give the agencies a little guidance on which technology should be used for a given classification of a record for an RDA.
 - a. Mr. Bengel then states that he has a short presentation about the technological capabilities with digital records.
 - i. Mr. Bengel spoke about the movement of agencies going paperless; he also gave several considerations to take a look at when considering digitizing records, this includes physical space, confidentiality, and enhancing retrieval capabilities.
 - ii. Mr. Bengel then pointed out there are multiple types of technologies to choose from because one solution does not always meet every organization's business needs. Mr. Bengel gives a short explanation of each of the data storage solutions; FileNet, SharePoint, SourceOne, and TennCloud.
 - iii. Mr. Bengel then discussed that the Office for Information Resources (OIR) has not primarily provided technical solutions for agencies, but they are looking at expanding the services they provide, and they are looking at other services to help agencies in the end-to-end business solutions.

- iv. Mr. Bengel then asks if there are any questions.
- v. Commissioner Oglesby asks if encryption at rest is just on the OIR servers or could it be local at the agency if it was downloaded.
- vi. Mr. Bengel explains that encryption in transit means that as the information goes over the network either from the agency to the datacenter or from the datacenter to the agency, the information is encrypted and it cannot be read. Encryption at rest means as the information is sitting in our storage subsystems that the information is encrypted on that storage system. If someone breaks in to that storage system they cannot see anything.
- vii. Commissioner Oglesby questions if the agencies have to follow the policies for the encryption and protection if it is at a local level not on the OIR server.
- viii. Mr. Bengel explains that it would depend on the classification of the data, but he states that most often if the data is being stored at a local level the data is probably not encrypted. Mr. Bengel continues to explain that OIR does not feel it is best to keep any records that have security or confidential requirements on local subsystems.
- ix. Commissioner Oglesby asks if that transcends to all branches of the government.
- x. Mr. Bengel states that it does not transcend to all branches of the government. He does have purview over the Executive branch and he does not have purview over the other branches of government.
- xi. Chairman Hargett asks if there are any more questions.
- xii. Mr. Weeks asks Mr. Bengel to explain what identity management is.
- xiii. Mr. Bengel explains that identity management shows that they have a system that allows them to create a user account for a known user, and then that user is required to log on to that system and securely access that data. Then records are kept of everyone who accesses that data.
- xiv. Mr. Greer asks if there have been any issues with retention; where there are a large amount of documents that have been kept but needed to be destroyed.
- xv. Mr. Bengel states that retention is an issue. In all of the technical solutions that were discussed in the presentation, retention and disposition rules were a part of that capability.
- xvi. Commissioner Oglesby asks if Mr. Bengel is assisting the departments in their decision as to which storage level and format to use.
- xvii. Mr. Bengel states that the guide is opening the door, but the reality is that they need to provide the departments with more assistance with consultants that can walk them through the process; and they are in the process of recruiting for that currently.
- xviii. Chairman Hargett asks if there is the right amount of collaboration going on with records management officers in the discussions. There are a group of people that sit down to evaluate what the real needs are but the records officers are not included in that discussion; and come to find out there was a great need to keep records or no need to keep records.
- xix. Mr. Bengel states that Mr. Callaghan's office and OIR are working closer together and starting several projects together. Mr. Bengel states that we are just on the cusp of this and it is starting to take shape.
- xx. Chairman Hargett asks if there are any further questions and there were none.

Old Business/Public Questions

1. Chairman Hargett asks if there is any old business or comments from the public.
 - a. Mr. Greer states that there were a few TBI RDAs that have been previously rolled over to another meeting; they are still diligently working on getting those RDAs taken care of. Mr. Greer asks that they be rolled to the next PRC meeting.
 - b. Chairman Hargett asks if there are any objections and there were none.

Meeting Adjourned

1. Chairman Hargett asks if there is any further discussion or comments.
 - a. Hearing none, Chairman Hargett entertains a motion to adjourn. The motion is properly moved, and properly seconded. The Commission is adjourned.