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Memorandum for: Senior Agency Officials for Records Management

From: David S. Ferriero
Archivist of the United States

Subject: Records Management Priorities for 2017

Federal agencies and officials must remain aware of the laws, regulations, and guidance governing how records and information are identified and managed in compliance with the Federal Records Act and its recordkeeping requirements. Managing government records is essential not only to ensure agency activities are documented in order to meet legal requirements, but also to preserve our Nation's history for future generations. As a designated Senior Agency Official for Records Management (SAORM), you bear a special responsibility for ensuring your agency meets its obligations.

NARA has identified a need to modernize recordkeeping practices across the Government with specific actions required for all agencies related to the management of email and permanent electronic records. With the December 2016 requirement for managing all email records electronically having just come into effect, the next focus area is the requirement that your agency manage all permanent electronic records electronically by December 31, 2019 (see [OMB/NARA M-12-18, Managing Government Records Directive](#)).

In addition to stressing the need to address these important requirements, I would like to identify three high-visibility records and information management topics that agencies must address in the coming year: electronic messaging and encrypted messages; managing web records; and ensuring that all staff, especially incoming political appointees, are properly trained on their responsibilities for records management.

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Electronic Messaging and Encrypted Messages

The Federal Records Act, as amended in 2014, defines a record as "all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business...." This includes messages created using an ever increasing variety of electronic messaging platforms. Further, electronic messages related to the conduct of agency business are presumed to be Federal records.

Agencies are responsible for properly managing electronic messages that are Federal records, whether they are SMS texts, encrypted communications, direct messages on social media platforms, email, or created on any other type of electronic messaging system or account. This also includes managing official alias or group accounts, where multiple individuals may be involved in the day-to-day operation of the account. Regardless of how many Federal electronic messaging or email accounts individuals use to conduct official business, agencies must ensure that all accounts are managed and identifiable according to Federal recordkeeping requirements.

In addition, if an agency employee uses a non-official or personal electronic messaging account to conduct agency business, they must copy or forward the record to their official electronic messaging account within 20 calendar days of the original creation, receipt, or transmission of the record. NARA advises using personal devices or accounts to conduct official business should only be done in exigent circumstances.

There have been several recent news stories referring to the possible use by government employees of non-official, commercial communication applications, such as WhatsApp, Signal, Confide, and others that support encryption or the ability to automatically delete messages after they are read or sent. Any use of such communication applications requires coordination with your legal counsel and records management officials to ensure compliance with the Federal Records Act and related regulations. Agencies are responsible for setting policies and procedures that govern the use of these applications prior to their deployment and must take steps to manage and preserve records created through their use for as long as required.

Managing Web Records

Agencies must identify and manage all Federal records in accordance with NARA guidance, including the records and data sets available on agency websites. NARA presumes that much of the information presented on agency websites meets the definition of a Federal record and should be managed accordingly. As such, the records must be scheduled and can only be disposed of in accordance with a NARA-approved records schedule.

Agencies should work with their NARA appraisal archivist to identify, appraise, schedule, and transfer Federal web records of permanent value. To help agencies do this, NARA has issued guidance for the scheduling, managing, and transferring of web records in NARA Guidance on Managing Web Records and Format Guidance for the Transfer of Permanent Records.

Records Management Training

There are several new requirements that agencies should be aware of to ensure that all incoming government personnel, including political appointees, are properly trained in their records management responsibilities. At our last SAORM meeting in December 2016, my staff provided a briefing on NARA Bulletin 2017-01, Agency Records Management Training Requirements. The Bulletin specifies how often agency records management training must be taken, identifies personnel who must complete the training, and describes mandatory training content. The Bulletin requires that new personnel receive records management training within 60 days of employment. NARA has produced several products to assist agencies with this responsibility:

- Records Management Training 101 (developed in collaboration with the Federal Records Officer Network),
- Documenting Your Public Service,
- Records Management Guidance for Political Appointees (including training materials and a video briefing), and
- Model Federal Records and Information Management Entrance and Exit Checklists.

Good recordkeeping practices are necessary to meet your mission responsibilities in an efficient and effective manner. Through proper records management you will be able to meet your obligations under the Federal Records Act to document actions and decisions and transfer permanently valuable records to the National Archives of the United States.

My staff is available to provide in-person briefings at your agency to help you understand these critical records management responsibilities. For more information, or to arrange a briefing, please contact Laurence Brewer, the Chief Records Officer for the U.S. Government, at laurence.brewer@nara.gov. I look forward to seeing you at future SAORM meetings. Thank you for your work in preserving our Nation's history.



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