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Email Management at Independent Agencies

Assessment Report

National Archives and Records Administration
September 2019

INTRODUCTION

The National Archives and Records Administration (NARA), based on authority granted by [44 United States Code \(U.S.C.\) 2904\(c\)](#), is responsible for assessing the proper management of records in all media within Federal agencies to protect rights, assure government accountability, and preserve and make available records of enduring value. Under this authority, NARA conducts records management oversight of Federal agencies, including agency inspections and assessments. An *assessment* is a multi-agency evaluation of a specific topic, issue, or activity affecting records management processes, procedures, or policies.

In the second quarter of FY 2019, NARA conducted an assessment of independent Federal agencies on their email management, including their implementation of records retention schedules and requirements for the use of email and email management systems. The purpose of this assessment was to identify implementation progress, barriers encountered, and successes achieved, while providing a broad overview of Federal agency experiences, best practices, and insight for other agencies dealing with similar challenges. In contrast to NARA's 2018 assessment of agencies using the Capstone approach for managing email, this assessment focuses on agencies using non-Capstone, or traditional, approaches to email management,

NARA evaluated agencies on their approach for the management of email as described in the OMB/NARA Memorandum M-12-18,¹ Managing Government Records Directive, Goal 1.2; NARA Bulletin 2013-02: Guidance on a New Approach to Managing Email Records; and NARA's Criteria for the Management of Email Records in Compliance with the OMB/NARA Directive.

For this assessment, NARA sent email notification letters (see Appendix A for sample notification letter) to 15 Senior Agency Officials for Records Management (SAORM), informing them that their agency was selected to participate in the assessment based on their agency's responses to the 2017 Records Management Self-Assessment (RMSA) and Federal Email Management Report. Of the 15 agencies, 9 participated in the assessment (see Appendix B for a list of participating agencies).

Each agency was asked to provide NARA with electronic copies of any NARA-approved records retention schedules that are currently used for email records, draft records retention schedules that pertain to email records, and other documentation that show and support current email management practices at the agency. This included (but was not limited to) any internal guidance, such as agency directives, procedures, and disposition authorities; training materials; and descriptive information for any electronic records management system(s) or applications.

NARA used the RM Email Management Assessment Checklist (see Appendix C) to assess the current status of agencies' email management programs. More specifically, NARA was

¹ OMB/NARA Memorandum M-12-18 was superseded on June 28, 2019, by OMB/NARA Memorandum M-19-21, "Transition to Electronic Records," which states in section 1.1 that "Federal agencies have been required to manage all (permanent and temporary) email records in an electronic format since 2016 and are expected to continue to do so."

attempting to identify the level of agency compliance with Goal 1.2 in M-12-18 and whether the agencies have met all of the requirements listed in NARA Bulletin 2017-01.

This report summarizes all of the information gathered during the assessment site visits, interviews, and review of submitted materials. NARA sends an email, with a copy of the report, to each of the participating agencies along with specific recommendations for corrective action. The report is found on NARA’s website at <https://www.archives.gov/records-mgmt/resources/rm-assessments>.

SUMMARY AND ANALYSIS

For this assessment, NARA focused on smaller, independent agencies which, as of the date of submission of their 2017 RMSA, did not have an approved records retention schedule for their email and were not planning to utilize General Records Schedule (GRS) 6.1, *Email Managed under a Capstone Approach* or an agency-specific Capstone records schedule. The agencies ranged from less than 100 to about 1,000 employees. The purpose of the selection criteria was to identify issues that smaller agencies are potentially experiencing in complying with federal regulations and guidance regarding email management. For the most part, NARA engaged with agencies that had their primary functions in Washington DC; however, one agency was located in another state and a few of the agencies interviewed had regional offices outside of the DC area,

Overall, NARA found that only five of the nine agencies interviewed are managing their email solely in electronic format. Three other agencies are managing email in both electronic and paper format, typically printing and filing email records that pertain to project or case files with longer retentions. The remaining agency indicated that they are not conducting records management on their email system. Five of the agencies interviewed have schedules to manage their email records and one of these has an email system with its own dedicated schedule. Seven agencies have practices to ensure that email records are associated with project or case files, but six of those agencies rely on manual processes, three of which are using a “print and file” method to associate those emails with their applicable files.

Only one agency has successfully transferred permanent email records to NARA in electronic format, and none of the agencies interviewed are disposing of email records at the end of their retention period. However, only three agencies have confirmed that they have email that has reached the end of its retention period and are eligible for final disposition.

Table 1. Summary of Information

| Question | Number of Agencies |
|--|--------------------|
| Is email managed in electronic format? | 5 |
| Is email is currently scheduled? | 5 |

| Question | Number of Agencies |
|---|--------------------|
| Are the schedules media neutral? | 4 |
| Is the email system scheduled separately? | 1 |
| Is all of the email managed electronically? | 5 |
| Are emails associated, when appropriate, with project or case files? | 7 |
| Does the email system save emails with associated metadata or attachments? | 6 |
| Does the system associate emails with the appropriate disposition authorities? | 2 |
| Has any email reached the end of their retention period? | 3 |
| Has the agency successfully transferred permanent email to NARA in electronic format? | 1 |
| Has the agency deleted email records that have reached the end of retention period? | 0 |
| Is the agency using a “print and file” policies to manage email? | 3 |
| Has the agency developed and disseminated a policy to manage email? | 7 |
| Are there established policies to require any record created or received in a non-official account to be copied or forwarded to an official account within 20 days? | 5 |
| Is training provided to all employees to effectively manage their email? | 6 |

CHALLENGES

Some of the obstacles that agencies identified related to the effective email management were:

- An overwhelming lack of resources for agencies to implement an appropriate email management system.
- Uncertainty in agencies as to what constitutes a federal “record.” One agency in particular believed that an email is not a record.

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- Lack of understanding as to what electronic systems are “recordkeeping systems.”
 - Staff members in certain agencies, particularly agencies that employ employees on a temporary basis because of their professional expertise, are reluctant to use government email accounts.
 - There is a concern that email will be deleted prematurely, so agencies have not been applying any disposition to emails. This has led to agencies preserving emails longer than needed and having issues culling or searching through massive amounts of data.
 - Outdated email policies that instruct staff to “print and file,” even though the agency no longer practices a “print and file” management approach to email.

RECOMMENDATIONS

NARA identified several recommendations for agencies to complete in order to improve their email management:

1. Records schedules must be updated. Updating records schedules will ensure media neutrality in their records schedules and will allow all agencies to manage their email electronically throughout their lifecycle.
2. Email must be managed in electronic format throughout its lifecycle.
3. Email systems must be able to manage emails as records. This includes the ability to associate emails with their records schedules and disposition instructions and effective searching of the emails in the system.
4. Agency policies must be updated to ensure that all employees know how to manage email as records. This includes ensuring that all employees that create or receive email in non-governmental accounts understand their responsibilities to copy or forward email to an official email account within 20 days.

BEST PRACTICES

During this assessment, NARA identified best practices for agencies managing their email using a traditional, non-Capstone approach:

- Standardizing how emails are managed. This includes standardizing metadata, naming conventions, and other methods to preserve email. Agencies with the greatest success in this practice have made this process invisible to the end-user.
- Controlling access to specific functionality of systems. Two of the agencies interviewed are using electronic recordkeeping systems to manage their email that allow staff to access and make changes to the records and the metadata.

AGENCY FEEDBACK

NARA asked each agency to identify what NARA could do to support them further. The Office of the Chief Records Officer is considering this feedback as part of its FY 2020 work planning:

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- Agencies were unclear as to what they need to do in order to meet NARA requirements for effective email management.
 - Agencies requested more robust guidance from NARA with specific information relating to how to select electronic recordkeeping systems in order to manage their email electronically.
 - Agencies are typically unsure who to contact at NARA for specific issues.
 - Agencies would like more guidance regarding the language that they need to put into draft records disposition schedules in order to get them approved.
 - There is a lack of understanding as to what the roles in ERA mean and which roles apply to agency personnel.

CONCLUSION

All of the agencies interviewed understand the importance of email management; however, there is a lack of understanding as to which electronic communications are considered records and which are not. While many email records can be transitory, Federal agencies need to remember that in a traditional records management model, the content of the email will determine record and retention status, not the medium or format of the record.

Agencies are not deleting email prematurely, but instead tend to keep temporary email too long, sometimes indefinitely, and have little to no searching capabilities or organization. This will make responses to Freedom of Information Act, litigation, and Congressional inquiries more difficult for the agency.

Agencies have stated that there is also a lack of appropriate resources for agencies to use when developing email management strategies. This included guidance on selecting appropriate email management software and developing email management strategy and policy.

All agencies that participated in this assessment expressed an eagerness to improve their email management strategies. They requested additional resources from NARA to ensure that their programs are compliant with Federal regulations and NARA guidelines. All agencies have stated that lack of resources continues to be an ongoing issue with ensuring compliance in regards to records management. Agencies requested more practical, specific guidance from NARA (e.g., guidance on file naming conventions and metadata) to assist agency RM programs in requesting additional resources to implement improvements and ensure agency compliance.

APPENDIX A
SAMPLE NOTIFICATION LETTER

[mm/dd/2018]

SAORM Address Block

Dear [Agency SAORM]:

The National Archives and Records Administration (NARA) requests the participation of the (*Agency Name*) in an assessment of your agency's email management policies and procedures. This will include an evaluation of your email records retention schedule. We selected your agency based on the status of your email records retention schedule and your answers to the 2017 Records Management Self-Assessment (RMSA) and the Federal Email Management Report.

An *assessment* is an evaluation of a specific records management (RM) topic, issue or activity affecting RM processes, procedures or policies. Assessments are conducted through on-site meetings, teleconferences, surveys, or any combination as necessary, in accordance with NARA's statutory authority to review agency records management programs 44 U.S.C. 2904(c).

Assessments are useful for both NARA and Federal Agency RM programs to quickly assess records and information management practices and inform new ways of thinking about RM guidance, policy, training and tools. Unlike inspections that focus on an entire RM program, assessments focus on a specific RM topic and are completed within 60 days from the request for participation. Upon completion of our assessment, we will prepare a report detailing treatment of the topic, best practices and areas for improvement. Our goal is to work with Federal agency RM programs to capture the most effective, efficient and innovative RM practices and tools.

For this assessment we would like to interview *Name*, Agency Records Officer (ARO). We request that *ARO Name* please send electronic copies of any records retention schedules currently used for email records, any draft records retention schedules that pertain to email records and documentation that will show and support how your agency manages their emails currently. This can include (but is not limited to) any internal guidance, such as agency directives, procedures, and disposition authorities currently used for email; training materials; and descriptive information for any electronic records management system(s) or applications used to manage emails.

Based upon the content of the other requested materials, we will determine whether a phone interview or an on-site interview is most appropriate. We plan to conduct interviews with participating agencies between *Interview Dates* and will coordinate with *ARO Name* to schedule the interview.

NARA values your commitment to records management and appreciates your support for this important endeavor. If there is a compelling reason your agency cannot participate in this assessment, please notify me and the below NARA POC as soon as possible. If you would like to meet with me to discuss this assessment, please let me know.

Please request that *ARO Name* send all supporting documentation to *NARA POC* in the Records Management Oversight and Reporting Program, by *Date* via email at *NARA POC Email Address*. After *NARA POC* receives the documentation, they will contact your ARO to coordinate your agency's interview date. You or your ARO can also reach *NARA POCs* via phone with any questions at *NARA POC Phone Number*.

Sincerely,

LAURENCE BREWER
Chief Records Officer
for the U.S. Government

APPENDIX B
LIST OF SELECTED AGENCIES

| | Federal Agency | Participated | Site Visit |
|----|--|---------------------|-------------------|
| 1 | Advisory Council on Historic Preservation | Yes | No |
| 2 | Federal Election Commission | No | NA |
| 3 | Federal Labor Relations Authority | No | NA |
| 4 | Federal Maritime Commission | Yes | Yes |
| 5 | Federal Mine Safety and Health Review Commission | Yes | Yes |
| 6 | Federal Trade Commission | Yes | No |
| 7 | Gulf Coast Ecosystem Restoration Council | Yes | No |
| 8 | National Endowment for the Arts | No | NA |
| 9 | National Transportation Safety Board | Yes | No |
| 10 | Office of the Special Inspector General for Afghanistan Reconstruction | Yes | No |
| 11 | Surface Transportation Board | Yes | No |
| 12 | United States Commission on Civil Rights | No | NA |
| 13 | US Access Board | Yes | No |
| 14 | US Office of Special Counsel | No | NA |

APPENDIX C
EMAIL MANAGEMENT ASSESSMENT CHECKLIST

| Email Management Assessment Checklist | | |
|--|-----------|---|
| Yes | No | Question |
| | | Are you managing all of your email in electronic format? |
| Schedules | | |
| | | Are your email records currently scheduled? |
| | | What schedule you are currently using for email records? |
| | | When was the current schedule approved? |
| | | Is the current schedule media neutral? |
| | | What is the status of your updated email schedule to manage email records in electronic format (agency review, NARA review, etc.)? |
| | | Have you ceased destruction of any temporary email records that are kept in electronic format if the current records retention schedule is not media neutral? |
| | | Is your email system scheduled separately? |
| Formatting | | |
| | | Are email records kept electronically or in paper? |
| | | Are email records associated, when appropriate, with project or case files? |
| | | Does the system save emails with their associated metadata or attachments? |
| | | Does the format of the email records enable searching to be conducted efficiently to respond to any records requests? |
| | | How are email records organized and managed? |
| System | | |
| | | What system does your agency use to manage emails? |
| | | Does the system associate emails with the appropriate disposition authorities? |
| | | Have any email records reached the end of their retention period? |
| | | Have you initiated a successful transfer of permanent email records to NARA? |
| | | Can the system transfer permanent records to the National Archives electronically at the end of their retention period? |
| | | Have email records in the system come up for the deletion and been deleted? |
| | | Does the system prevent unauthorized access, modification, or deletion of email records? |
| | | Does the system provide audit trails to track the records any access or modifications to them? |

| Email Management Assessment Checklist | | |
|--|--|---|
| Policies | | |
| | | Are you still using a print and file policies to manage email records? |
| | | Has your agency developed and disseminated a policy to manage email? |
| | | Have policies been set that require any record created or received in a non-official account to be copied or forwarded to an official account within 20 days? |
| | | Does the email policy include guidelines to associate email records with project or case files, where appropriate? |
| | | Does the email policy include guidelines to freeze email records under a FOIA request or legal hold? |
| | | Does the email policies specify the metadata that must be saved with the emails? |
| | | Do the email policies include instructions for the disposition of emails either permanent emails to NARA or the deletion? |
| | | Does policies include instructions on culling email to remove nonrecord materials from permanent email boxes? |
| | | What policies do you have in place to enable efficient searches of your email records? |
| Training | | |
| | | Does your agency provide training to all employees to effectively manage their email records? |
| | | Do employees have training to know how to preserve their email records prior to departing from the agency? |
| | | Are employees required to take a test to demonstrate their knowledge of the material in the training? |
| Challenges | | |
| | | What are your agencies biggest challenges in getting your email schedules approved? |
| | | What are your agency's biggest challenges to ensure effective management of email records? |



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