
FW: Compliance Reminder; Presidential Records Act

1 message

Passantino, Stefan C. EOP/WHO (b) (6)

Mon, Oct 2, 2017 at 10:17 AM

To: "John Laster (john.laster@nara.gov)" <john.laster@nara.gov>

Cc: "Dhillon, Uttam A. EOP/WHO" (b) (6), "Epstein, Daniel Z. EOP/WHO" <(b) (6)>

John, pursuant to our conversation this morning, I am forwarding the first of two emails I described. The email chain below recirculates written guidance issued in February consistent with verbal instruction our legal team has been providing since Transition. As we discussed, our team also provides monthly, mandatory legal and ethics training for new personnel on a number of issues including compliance with the Presidential Records Act. I will forward an example of that notice shortly.

STEFAN C. PASSANTINO

Deputy Counsel to the President, Compliance & Ethics

Office of the White House Counsel

From: White House Counsel

Sent: Monday, September 25, 2017 7:19 PM

To: White House Counsel <(b) (6)>

Subject: FW: Compliance Reminder; Presidential Records Act

Please note and re-familiarize yourself with the attached guidance from the Office of the White House Counsel pertaining to the Presidential Records Act. Please also do not hesitate to contact the White House Counsel Compliance team if you have any questions about this notice or the attached memorandum.

From: White House Counsel

Sent: Wednesday, February 22, 2017 7:08 PM

To: White House Counsel <(b) (6)>

Subject: Compliance Reminder; Presidential Records Act



Presidential Records Act

The Presidential Records Act requires that White House Office staff members preserve and maintain all "presidential records."

"Presidential records" includes any materials created or received by the President, the President's staff, or any individual or entity in the Executive Office of the President whose function is to advise or assist the President or Vice President in the course of conducting their constitutional, statutory, or other official or ceremonial duties. Presidential records include materials in both paper and electronic form.

To ensure that all presidential records are preserved:

- You must conduct **all** work-related communications on your official EOP email account. Use of personal email, text messages, instant messages, social networks, messaging apps (such as Snapchat, Confide, Slack or others), or other internet-based means of communication to conduct official business is not permitted.
- If for some reason you do send or receive an email or other electronic communication pertaining to your official duties on any platform other than your official EOP email account, you **must** preserve that email by forwarding it to your official email account. "Screenshots" should be taken of texts or other messages and forwarded to your official email account.
- All paper records shown to any other person should be kept in organized files for collection by the Office of Records Management at the end of your service in the Administration.
- Emails sent or received on your official EOP email account are automatically captured and preserved. Other electronic documents should be saved to your network drive or regularly synchronized to it. You should archive, not delete, files that you are no longer using.
- Personal social media postings are not presidential records per se but may qualify as such depending on their content.

Failure to abide by these requirements may lead to administrative penalties. The willful destruction or concealment of federal records is a federal crime.

The attached memorandum provides additional guidance on these obligations. If you have any questions about complying with the Presidential Records Act, please feel free to contact Stefan Passantino

((b) (6)), Scott Gast ((b) (6)), or Jim Schultz ((b) (6)) in the Office of the White House Counsel.