

**UNDER SECRETARY OF STATE
FOR MANAGEMENT
WASHINGTON**

FEB 25 2016

Dear Mr. Ferriero:

The Department of State is pleased to provide the following report on its progress in meeting the goals of the President's Managing Government Records Directive.

We take this opportunity to reaffirm the Department's longstanding commitment to preserving and managing its records. We understand the relationship between a good records management program and government transparency.

We have made significant progress over the past year towards meeting the President's goals for records management. We began journaling the email accounts of key senior officials, including Secretary of State John Kerry, and we conducted further studies of email management options. We also established a new policy concerning non-official email accounts in accordance with the Presidential and Federal Records Act Amendments of 2014. The details of these and other accomplishments, as well as our plans to meet the 2016 goal for email management are described in our report.

We look forward to continuing a close collaboration with you and your staff on the implementation of this important initiative. My point of contact for this effort is Margaret (Peggy) Grafeld, Deputy Assistant Secretary for Global Information Services. She may be reached at 202-261-8300 or by e-mail at GrafeldMP@state.gov.

Sincerely,



Patrick F. Kennedy

Enclosure:
As stated.

The Honorable
David S. Ferriero,
Archivist of the United States.



Senior Agency Official for Records Management FY 2015 Annual Report

The *Managing Government Records Directive (M-12-18)* requires Senior Agency Officials (SAOs) for Records Management to provide an annual report to NARA. This report demonstrates how your organization is achieving the goals of the *Directive* and other important initiatives as identified by NARA.

NARA uses the reports to determine the overall progress of the Federal Government in meeting the goals of the *Directive*, including implementing proper email management and transitioning to electronic recordkeeping. Additionally, NARA uses the report for information sharing purposes to provide best practices and model solutions with Federal agencies.

The reporting period begins on November 16, 2015, and reports are due back to NARA no later than COB January 29, 2016.

Please note that NARA will post a version of your 2015 SAO report on the NARA website. This action is in the interest of transparency in Government and to promote collaboration and communication among agencies. Please let us know whether there is a specific justification as to why your report cannot be publicly shared (in whole or in part).

Instructions for Reporting

- This template covers progress through fiscal year (FY) 2015.
- Please be brief and precise in your answers. Limit answers to each question to no more than 500 words.
- Please complete the eight questions/items on the following pages and send the report to prmd@nara.gov. Include the words "SAO annual report" and your agency's 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 SAO: Patrick F. Kennedy

Position title: Under Secretary for Management

Address: U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Office telephone number: 202-647-1500

1. What are the agencies, components, or bureaus covered by this report and your position as SAO?

Please list them below: U.S. Department of State

2. Is your agency going to meet the *Directive* goal to manage all email records in an accessible electronic format by December 31, 2016? (*Directive Goal 1.2*)

Yes No

2a) *Provide a list of actions your agency, components, or bureaus have taken to meet this goal. Include specific information on your progress regarding:*

- *establishing formally approved email policies,*
- *use of any automated systems for capturing email,*
- *providing access / retrievability of your email,*
- *establishing disposition practices for agency email (either destroy in agency or transfer to NARA), and*
- *possible implementation of the Capstone approach for applicable agency email.*

Under the direction of the SAO, the Department's Electronic Records Management Working Group (ERMWG) is making steady progress towards meeting the Directive's email management goal through a combination of policy, technology, and records life-cycle initiatives.

The ERMWG sent several policy recommendations to the SAO in August 2014 to enable the Department to retain the email of a select group of senior officials as a first step

toward meeting the 2016 goal. As a result, in February 2015, the Department began journaling the email accounts of senior officials in the Office of the Secretary, including the Secretary, the Deputy Secretaries, Under Secretaries, several senior advisers, and the Secretary's staff ranging from his Chief of Staff to staff assistants. In late-2015, the Department expanded the journaling process to include Assistant Secretaries, Principal Deputy Assistant Secretaries, and a limited number of other senior officials.

The ERMWG also addressed technology and records life-cycle aspects of email management in 2015. The ERMWG directed a study exploring the resource, process, and business implications of implementing the NARA Capstone approach to email management. The SAO also approved a pilot project to test a new email user interface designed to simplify the process of marking email as a record and improving overall life-cycle management. The ERMWG also issued a Request for Information (RFI) for email management solutions. The results of the RFI and these other activities provided enough information to determine that the Department should procure email management software to facilitate the capture, organization, access and retrieval, and disposition of email Department-wide.

- 2b) *Provide a list of the actions your agency, components, or bureaus plan to take in 2016 to meet this goal.*

The Department is poised to take the steps necessary to implement an email management solution that addresses the policy, technology, and records life-cycle aspects of the Directive goal by the deadline.

In addition to journaling hundreds of senior officials' email accounts at present, the Department is gradually expanding the journaling process to include the full complement of accounts that would fall under the first nine categories of NARA's senior-level Capstone approach. This short-term policy solution continues to facilitate the preservation of the most significant email in the Department until the long-term email management software solution is in place by the end of 2016.

Already in 2016, a team of IT and records management experts have conducted an evaluation of technology and records life-cycle functional requirements against proven product functionality resulting in a recommendation by the ERMWG to purchase Commercial off the Shelf (COTS) software for Department-wide email management. The Department is moving forward with the procurement process contingent on funding. Additionally, the SAO approved the adoption of a new email user interface that would require email senders to determine the record value and sensitivity of an email with one click. These developments will allow the Department to capture email Department-wide in an electronic format and organize the data for electronic access, retrieval and use, and disposition by Capstone designation, record type, sensitivity, and information content.

The ERMWG also intends to develop a change management, communications, and training strategy to facilitate employee understanding of the policy and technology changes.

3. Has your agency taken actions to implement the 2014 amendments to the *Federal Records Act* requiring Federal employees to copy or forward electronic messages (including email, texts, chats, and instant messaging) that are federal records from their non-official accounts to official accounts within 20 days?

Yes No

Please provide a brief description of the actions taken, such as establishing policies and providing training.

Pursuant to the Presidential and Federal Records Act Amendments of 2014, the Department codified its policy regarding “Non-Official Email Accounts” in 5 FAM 443.7. Under that policy, employees are prohibited from creating or sending a record using a non-official email account unless the employee (1) copies the employee's official email account in the original creation or transmission, or (2) forwards a complete copy of record (including any attachments) to the employee's official email account not later than 20 days after the original creation or transmission. Because NARA has advised that personal accounts should only be used in exceptional circumstances, employees are discouraged from using private e-mail accounts (e.g., Gmail, AOL, Hotmail, etc.) for official business. However, in those very limited circumstances when it becomes necessary to do so, the email messages covering official business sent from or received in a personal account must be captured and managed in a Department email system in a manner described above in accordance with the Presidential and Federal Records Act Amendments of 2014. If an employee has any emails (regardless of age) on his or her private email account(s) that have not already been forwarded to the employee's official email account, then such emails need to be forwarded to the employee's state.gov account as soon as possible.

The Department also informed all employees of this new policy by cable in 15 STATE 108758, “A Message from Under Secretary for Management Patrick F. Kennedy Regarding Non-official Email Accounts” and Department Notice 2015-09-108, “A Message from Under Secretary for Management Patrick F. Kennedy Regarding Non-official Email Accounts.”

4. Describe your agency’s internal controls for managing electronic messages (including email, texts, chats, and instant messaging) of the agency head and other executives (including appropriate advisers, and other senior management staff).

In August 2014, the SAO issued a memorandum to all Department senior officials, including the Office of the Secretary of State, reminding them of their records management responsibilities. The SAO’s memorandum included specific email requirements and procedures and a reminder that records may exist in many formats, including instant messages and records on mobile devices. The memorandum also stipulated that the email accounts of designated senior officials would not

be cleared, deleted, or wiped for any reason during their tenure and the accounts would be captured electronically at the time of their departure.

The Department has taken several other actions to ensure that all employees at every level have been instructed on records management responsibilities and procedures. In FY 2015, the Department issued the following cables and Department Notices to remind all employees of their records management responsibilities: 14 STATE 128030, "State Department Records Responsibilities and Policy"; Department Notice 2014-10-115, "A Message from Under Secretary for Management Patrick F. Kennedy Regarding State Department Records Responsibilities and Policy"; 15 STATE 108758, "A Message from Under Secretary for Management Patrick F. Kennedy Regarding Non-official Email Accounts"; and Department Notice 2015-09-108, "A Message from Under Secretary for Management Patrick F. Kennedy Regarding Non-official Email Accounts."

5. Is your agency going to meet the *Directive* goal to submit records schedules to NARA for all existing paper and other non-electronic records by December 31, 2016? (*Directive Goal 2.5*)

Yes No

5a) *Provide a list of the actions your agency, components, or bureaus have taken to meet this goal.*

Only five items remain to be scheduled from the list of unscheduled, non-electronic records reported to NARA in 2013. In 2015, the Department began the process of developing four of the five remaining records schedules. Additionally, the Department has an active records scheduling program that submits records schedules to NARA on a routine, ongoing basis. The Department certified 16 new records schedules in NARA's Electronic Records Archive system in FY 2015.

5b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to meet this goal.*

The Department plans to submit the five remaining records schedules covering unscheduled paper and other non-electronic records to NARA by the December 31, 2016 deadline. If any new unscheduled paper or other non-electronic records are identified through the Department's ongoing scheduling activities, the Department will notify NARA and submit schedules for this material. A project is currently underway to address the remaining paper and other non-electronic accessions that are reported as unscheduled within the Federal Records Centers (FRC). Through the Department's initial analysis of its FRC holdings, it was found that the vast majority of these accessions are not truly unscheduled. The Department plans to update the FRC transmittal documentation to reflect the current schedules that these accessions fall under and notify NARA if material is identified that does not fit under existing schedules.

6. Is your agency going to meet the *Directive* goal to manage all permanent electronic records in an electronic format by December 31, 2019? (*Directive Goal 1.1*)

Yes No

6a) *Provide a list of the actions your agency, components, or bureaus have taken to meet this goal. Include specific information on your progress regarding:*

- *establishing formally approved electronic records policies,*
- *use of any automated systems for capturing electronic records,*
- *providing access / retrievability of your electronic records, and*
- *establishing disposition practices for agency electronic records.*

The current focus of the Department is meeting the 2016 email management goal. Once that task is completed the ERMWG will develop plans to meet the 2019 goal. In the meantime, the Department has taken policy, technology, and records life-cycle actions toward meeting the 2019 goal. In 2014, the SAO reminded senior officials of their records management responsibilities and directed that the electronic files of senior officials be retired electronically at the end of their tenures for life-cycle management purposes. In order to facilitate the preservation and life-cycle management of permanent electronic records from overseas posts and domestic offices, the Department is developing a DOD 5015.2 compliant records management application to preserve and manage these records in the Office of Information Programs and Services (IPS). This system complements the Department's centrally managed electronic messaging archive managed by IPS and allows posts and domestic offices to retire permanent electronic records to IPS using Direct Network Transfer for preservation, search, retrieval, declassification review, and transfer to NARA.

The Department has a records schedule pending with NARA for formal designation of Everest as the system of record to track, control, and archive documents containing substantive foreign policy information passing to, from, and through the offices of the Secretary of State, the Deputy Secretaries of State, and other Department Principals. This designation, when approved, will permit electronic-only storage of records that the Department is currently required to retire in hard copy. The Department is actively pursuing the approval of this records schedule with NARA and looks forward to accomplishing this in collaboration with them in the next few months.

6b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to meet this goal.*

While the ERMWG will develop Department-wide plans to meet the 2019 goal after the 2016 email goal is met, IPS will continue development activities associated with its archival repository for permanent electronic records.

7. Please provide any insight to your agency's efforts to implement the *Managing Government Records Directive* and the transition to a digital government.

Provide a brief description, including any positive or negative outcomes, challenges, and other obstacles.

The Department has been actively engaged in efforts to implement the Directive since 2012. Under the direction of the SAO, the ERMWG has facilitated policy discussions, pilot projects, cost-benefit analyses, and records life-cycle activities. The Department has gained invaluable insights into the policy, technical, resource, and life-cycle management challenges associated with transitioning to electronic record-keeping in an agency with overseas operations and over 50,000 employees.

In March 2015, Secretary of State John Kerry asked the Office of Inspector General (OIG) to conduct a review of the Department's records management processes, technology, and training to improve, reinforce, and augment the efforts already underway. Secretary Kerry also appointed a Transparency Coordinator in September 2015 to work with Department bureaus and offices on improving records systems. It is expected that the Transparency Coordinator will be able to build on the work of the OIG as well as on the ongoing efforts of the ERMWG.

Secretary Kerry and Under Secretary for Management Patrick Kennedy have provided the essential senior-level leadership and support necessary to take the steps undertaken by the Department on its transition to electronic records management.

8. With regard to records management, is your agency preparing for the upcoming change in Presidential administration?

Yes No

8a) *Provide a list of the actions your agency, components, or bureaus have taken to ensure records of departing senior officials will be appropriately managed during the upcoming change in Presidential administration.*

The Department has existing policies and procedures in place for all departing employees, including senior officials. These are detailed in 5 FAH-4 H-217, "Removal of Personal Papers and Non-Record Material." In addition, the SAO's 2014 directive on the records management responsibilities of senior officials ensures that Department records are not removed or destroyed and that permanent electronic records are captured and managed in an electronic format.

Department procedures stipulate that the administrative section of each Department bureau, office, or post is responsible for reminding all officials who are about to leave the Department or a post of the requirements for the removal of personal papers and

nonrecord materials; enforcing compliance with these procedures for the removal of documentary materials prior to execution of an employee's Separation Statement; reviewing materials proposed for removal for all officials (except Presidential appointees, located in Washington, D.C., who were confirmed by the Senate); and ensuring that departing officials receive a mandatory briefing and that all departing officials will execute a Classified Information Nondisclosure Agreement form certifying that they have not retained in their possession classified or administratively-controlled documents. Departing employees must prepare an inventory of personal papers and nonrecord materials proposed for removal and request a review of such materials. In the Department, the Records Officer, in cooperation with the Executive Secretariat or appropriate administrative office, conducts the review for Presidential appointees confirmed by the Senate. The administrative or executive office conducts the review for other Department officials and/or employees. At Foreign Service posts and domestic field offices, the administrative officer will conduct the review for all officials. Reviewing officials will consult with the Department's Records Officer as necessary.

Additionally, the Secretary's Executive Secretariat regularly hosts record-keeping workshops for all Seventh Floor Department Principals' offices and employees. These workshops cover the responsibilities of departing senior officials, including the obligation to identify their records prior to departure and to take with them only personal papers and non-record materials, subject to review by records officers to ensure compliance with federal records laws and regulations.

The Executive Secretariat also provides a briefing to all incoming and departing employees assigned to Seventh Floor Department Principals' offices on their record-keeping requirements and responsibilities. Upon notification of a senior official's departure, the Executive Secretariat Staff briefs and assists each departing Principal's office with the proper preservation of official records.

8b) *Provide a list of the actions your agency, components, or bureaus plan to take in the future to ensure records of departing senior officials will be appropriately managed during the upcoming change in Presidential administration, including ensuring that federal records are not improperly removed from the agency.*

The Department intends to remind all employees of their responsibilities in 2016 through Department-wide communications channels, routine briefings and training, and records workshops. The Department-wide messaging will reiterate the proper separation procedures as well as the need to retire the records of senior officials at the end of their tenures.

The Executive Secretariat, moreover, plans to conduct individual outreach with all departing senior officials and their staff members to advise and assist them with proper preservation of their records.