



Office of the Chief
Records Officer for the
U.S. Government

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September 14, 2022

Laura Besong
Agency Records Officer
Department of Justice
Executive Office for U.S. Attorneys
950 Pennsylvania Avenue, NW
Washington DC 20530

Dear Laura Besong,

The National Archives and Records Administration received your report of the loss of a witness interview that was recorded on a personal device that a staff member was using in accordance with the Executive Office for US Attorneys (EOUSA) "Bring Your Own Device" (BYOD) policy. We understand that the interview was transcribed, but after the transcription was created, the EOUSA Cyber Security Staff (CSS) requested that the user delete the video because it was on an unauthorized device and there is no way to validate the transcription. However, EOUSA does not have any policies regarding the transcription process and, as we understand, the BYOD policy does not contain any guidance as to what types of records EOUSA staff members are allowed to save on their personal devices and how to handle federal records on personal devices.

No safeguards were provided in the documentation that we received. In accordance with 36 CFR 1230.16, we are requesting a follow up report documenting safeguards EOUSA is taking to mitigate the risk that this issue can reoccur. Please provide us with this report within 30 days of the date of this letter.

Part of these safeguards must include EOUSA plans to update EOUSA records management policy in order to ensure that any records that are transcribed are preserved for validation purposes and that the EOUSA BYOD policy is updated in order to ensure that federal records captured on personal devices are saved and managed in accordance with federal regulations. Please note that we will be keeping this case open until the policies are updated, approved, and disseminated throughout the agency.

I appreciate your attention to this important matter. If you have any questions or wish to discuss further, please contact me at laurence.brewer@nara.gov.

Sincerely,

A handwritten signature in blue ink that reads "Laurence V. Brewer". The signature is written in a cursive style with a large initial 'L' and a distinct 'V'.

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

cc: Jeanette Plante, Department of Justice, Department Records Officer