

**E-Mail Management:  
Policies and Procedures**

Jeff Benson  
NARA Pacific Alaska Region  
October 2, 2008

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**Some Facts & Figures**

- 99% of U.S. Internet users use e-mail.
- Corporate users send and receive an average of 133 e-mails each day.
- Average e-mail user spends over 30% every day creating, organizing, reading, and responding to e-mail.
- 2002 – 31 billion e-mails sent per day.
- 2008 – 210 billion e-mails sent per day.

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**The Challenges of E-Mail**

- Agencies use e-mail for essential communication.
- Information contained in e-mail is not uniform.
- Decisions about whether an e-mail is or is not a record are usually made by individuals, on a case-by-case basis.

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So is he NARA?



Or what?

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## Policies

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## Big Picture – The Rules & Regulations

- **Federal Records Act** (44 U.S.C. Chapter 31)  
– Applies to e-mail records just as it does to records created using other applications, in other media.
- **Standards for Managing Electronic Mail** (36 CFR 1234.24) – If you create or receive e-mail messages in the course of your work, you are responsible for properly managing them.

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## Sample Federal Agency E-Mail Policies

U.S. Dept. of Commerce "E-Mail Policy"  
[http://www.corporateservices.noaa.gov/~ames/Records\\_Management/docemail\\_policy.html](http://www.corporateservices.noaa.gov/~ames/Records_Management/docemail_policy.html)

U.S. Dept. of the Interior, Office of the CIO, "Electronic Mail (E-Mail) – Records Management Guidance"  
<http://www.doi.gov/ocio/records/news/emailguidrev2.htm>

EPA "E-Mail Legal Requirements"  
<http://www.epa.gov/records/policy/ogcemail.htm>

IRS "Standards for Using E-Mail," Section 1.10.3.2.3, "E-Mails as Possible Federal Records"  
<http://www.irs.gov/irm/part1/ch07s05.html>

U.S. Fish and Wildlife Service "Retention of Electronic Mail (email) and Tape Backup Copies" (<http://www.fws.gov/policy/m0089.html>)

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## In Plain Language...

- E-mail records include messages that:
  - Document basic policies, significant decisions or commitments, or important meetings.
  - Facilitate or document actions.
  - Request or provide substantive information.
  - Protect financial, legal, or other rights.
- Use the same criteria to determine if an e-mail is a record that you apply to paper correspondence.

**It's the content that matters, not the medium!**

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## Latest News – Summer 2008

- NARA Bulletin 2008-05 (July 2008): "Guidance concerning the use of e-mail archiving applications to store e-mail"  
<http://www.archives.gov/records-mgmt/bulletins/2008/2008-05.html>
- GAO Report on the need to strengthen e-mail in the Federal government (June 2008): Possible implications for greater oversight by NARA.  
<http://www.gao.gov/new.items/d08699t.pdf>

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## General Records Schedule Authorities

- GRS 20, Item 14: Allows for deletion of the electronic versions of e-mail on the desktop providing the recordkeeping copy is kept in either paper or electronic form, with appropriate transmission and receipt date included.
- GRS 23, Item 7: Allows for the disposition on the live e-mail system of e-mail records with very short-term retention periods of 180 days or less.

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## Procedures

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## E-Mail Checklist – Is It a Record?

- Am I the originator of the message?
- Is it a substantive message or just “chit-chat”?
- Does it have to do with the work of my office?
- Does it require me to take action?
- Does it document decisions that were made in my program area?
- Is the message content something I will need in future years to do my job?
- Will someone else need the message for operational, fiscal, or legal reasons?
- Is someone else keeping it for that purpose?

**Bottom Line – If agency business is discussed, it's likely a record.**

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## Managing E-Mail Records

- Separate e-mail records from nonrecord and personal e-mail messages.
- Preserve and retain e-mail records according to your agency's records schedule and/or the General Records Schedules.
- Retain transmission data that identifies the sender and the recipient(s), and the date and time the message was sent and/or received.
- Retain attachments to e-mail records as well.
- In e-mail exchanges, maintain the original message and the reply (or replies) as a single unit.

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## Storing E-Mail Records

- Store e-mail records in an approved recordkeeping system, meaning a system that:
  - Groups records according to your office's file plan (i.e., according to their business functions).
  - Retains records in a usable format and ensures they are accessible to authorized persons for the entire retention period.
  - Permits easy and timely retrieval.
  - Preserves transmission and receipt data.
  - Facilitates records destruction on schedule.
  - Permits transfer of permanent records to NARA.
- E-mail servers and e-mail clients (such as GroupWise and Outlook) **ARE NOT** recordkeeping systems!

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## Now for Some Good News!



- Agencies may store transitory e-mail records in their e-mail systems without "printing and filing" or transferring them to a recordkeeping system.
- Transitory records are records of short-term interest (180 days or less) that have minimal or no documentary or evidential value. Examples include:
  - Scheduled agency records with retention periods of less than 180 days.
  - Routine requests for information or publications (and replies) that require no administrative action, policy decision, special compilation, or research.
  - Records documenting routine activities containing no substantive information—routine notifications of meetings, e-mails scheduling work-related trips and visits, etc.

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## But There are Rules...

- This only applies to:
  - Transitory records covered by GRS 23, Item 7;
  - Records covered by a NARA-approved agency records schedule with retention periods of less than 180 days.
- Agencies must delete transitory e-mails from the e-mail system after their retention period is complete.
- Users must not manually delete e-mail records before their retention period is met.
- If the e-mail system has automatic deletion rules, they must be configured to preserve e-mail records for their full retention period.

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## Non-Record E-Mails

- Delete e-mails that do not qualify as records when you no longer need them:
  - E-mails that don't document official business.
  - Information-only e-mails, requiring no action.
  - Drafts or copies of documents (sometimes).
  - Social notices.
  - Personal messages.



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## For More Information

- NARA. *General Records Schedule 23: Records Common to Most Offices Within Agencies.* <http://www.archives.gov/records-mgmt/ardor/grs23.html>.
- NARA. *GRS Transmittal No. 15.* <http://www.archives.gov/records-mgmt/ardor/grs-trs15.html>.
- NARA. *Standards for Managing Electronic Mail.* (36 CFR 1234.24). <http://www.archives.gov/about/regulations/part-1234.html>.
- NARA. *Tips for Scheduling Potentially Permanent E-mail Messages.* <http://www.archives.gov/records-mgmt/publications/email-tips.pdf>.
- ANSI/ARMA 9-2004. *Requirements for managing electronic messages as records.* <http://www.arma.org/standards/index.cfm>.
- ANSI/ARMA TR-02-2007. *Procedures and issues for managing electronic records as messages.* <http://www.arma.org/standards/index.cfm>.
- Center for the Digital Future. University of Southern California. 2008 *Digital future report.* <http://www.digitalfuture.org>.
- Free Management Library. *Etiquette: Techniques and styles of e-mail and online groups.* <http://www.managementhelp.org/commskils/netiquet/netiquet.htm>.
- Purdue University Writing Lab. 2002. *Email etiquette workshop.* [http://owl.english.purdue.edu/handouts/owp\\_e\\_emaillet.html](http://owl.english.purdue.edu/handouts/owp_e_emaillet.html).
- Radicati Group. 2007. *Addressing information overload in corporate email.* <http://www.radicati.com/reports/whitepapers.asp>.
- Shipley, David, and Will Schwalbe. 2007. *Send: The essential guide to email for office and home.* NY: Knopf.
- Stack, Laura. 2008. *12 tips for better e-mail etiquette.* <http://office.microsoft.com/en-us/help/HA012054101033.aspx>.

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# Sample Federal Agency E-Mail Policies

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U.S. Dept. of Commerce “E-Mail Policy”  
([http://www.corporateservices.noaa.gov/~ames/Records\\_Management/docemail\\_policy.html](http://www.corporateservices.noaa.gov/~ames/Records_Management/docemail_policy.html))

U.S. Dept. of the Interior, Office of the CIO, “Electronic Mail (E-Mail) – Records Management Guidance”  
(<http://www.doi.gov/ocio/records/news/emailguidrev2.htm>)

EPA “E-Mail Legal Requirements”  
(<http://www.epa.gov/records/policy/ogcemail.htm>)

IRS “Standards for Using E-Mail,” Section 1.10.3.2.3, “E-Mails as Possible Federal Records”  
(<http://www.irs.gov/irm/part1/ch07s05.html>)

U.S. Fish and Wildlife Service “Retention of Electronic Mail (email) and Tape Backup Copies” (<http://www.fws.gov/policy/m0089.html>)

~~to enable authorized personnel to retrieve, protect, and carry out the disposition of documents in the system. Appropriate identifying information for each document maintained on the electronic media may include: office of origin, file code, key words for retrieval, addressee (if any), signator, author, date, authorized disposition (coded or otherwise), and security classification (if applicable). Agencies shall ensure that records maintained in such systems can be correlated with related records on paper, microform, or other media.~~

~~[55 FR 19218, May 8, 1990, as amended at 60 FR 44641, Aug. 28, 1995; 66 FR 27020, May 16, 2001]~~

**§ 1234.24 Standards for managing electronic mail records.**

Agencies shall manage records created or received on electronic mail systems in accordance with the provisions of this chapter pertaining to adequacy of documentation, recordkeeping requirements, agency records management responsibilities, and records disposition (36 CFR parts 1220, 1222, and 1228).

(a) Agency instructions on identifying and preserving electronic mail messages will address the following unique aspects of electronic mail:

(1) Some transmission data (names of sender and addressee(s) and date the message was sent) must be preserved for each electronic mail record in order for the context of the message to be understood. Agencies shall determine if any other transmission data is needed for purposes of context.

(2) Agencies that use an electronic mail system that identifies users by codes or nicknames or identifies addressees only by the name of a distribution list shall instruct staff on how to retain names on directories or distributions lists to ensure identification of the sender and addressee(s) of messages that are records.

(3) Agencies that use an electronic mail system that allows users to request acknowledgments or receipts showing that a message reached the mailbox or inbox of each addressee, or that an addressee opened the message, shall issue instructions to e-mail users specifying when to request such re-

ceipts or acknowledgments for recordkeeping purposes and how to preserve them.

(4) Agencies with access to external electronic mail systems shall ensure that Federal records sent or received on these systems are preserved in the appropriate recordkeeping system and that reasonable steps are taken to capture available transmission and receipt data needed by the agency for recordkeeping purposes.

(5) Some e-mail systems provide calendars and task lists for users. These may meet the definition of Federal record. Calendars that meet the definition of Federal records are to be managed in accordance with the provisions of General Records Schedule 23, Item 5.

(6) Draft documents that are circulated on electronic mail systems may be records if they meet the criteria specified in 36 CFR 1222.34.

(b) Agencies shall consider the following criteria when developing procedures for the maintenance of electronic mail records in appropriate recordkeeping systems, regardless of format.

(1) Recordkeeping systems that include electronic mail messages must:

(i) Provide for the grouping of related records into classifications according to the nature of the business purposes the records serve;

(ii) Permit easy and timely retrieval of both individual records and files or other groupings of related records;

(iii) Retain the records in a usable format for their required retention period as specified by a NARA-approved records schedule;

(iv) Be accessible by individuals who have a business need for information in the system;

(v) Preserve the transmission and receipt data specified in agency instructions; and

(vi) Permit transfer of permanent records to the National Archives and Records Administration (see 36 CFR 1228.270 and 36 CFR 1234.32(a)).

(2) Agencies shall not store the recordkeeping copy of electronic mail messages that are Federal records only on the electronic mail system, unless the system has all of the features specified in paragraph (b)(1) of this section. If the electronic mail system is not designed to be a recordkeeping system,

## § 1234.26

agencies shall instruct staff on how to copy Federal records from the electronic mail system to a recordkeeping system.

(c) Agencies that maintain their electronic mail records electronically shall move or copy them to a separate electronic recordkeeping system unless their system has the features specified in paragraph (b)(1) of this section. Because they do not have the features specified in paragraph (b)(1) of this section, backup tapes should not be used for recordkeeping purposes. Agencies may retain records from electronic mail systems in an off-line electronic storage format (such as optical disk or magnetic tape) that meets the requirements described at 36 CFR 1234.30(a). Agencies that retain permanent electronic mail records scheduled for transfer to the National Archives shall either store them in a format and on a medium that conforms to the requirements concerning transfer at 36 CFR 1228.188 or shall maintain the ability to convert the records to the required format and medium at the time transfer is scheduled.

(d) Agencies that maintain paper files as their recordkeeping systems shall print their electronic mail records and the related transmission and receipt data specified by the agency.

[60 FR 44641, Aug. 28, 1995, as amended at 66 FR 27028, May 16, 2001]

## § 1234.26 Judicial use of electronic records.

~~Electronic records may be admitted in evidence to Federal courts for use in court proceedings (Federal Rules of Evidence 803(8)) if trustworthiness is established by thoroughly documenting the recordkeeping system's operation and the controls imposed upon it. Agencies should implement the following procedures to enhance the legal admissibility of electronic records.~~

~~(a) Document that similar kinds of records generated and stored electronically are created by the same processes each time and have a standardized retrieval approach.~~

~~(b) Substantiate that security procedures prevent unauthorized addition, modification or deletion of a record~~

## 36 CFR Ch. XII (7-1-02 Edition)

~~and ensure system protection against such problems as power interruptions.~~

~~(c) Identify the electronic media on which records are stored throughout their life cycle, the maximum time span that records remain on each storage medium, and the NARA approved disposition of all records.~~

~~(d) Coordinate all of the above with legal counsel and senior IRM and records management staff.~~

[55 FR 19218, May 8, 1990. Redesignated at 60 FR 44641, Aug. 28, 1995]

## § 1234.28 Security of electronic records.

~~Agencies shall implement and maintain an effective records security program that incorporates the following:~~

~~(a) Ensures that only authorized personnel have access to electronic records.~~

~~(b) Provides for backup and recovery of records to protect against information loss.~~

~~(c) Ensures that appropriate agency personnel are trained to safeguard sensitive or classified electronic records.~~

~~(d) Minimizes the risk of unauthorized alteration or erasure of electronic records.~~

~~(e) Ensures that electronic records security is included in computer systems security plans prepared pursuant to the Computer Security Act of 1987 (40 U.S.C. 759 note).~~

[55 FR 19218, May 8, 1990. Redesignated at 60 FR 44641, Aug. 28, 1995]

## § 1234.30 Selection and maintenance of electronic records storage media.

~~(a) Agencies shall select appropriate media and systems for storing agency records throughout their life, which meet the following requirements:~~

~~(1) Permit easy retrieval in a timely fashion;~~

~~(2) Facilitate distinction between record and nonrecord material;~~

~~(3) Retain the records in a usable format until their authorized disposition date; and~~

~~(4) If the media contains permanent records and does not meet the requirements for transferring permanent records to NARA as outlined in § 1228.270 of this chapter, permit the migration of the permanent records at~~

# For More Information

- NARA. *General Records Schedule 23: Records Common to Most Offices Within Agencies*. <http://www.archives.gov/records-mgmt/ardor/grs23.html>.
- NARA. *GRS Transmittal No. 15*. <http://www.archives.gov/records-mgmt/ardor/grs-trs15.html>.
- NARA. *Standards for Managing Electronic Mail*. (36 CFR 1234.24). <http://www.archives.gov/about/regulations/part-1234.html>.
- NARA. *Tips for Scheduling Potentially Permanent E-mail Messages*. <http://www.archives.gov/records-mgmt/publications/email-tips.pdf>.
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- Free Management Library. *Etiquette: Techniques and styles of e-mail and online groups*. <http://www.managementhelp.org/commskls/netiquet/netiquet.htm>.
- Purdue University Writing Lab. 2002. *Email etiquette workshop*. [http://owl.english.purdue.edu/handouts/pw/p\\_emaillett.html](http://owl.english.purdue.edu/handouts/pw/p_emaillett.html).
- Radicati Group. 2007. *Addressing information overload in corporate email*. <http://www.radicati.com/reports/whitepapers.asp>.
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- Stack, Laura. 2008. *12 tips for better e-mail etiquette*. <http://office.microsoft.com/en-us/help/HA012054101033.aspx>.