



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

Memorandum

To: Office of the Secretary
Assistant Secretary-Indian Affairs
Acting Assistant Secretary-Land and Minerals Management
Special Trustee for American Indians
Deputy Commissioner, Bureau of Indian Affairs
Director, Office of Indian Trust Transition
Acting Director, Minerals Management Service
Acting Director, Bureau of Land Management
Director, Office of Hearings and Appeals
Inspector General

From: William G. Myers III *WGM*
Solicitor
P. Lynn Scarlett *P2* *PLS* NOV 28 2001
Assistant Secretary-Policy, Management and Budget

Subject: Document Retention Relating to Trust Management and Individual Indian Money Accounts

Attached are reminder instructions to your employees about retention of e-mail messages related to the Cobell v. Norton case. Please ensure that these instructions are disseminated to each employee upon receipt. The requirements of the instructions must be followed.

The Chief Information Officer has issued a memorandum and instructions to selected Chief Information Officers and heads of Offices to be disseminated to their e-mail system administrators. These instructions call for your employees to be notified of successful backups of e-mail messages. A copy of the Chief Information Officer's memorandum and instructions are attached.

For more information about the special document retention requirements created by the Cobell v. Norton case, please visit the Department's website at <http://www.doi.gov/courtorders/> and click on the first entry, Order Regarding Interior IIM Records.

Questions about these reminder instructions should be directed to Sabrina McCarthy at (202) 219-2139 in the Solicitor's Office.

Attachments

cc: Chief Information Officer
Director, National Business Center

Reminder Instructions to Employees About Retention of E-Mail Messages

Pursuant to the Cobell v. Norton litigation pending in the U.S. District Court for the District of Columbia, you must print and file all e-mail messages that relate to the Three Functional Areas of:

- 1) American Indian trust reform, including the High-Level Implementation Plan or any of its subprojects;
- 2) the Cobell v. Norton litigation; or
- 3) administration of Individual Indian Money (IIM) accounts.

Special instructions also apply to ensure the capture of these e-mail messages on backup tapes.

I. Printing and Filing

You must print to paper and file all e-mail messages that you send or receive, if they relate to the Three Functional Areas.

There are two easy ways to fulfill the printing requirement. One method is to print each relevant message as soon as you send or receive it. Another method is to move relevant messages to an electronic folder or folders in your personal account, as soon as you send or receive them, and periodically (at least monthly) print the messages that have accumulated in the folder(s).

You must keep in mind a few additional points about preserving e-mail messages:

- Both senders and recipients of an e-mail message are equally obligated to print and file it.
- When printing an e-mail message, you must ensure that the following transmittal information is preserved on the paper copy: Date, Sender, and ALL Recipients.
- ALL attachments to an e-mail message must be printed and filed along with the message. For example, you must print and file the e-mail message accompanying these instructions together with these instructions.
- Delivery failure reports and electronic return receipts are separate e-mail messages that must be printed and filed.
- When in doubt, print and file the e-mail message.
- The paper copies of e-mail messages must be filed in a paper record-keeping system in

which documents are easily retrievable and accessible by others for business purposes.

II. Ensuring Capture of E-Mail Messages on Backup Media

E-mail messages related to the Three Functional Areas can be deleted from user mailboxes only after they are captured by the systems administrator on an e-mail backup that is designated for indefinite retention. This means that, even after you have printed and filed e-mail messages related to the Three Functional Areas, you must not delete them until they are backed up.

To ensure your compliance with this policy, please follow this procedure:

Be sure that your computer is set to save your outgoing messages in your "SENT" box. If you are not sure whether your computer is set to save your sent messages, please consult your e-mail system administrator.

After printing, leave your e-mail messages on the computer, without deleting them, until they are captured by a backup. Leave your e-mail messages in your "IN" or "SENT" box. Do not delete e-mail messages from your "IN" and "SENT" boxes, until after you receive an e-mail message from the system administrator that your e-mail messages have been backed up for indefinite retention.

Even though we perform backups nightly, you must keep your e-mail messages on the system until you receive a weekly notification from your e-mail system administrator about the date of the last successful backup. When you receive that notice, you may delete e-mail messages related to the Three Functional Areas, after you have printed and filed them, and if they were sent or received on dates up to and including the date of the last successful backup. Do not delete your messages until you receive the system administrator's e-mail message that there has been a successful backup of those messages.

III. For More Information

If you have questions about these requirements, please call Sabrina McCarthy (202-219-2139) in the Solicitor's Office.

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