United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

Memorandum

AUG - 3 2001

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

From: William G. Myers, III
Solicitor
P. Lynn Scarlett
Assistant Secretary, Policy, Management and Budget

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

The Chief Information Officer (CIO) has issued technical guidance to Bureau CIO's and Records Managers on preserving electronic messages related to Indian trust management and administration of IIM accounts. A copy of the CIO memorandum is attached. Shortly, employees will receive additional guidance regarding the retention of e-mail messages related to the *Cobell v. Norton* case. (The last instruction was in September 1999.) Please ensure that these instructions are disseminated to each employee upon receipt. Meanwhile, please review with your employees the guidance provided at our website (www.doi.gov/courtorders).

Attachment

cc: Chief Information Officer
Director, National Business Center

United States Department of the Interior

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Memorandum

Attachment A

To: Acting Associate Solicitor, Division of Administration
Associate Inspector General, Management and Policy
Chief Information Officer, Bureau of Land Management
Chief Information Officer, Minerals Management Service
Chief Information Officer, Bureau of Indian Affairs
Special Trustee for American Indians
Director, Office of Hearings and Appeals
Director, National Business Center

From: Daryl W. White
Chief Information Officer

Subject: Retention of E-Mail System Backup Tapes Relating to Trust Management and Individual Indian Money Accounts

The purpose of this memorandum is to remind selected Chief Information Officers, heads of Offices, their records management officers, and their e-mail system administrators of the requirement to preserve existing and future e-mail system backup tapes or other storage media related to Indian trust management and Individual Indian Money (IIM) accounts.

Attached are detailed instructions for you to disseminate to your e-mail system administrators to implement immediately. In any case, the requirements of the instructions must be followed. Shortly, all DOI employees will receive additional guidance regarding the appropriate protection and retention of records relating to trust management and IIM accounts. (The last instruction was in September 1999). 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.

If you have technical questions about this guidance, please contact Sue Rachlin, Deputy CIO, at (202) 208-6194. Legal questions should be directed to Sabrina McCarthy (202) 219-2139 ~~in~~ the DOI Solicitor's Office.

Attachment

cc: Solicitor
Inspector General
Deputy Commissioner, Indian Affairs
Acting Director, Mineral Management Services
Acting Director, Bureau Land Management
Ted Weir/BLM Records Officer
James Greening/MMS Records Officer
Ken Rossman/BIA Records Officer
OIG, Ronald Malone
Solicitor, Glenn Schumaker
National Business Center, Roberta Heintz
Assistant Secretary, Land and Minerals Management
Assistant Secretary, Indian Affairs
Assistant Secretary, Policy, Management and Budget

Instructions for E-Mail System Administrators

This attachment instructs e-mail system administrators to save, externally label, store and log backups of e-mail users' mailboxes for those offices that send or receive Indian trust e-mail. These instructions are issued because of document retention responsibilities in the Cobell v. Norton litigation.

I. Background

E-mail users have been instructed that, because of the Cobell v. Norton case, they must save three categories of e-mail relating to (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. Further, e-mail users must save e-mail in two ways. They must print and save the e-mail in hard copy and they must save the electronic version in user mailboxes until it has been captured on a backup designated for indefinite retention.[1]

II. Administrators' responsibilities

Administrators are responsible for (1) backing up the mailboxes of e-mail users who may send or receive the three categories of e-mail described above, (2) creating backups on a schedule that is intended to capture all such e-mail messages on the system, and (3) indefinitely retaining a set of backups that are intended to capture all such e-mail messages on the system. Administrators are required to make daily backups Monday through Friday. Administrators may include a series of backups on the same tape.

Administrators must retain, externally label, sequentially number, and store the backups, without overwriting them. Administrators must also maintain a log of the backups, showing the date and sequential number of each backup. This practice must be continued until further written notice.

Please direct technical questions about these requirements to the Deputy CIO, Sue Rachlin (202) 208-6194 and direct legal questions about these requirements to Sabrina McCarthy (202) 219-2139 in the DOI Solicitors' Office.

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[1]User mailboxes include user "trash" bins because e-mail is saved electronically as long as it is not deleted from "trash."