

United States Department of the Interior

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To: Assistant Secretaries
Heads of Bureaus and Offices
Bureau/Office Records Managers

From: Gayle F. Gordon, Acting Director /S/
Office of Information Resources Management

Subject: Policy and Guidance for Managing the Creation, Retention, and Disposition of Electronic Mail Documents

This guidance has been prepared to help employees properly manage the creation and retention of documents that are created or transmitted on electronic mail (E-Mail). As a result of decisions in recent court cases and the widespread use of electronic mail to transact Government business, the National Archives and Records Administration (NARA) recently issued regulations on the management of electronic mail (36 CFR, Chapter XII, Parts 1220, 1222, 1228, and 1234).

These regulations stress that the Federal Records Act applies to E-Mail records just as it does to records that are created using other media. The issuance of these new regulations places greater responsibility on the employee to determine if an E-Mail created or received in connection with official business is a record or a non-record (see definitions, pages 3 & 4 of Attachment 1). If there is uncertainty about the correct status of a document, always treat it as a record first; then consult with your records manager for guidance.

Currently, the Department's E-Mail systems do not meet NARA's requirements for an "electronic recordkeeping system," nor do any other Departments meet these new standards. Until new records software is developed, piloted, and installed, **all E-Mail messages or attachments that meet the definition of a Federal record must be added to the organization's files by printing them out (including the essential transmission data) and filing them with all related paper records.** This should be done as soon as possible after the message is sent or received. The message or attachment should then be deleted from the E-Mail system. Messages or attachments that are not records should be deleted as soon as they have served their purpose. Employees should be aware that E-Mail systems are to be used for official business only and that E-Mail messages are not private. E-Mail system back-up files are routinely stored and can be used in court as evidence.

The same standards of civility apply to E-Mail as to other forms of communication. The use of profanity, racial or ethnic slurs, sexually harassing language, slander, and other such language is as inappropriate on E-Mail as it is in any other medium.

Guidance for determining record/non-record status and retaining E-Mail that constitute records are contained in the attached guidance. This policy and related E-Mail issues will be discussed at the September IRM Council

meeting. If you need additional information or clarification on this guidance, contact your bureau/office records manager or Sharon Michel, the Departmental Records Officer, at (202) 208-3321.

[Attachment 1](#) - E-Mail Policy and Guidance for Determining Retention and Disposition of E-Mail Documents

[Attachment 2](#) - List of Departmental Records Managers