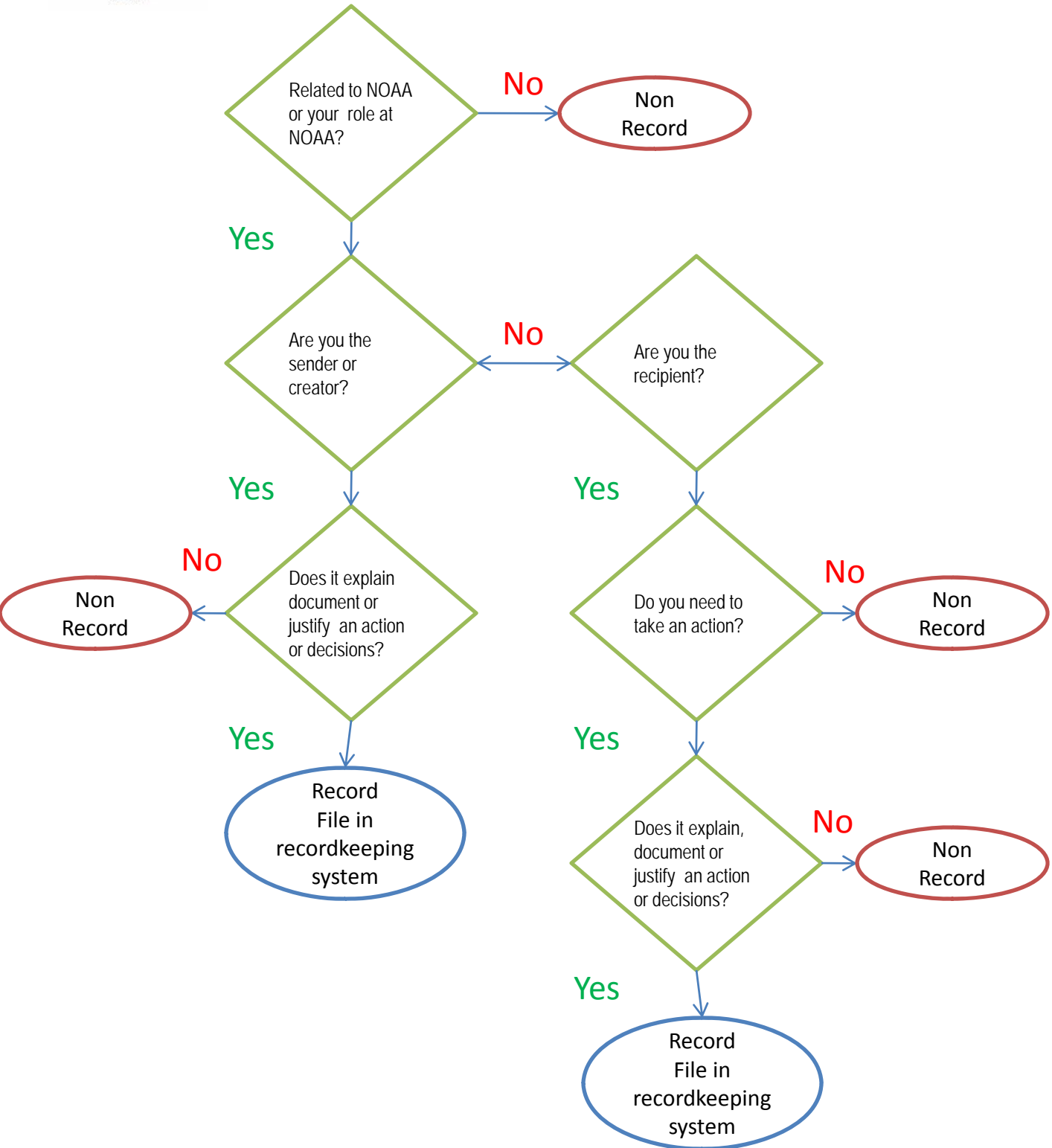




# E-mail Record Decision Tree





## E-Mail Quick Reference Guide

### Records Basics

- What is a Record? The [legal definition](#) of a record (*44 U.S.C. Chapter 33*).
- When e-mail is retained as a record, its retention is governed by [records schedules](#).

### E-Mail Messages Are Records When...

- they are made or received by an agency under Federal law or in connection with public business; and
- they are preserved or are appropriate for preservation as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government, or because of the information value of the data they contain.

### Principal Categories of Materials to Be Preserved

- Records that document the formulation and execution of basic policies and decisions and the taking of necessary actions.
- Records that document important meetings.
- Records that facilitate action by agency officials and their successors.
- Records that make possible a proper scrutiny by the Congress or by duly authorized agencies of the Government.
- Records that protect the financial, legal, and other rights of the Government and of persons directly affected by the Government's actions.

## **E-Mail Messages That May Constitute Federal Records**

- E-mail providing key substantive comments on a draft action memorandum, if the e-mail message adds to a proper understanding of the formulation or execution of Agency action.
- E-mail providing documentation of significant Agency decisions and commitments reached orally (person-to-person, by telecommunications, or in conference) and not otherwise documented in Agency files.
- E-mail conveying information of value on important Agency activities, if the e-mail message adds to a proper understanding of Agency operations and responsibilities.

## **Points to Remember about E-Mail**

- Before deleting any e-mail message, the author should determine whether it meets the [legal definition](#) of a record (*44 U.S.C. Chapter 33*) and, if so, preserve a copy of the message.
- E-mail records must be maintained in a recordkeeping system; either in your organization's paper filing system or in an enterprise content management system (ECMS) or through the use of a records management application (RMA).
- Printed messages kept as a record must contain essential transmission, receipt data, and attachments; if not, print the data or annotate the printed copy.
- Delete messages that are not records when no longer needed.
- Delete messages that are records, after they have been placed in the recordkeeping system.
- When e-mail is retained as a record, its retention is governed by [records schedules](#).

Additional guidance:

Contact your NOAA [Records Liaison Officer](#) (RLO).

You can find additional guidance in the following publications:

- [DOC Records Management Policy \(PDF\)](#)
- [Standards for managing electronic mail records](#) (36 CFR 1234.24)



## NOAA Records Management FAQs

### Retaining the Complete E-Mail Message

#### **Are there special requirements for retaining e-mail messages as records?**

The basic requirements that apply to all records apply to e-mail records as well. However, there are some specific requirements for records made or received through e-mail. You should make sure that:

1. the e-mail record includes transmission data that identifies the sender and the recipient(s) and the date and time the message was sent and/or received;
2. when e-mail is sent to a distribution list, information identifying all parties on the list is retained for as long as the message is retained; and
3. if the e-mail system uses codes, or aliases to identify senders or recipients, a record of their real names is kept for as long as any record containing only the codes or aliases. For example, if you are communicating with someone via the Internet (e.g., a grantee or researcher), and their e-mail address does not indicate who they are (e.g., the address is JerryR@...) then a record must be kept of who they are. This might be done simply by always including their full name in the body of the message.

#### **Why is it necessary to keep the transmission data about the sender, receiver, date and time of the e-mail?**

You should treat e-mail messages the same way you treat paper correspondence. You would not delete the names of the sender and addressee, the date, or a time stamp from a letter on paper. The data identifying the sender and recipient(s), the time and date the message was sent, and, on the recipient(s) copy, the time and date it was received are equally essential elements that constitute a complete e-mail record.

#### **What about attachments to an e-mail message? Do I have to keep them as well?**

Yes, you do. If a message qualifies as part of the documentation of your activities, you need to make sure that related items that provide context for the message are maintained as well. This

includes attachments. You would keep them under the same conditions that you would if they were paper attachments to a paper memo or incoming letter.

### **Do I need to retain both the original message and the reply?**

The requirement is to create and maintain an understandable record documenting activities. Some replies to e-mail messages contain enough information from the original message that they can stand on their own, but most do not. The simplest way to ensure understandability of e-mail messages that will become part of the record is to incorporate the original message in any reply and maintain them as a unit. If e-mail is sent back and forth and the most recent message has the entire sequence of messages, you need to keep only the final message as long as it also contains attachments and other data such as the sender, receivers, date, and time, that are necessary for a complete record.

## **Maintenance and Retention of E-Mail Messages**

### **How long do I need to keep e-mail records?**

Retain e-mail records in accordance with your office's file plan and the NOAA records schedules. The exact length of time will vary depending on the activity that the message documents. Retentions range from thirty days to permanent.

### **What if the message does not qualify as a record?**

Delete e-mail that is not a record when no longer of use.

### **Where do I keep e-mail records?**

You must store e-mail records in an approved recordkeeping system. This system may be either paper or electronic. You may maintain them in your organization's paper filing system or electronically using a records management application (RMA) or an electronic content management system (ECMS). In any case, the recordkeeping system must:

1. logically relate or group records in accordance with your office's file plan;
2. ensure the records are accessible to authorized persons throughout their life;
3. support retention of the records for as long as required;
4. facilitate destruction of records on schedule; and
5. enable transfer of those records which will not be destroyed to the National Archives.

**Can I keep and maintain the records in the e-mail system?**

No. Once you determine that an e-mail message is an official record, you should ensure that it is kept in an approved file system that satisfies the requirements for recordkeeping set out in points 1 to 5 above. You may, of course, retain your personal copy in your personal e-mail, but you must ensure that the record is placed in an approved file system.

The one exception to this is for e-mail records that are "transitory" (i.e., documents of short-term interest which have no documentary or evidential value) and have an approved retention of 180 days or less. See [NARA Memorandum NWM 15.2006](#) for additional guidance.

**Can e-mail records be kept on backup tapes or disks?**

No, backups created to facilitate restoration of a system or file in case of accidental or unintentional loss are generally ill-suited for recordkeeping purposes.

**Do I need to retain both an electronic and hard copy for the same e-mail message?**

No, if you retain the entire record in either form, and it is properly filed in an approved recordkeeping system, you do not need to retain both electronic and hard copies.

**Where can I get additional guidance?**

Contact your [Records Liaison Officer](#) (RLO).

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