

MANAGING ELECTRONIC MAIL (E-mail)

Deciding whether E-mail is a record that should be maintained under ARIMS is no different from the decision employees make concerning the myriad of paper documents that come across their desks every day. E-mail is a technology for communicating. E-mail messages are records if they satisfy the criteria that define records.

By law (44 U.S.C. 3301), official records are all documentary materials (e.g., memorandums, completed forms, statistical and narrative reports), regardless of physical forms (e.g., paper, film, or electronic) made or received in the transaction of public business, that are preserved, or are appropriate for preservation, as evidence of government functions, organization, and activities or because of the value of the information they contain.

First determine if the message relates to you as an individual or to your official duties. If the message relates only to you personally it is not a record; for example: a message that you left your lights on in the parking lot. If the message relates to your duties or to any action you take as a DOD employee, you should consider it a record.

The following are common questions about electronic mail and official records.

1. [Do I have to manage incoming and outgoing E-mail as records?](#)
2. [Is a message a record, if it is sent to me only for information?](#)
3. [Much of the E-mail I receive is of no use to me once I've read it. Why do I have to save it?](#)
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1. Do I have to manage incoming and outgoing E-mail as records?

Yes. You keep correspondence in paper to reference your response, to explain or support an action or decision, or as background material. You should keep the E-mail record for the same reasons.

2. Is a message a record, if it is sent to me only for information?

A message that you receive and maintain only for information, such as a broadcast message, normally would not be a record. However, if a message is sent to you only for information, but you take action as related to the message, the message would be part of the record of that action.

3. Much of the E-mail I receive is of no use to me once I've read it. Why do I have to save it?

Not all messages you receive are records. If a message is not a record, then you should destroy it once you determine that it is not a record. As a DOD employee, your responsibilities go beyond your immediate needs. While you may not need to use the information in a message, it may contain information that is valuable to others, or it may contain necessary evidence of DOD activities or decisions.

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4. If an E-mail record is filed elsewhere, do I still have to keep my copy?

It depends on where the other copy is filed. If the other copy is in your organization's files documenting the activity in which you are involved, then your copy is not a record. It is an information copy kept for convenience of reference. However, when a message is related to several matters, a copy should be in the files related to those matters. For example, a training form is filed in your personnel file to indicate what training you have had. The same form is filed in your agency's finance office as authorization for payment to the training provider. Another copy may be filed in the training management office for use in planning and evaluating training programs. In each of these files, the copy is a record.

5. If E-mail is sent back and forth and the most recent has the entire sequence of messages, can I save only the most recent and delete the rest?

Yes. As long as all iterations, additions, and transmission data are saved with the record copy.

6. How can E-mail be a record if it isn't signed?

A signature does not make something a record. Many types of records, such as manuals, reports, photographs, maps, and databases do not contain signatures, but they are still records. Signatures are required on documents for purposes of authorization and authenticity, but a signature is not necessarily required to qualify information as an official record.

7. If an E-mail message is a record, what do I need to do?

The appropriate action depends on the options available. If your organization provides for the systematic storage, maintenance and disposition of records in electronic form, you may maintain E-mail records in electronic form. If you do not have access to such capability, print the E-mail records in hard copy. In either case: (1) group related records together according to your office's file plan; (2) ensure the records are accessible to authorized personnel; (3) retain the records for their authorized retention period; and (4) as stipulated in the records schedule, either destroy the records or offer them to the National Archives and Records Administration (NARA).

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8. Are there special requirements for E-mail records?

In general, E-mail records should be managed according to the basic principles that apply to records in any medium. There are certain specific requirements for E-mail records:

- (1) The E-mail record includes transmission data as well as the message itself. The required data identifies the sender and the recipient(s) and the date and time the message was sent and/or received. All attachments containing information necessary for decision-making or to understand the context of a message are also part of the record.
- (2) When E-mail is sent to a distribution list, information identifying all parties on the list must be retained for as long as the message is retained.
- (3) If the E-mail system uses codes, aliases, nicknames, or anything other than the real name of senders or recipients, their real identities need to be retained as part of the record.
- (4) If you retain hard copies of E-Mail messages as record copies, ensure your message format is set to Plain Text or Rich Text and not HTML. If it is set to HTML format, any attachments will not be shown in the body, so it is not a true record copy. This is important when responding to suspense's from other organizations. To set the format, choose Options from the Tools drop-down menu, and then select Mail Format to change it (Compose in this message format). NOTE: Keep attachment file names short, or they will not print out completely.

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9. Why is it necessary to keep the transmission data about the E-mail?

Transmission data identifies the sender and recipient(s) of a message, the time and date it was received. This data provides essential context for the message. This is similar to correspondence on paper where the record includes information identifying the sender and recipient and the date of the letter, not just the message.

10. How long do I need to keep my E-mail messages?

An E-mail message that is a record must be retained according to the retention schedules listed at <https://www.arims.army.mil/aersmain.asp>. If the record is not covered by a schedule, it must be retained until DA develops a schedule and obtains approval from NARA. You may decide how long to keep any message that does not qualify as a record. As a rule, delete messages that are not records at the earliest opportunity.

11. Where do I keep E-mail records?

You should store E-mail records in a record keeping system that, (1) enables you to group related records in accordance with your office's file plan, (2) ensures the records are accessible to authorized persons throughout their life, (3) supports retention of the records for as long as required, (4) facilitates destruction of records on schedule, and (5) enables transfer of records which will not be destroyed to the NARA.

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a. Can I keep my messages in the E-mail system?

Current E-mail systems generally do not satisfy the requirements for record keeping. If your E-mail system is not adequate for these purposes, move the records to another system that is adequate. When you move an E-mail record to another system, you must ensure that the entire record, including attachments and transmission and receipt data, is included.

b. Can I file my messages in private folders on the E-mail system? What about putting them in shared folders?

Private folders in an E-mail system may be appropriate for messages that do not qualify as records, but they have drawbacks for use in storing E-mail records. Private folders will hinder the conduct of business when other individuals need access to the records to perform their duties. Shared folders eliminate this problem of access, but private or shared folders on an E-mail system are not adequate for maintaining records unless the system satisfies the requirements for records keeping.

c. May I delete the electronic copy if I print it?

If you print the entire record, including attachments and data about transmission and receipt, and the printed copy is properly filed, you may delete the copy of the record from the E-mail system.

d. Do E-mail records have to be kept on-line?

You may download E-mail records in electronic form to off-line media, but you should keep a copy on-line if the records are retrieved frequently.

e. How should E-mail records be kept off-line?

When you move records off-line, you should either use media that are dependable for the required life of the records or copy the records to new media before the old media deteriorate or become obsolete. You must have some way to retrieve older records when needed if your E-mail system changes. You must also be able to destroy records in accordance with ARIMS or to transfer records scheduled for preservation in the NARA.

f. Can E-mail records be kept on backup tapes?

Backups are created to facilitate restoration of a system or file in case of accidental or unintentional loss. They are generally ill suited for record keeping purposes. For example, if a system is modified after a backup is made, you may not be able to recover information from the backup.

12. When viable automated records management software is available will electronic copies be sufficient, or will I still need to keep paper copies?

When our organization implements an automated records management application that satisfies records keeping requirements, you will not need to duplicate records retained in that system on paper. US Army Records Management Division is testing an automated records management application.

13. Does the Freedom of Information Act (FOIA) apply to E-mail messages?

The FOIA applies to documents, regardless of the technology used to create, store, or transmit

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that information. E-mail is subject to the FOIA, but its release is subject to the same FOIA exemptions that apply to other agency records. E-mail retained in electronic form is subject to erasure, accidental loss, or deterioration. Such loss is not one of the exemptions for nondisclosure under FOIA.

14. What do I do about messages that contain sensitive information; for example, security classified or Privacy Act records?

You should apply the same standards, procedures and precautions to E-mail containing sensitive information as you would to the same information in any other medium. You should not transmit security-classified information except on a trusted system and to authorized recipients. Do not send E-mail containing Privacy Act records to other employees unless they need the information to perform duties consistent with the purposes of the Privacy Act system of records. Do not send Privacy Act records to anyone outside of the DOD except when required under FOIA or authorized by a Privacy Act exemption or a published routine use.

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15. Do these guidelines apply to DOD contractors?

That depends on the terms of the contract concerning DOD'S rights in data. Contracts would be written to ensure that DOD satisfies legal requirements for creating and maintaining adequate and complete records of DOD transactions even when contractors carry out those transactions.

16. Where can I get additional guidance?

You can find published guidance in the following:

- a. [DOD 5015.2](#), Design Criteria Standard for Electronic Records Management Software Applications, defines the basic requirements based on operational, legislative and legal needs that must be met by records management application products that are acquired by the Department of Defense and its Components.
- b. The Code of Federal Regulations
([36 CFR, Chapter 12, Subchapter B, Records Management](#)).
- c. [NARA publication](#), MANAGING ELECTRONIC RECORDS.

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