



Washington, D.C. 20505

15 December 2003

[Redacted Box]
4/27/03
Report has
nothing on the
major issues

Dr. Michael J. Kurtz
Assistant Archivist for
Records Services - Washington, D.C.
National Archives and Records Administration
8601 Adelphia Road
College Park, Maryland 20740-6001

Dear Dr. Kurtz:

(U) We believe we have taken the requested actions to close out ten more of the recommendations in your Evaluation of the CIA Records Management System. The attached progress report details our actions with respect to the following recommendations: I/1, I/3, II/1, II/1a, II/4, II/7, III/7, IV/1, IV/3, and IV/4. In addition, the progress report also addresses your requests for additional material.

[Redacted Block]

(U) Finally, I would like to meet with you to discuss the more difficult problems that remain. There have been a number of meetings and useful discussions between our respective staffs. These discussions have sharpened our understanding of some of the issues, but have not led to their resolution.

(U//~~FOUO~~) Please call me [Redacted] or [Redacted] [Redacted] at your convenience after you have reviewed our progress report.

Sincerely,

[Redacted Signature]

Director, Information Management Services
Chief Information Officer

Enclosure

UNCLASSIFIED//~~FOUO~~



15 December 2003

**Progress Report on the NARA Evaluation
of CIA Record Keeping Practices**

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(b)(3)

[REDACTED]

2. *Employee Bulletin*: "Records Responsibilities of CIA Employees and Managers"

3. *Memorandum*: "Records Responsibilities of Senior Officials of the Central Intelligence Agency"

(b)(3)

[REDACTED]

5. *What's News at CIA*: "Records Responsibilities of Employees and Managers"

6. *Employee Bulletin*: "Non-Textual Records Preservation"

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Recommendation I/1:

(U) Ensure that there are sufficient IMOs in both OIT and the Directorates to implement the recommendations in this report.

(U) Review workloads and staffing levels to determine whether or not IMOs should be assigned to organizations where day-to-day records management duties are currently handled by POCs.

Action Items Identified from Latest Correspondence:

- (U) Describe how the fifth directorate is being provided IMO support.
- (U) Implement the Information Management Checklist, and describe how recommendation implementation will be tracked and follow-up made.

CIA Response:

(b)(3)
(b)(5)

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Recommendation I/3:

(U) Develop a one-day course dealing with record keeping responsibilities of program staff including the application of approved records schedules to their files and basic records concepts such as distinguishing records from non-record materials.

Action Items Identified from Latest Correspondence:

- (U) Contact David Langbart to review the second generation CBT.

CIA Response:

(U//~~FOUO~~) As requested in your 17 April 2003 reply, an appointment was set up with David Langbart, and the second generation CBT was reviewed on 15 July 2003.

Recommendation II/1:

(U) Ensure that employees, including Deputy Directors and other high-level decision makers, are aware of requirements in Federal law and regulation to document and maintain in appropriate files all policy and decision-making actions, including those discussed via electronic mail (e-mail) or during telephone conversations.

Action Items Identified from Latest Correspondence:

- (U) Modify the Employee Bulletin on "Records Responsibilities of CIA Employees and Managers" to more fully address electronic records management.
- (U) Modify the memorandum on "Records Responsibilities of Senior Officials of the Central Intelligence Agency" as noted.
- (U) Forward a copy of the personal papers guidance that has been issued.

CIA Response:

(U//~~FOUO~~) The Employee Bulletin on "Records Responsibilities of CIA Employees and Managers" (attachment #2) and the memorandum on "Records Responsibilities of Senior Officials of the Central Intelligence Agency" (attachment #3) were modified and reissued in accordance with your 17 April 2003 reply.

(U//~~FOUO~~) In regards to the personal papers guidance cited throughout your replies, we believe sufficient reference to personal papers has been made within other guidance we have issued. More specifically, it appears in our Employee Bulletin on "Records Responsibilities of CIA Employees and Managers" (attachment #2), where we also direct employees to 36 CFR § 1222.36 for further information. Additionally, it has been referenced [redacted]

[redacted] in a What's News at CIA article titled "Records Responsibilities of Employees and Managers" (attachment #5).

Recommendation II/1a:

(U) E-mail communications that meet the definition of records should be retained in a record keeping system.

Action Items Identified from Latest Correspondence:

- (U) Modify the Employee Bulletin on "Records Responsibilities of CIA Employees and Managers" as noted.
- (U) Add the following question to the Information Management Checklist:
 - Has the Agency's email policy been distributed to all employees in the directorate/component/office?

CIA Response:

(U//~~FOUO~~) The Employee Bulletin on "Records Responsibilities of CIA Employees and Managers" was modified and issued in accordance with your 17 April 2003 reply (attachment #2).

(U//~~FOUO~~) As noted in our response to Recommendation I/1, the IM Survey has replaced the IM Checklist. Nonetheless, the question you provided in your 17 April 2003 reply has been added to the next iteration of the IM Survey scheduled for FY 2004.

Recommendation II/4:

(U) Ensure that adequate indexes are created where necessary and that staff who need to use them have familiarity with them.

Action Items Identified from Latest Correspondence:

- (U) Finalize and implement the Information Management Checklist.

CIA Response:

(U//~~FOUO~~) As noted in our response to Recommendation I/1, the IM Checklist was replaced by the IM Survey, which was implemented January thru March 2003. Therefore, all recommended changes to the IM Checklist have been integrated into the next iteration of the IM Survey scheduled for FY 2004.

Recommendation II/7:

(U) Continue and extend the ARC preservation project. Implement a preservation project for older records held in locations other than the ARC.

Action Items Identified from Latest Correspondence:

- (U) Implement the Information Management Checklist, and describe how recommendations will be tracked once the list is distributed.
- (U) Revise the Employee Bulletin on "Non-Textual Records Preservation" as noted.

CIA Response:

(U//~~FOUO~~) The Employee Bulletin on "Non-Textual Records Preservation" was modified and reissued in accordance with your 17 April 2003 reply (attachment #6).

(U//~~FOUO~~) Please see our response to Recommendation I/1 for details surrounding the IM Checklist.

Recommendation III/7:

(U) Continue the project to apply correct schedule items to ARC accessions improperly retired as permanent; include NARA review as part of the process.

Action Items Identified from Latest Correspondence:

- (U) Allow NARA staff to visit the ARC to learn about the progress to apply correct schedule items to ARC accessions and to do some spot-checking to ensure conversions accurately reflect approved schedules.

CIA Response:

(U//~~FOUO~~) NARA staff is welcome to visit the ARC at any time that is convenient for them. However, we should note that although the ARC staff does use the quality control checklist mentioned in our 30 September 2002 response, they only check to make sure an RCS item has been assigned. It is the responsibility of the component IMO to assign the correct RCS item, and it is subsequently the responsibility of the Directorate IMO to double check the component IMO's selection before the boxes are sent down to the ARC.

Recommendation IV/1:

(U) Comply with NARA guidance contained in 36 CFR 1234 when electronic systems are developed, maintained, or upgraded. Of particular importance is the need to include migration strategies as part of the life cycle planning for electronic systems design and implementation.

Action Items Identified from Latest Correspondence:

- (U) Provide NARA with a copy of an Information Management Plan for a specific electronic system.

CIA Response:

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Recommendation IV/3:

(U) Disseminate the Agency e-mail regulation to all Agency staff who use e-mail and monitor its implementation. Update this issuance as NARA develops new guidance concerning the maintenance and disposition of e-mail.

Action Items Identified from Latest Correspondence:

- (U) Describe the steps CIA is taking to monitor implementation of the Agency's email guidance and regulations.
- (U) Modify the Employee Bulletin on "Records Responsibilities of CIA Employees and Managers" as noted.

CIA Response:

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(U/~~FOUO~~) As noted above, the Employee Bulletin on "Records Responsibilities of CIA Employees and Managers" (attachment #2) has been modified and issued in accordance with your 17 April 2003 reply.

Recommendation IV/4:

(U) Complete the centralized catalog project so the Agency will have a comprehensive, Agency-wide inventory of electronic records. After the centralized catalog is completed, implement measures to keep it current as additional systems are developed.

Action Items Identified from Latest Correspondence:

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CIA Response:

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OPR: CIO/IMS EB NUMBER: 002-03
1 October 2003

RECORDS RESPONSIBILITIES OF CIA EMPLOYEES AND MANAGERS

1. (U) This Employee Bulletin is being issued to remind all CIA employees of their responsibilities under 36 CFR § 1220 – 1236 to create, maintain and preserve records of agency organization, functions, policies, decisions, procedures, and essential transactions.

2. (U) Every CIA employee produces records on a daily basis. Not all records are treated the same, however. Each record type has a specific business use and, hence, a specific retention period that may be as brief as “destroy when no longer needed” or as enduring as those designated “permanent” that, in time, will be transferred to the National Archives. All records have a specific retention period that must be approved (scheduled) by NARA. All records shall be maintained, inviolate and readable, for the specified retention period. Any unauthorized destruction of records deprives the Agency of accountability, history, continuity, and legal defense AND may represent a criminal offense.

3. (U) Records may be produced on any medium and/or communicated physically, visually, verbally, or electronically. Memoranda of telephone conversations, discussions, and meetings, e-mail messages, memoranda, contents of or output from a database, instant messages, presentations, chat boards, audio and video recordings, correspondence, cables, intelligence reports, and speeches may be records. Records might be arranged as subject files, country files, chronological files, project files, or by other means. The statutory definition of a record is as follows:

All books, papers, maps, photographs, machine-readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the US Government under Federal law or in connection with the transaction of public business, preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, function, policies, decisions, procedures, operations or other activities of the Government or, because of the informational value of the data in them. (44 US Code 3301)

4. (U) All employees, regardless of rank or position, have an official responsibility to adequately and properly document and maintain, in appropriate files, records produced or received in the component to which he or she is assigned. All records must be maintained in an approved record keeping system, which can be paper or electronic.

(b)(3) 5. (U) Please reference [redacted] which contains the policies and procedures associated with the Agency records management program and (b)(3) each employee’s responsibility under that program. In addition, [redacted] stipulates that official telephone conversations, meetings, and other conversations should be documented in Memorandums to the File. Employees must prepare this documentation

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for all conversations in which Agency business is conducted. The maintenance of chronologies in an office is a common Agency practice. Chronologies are records, and in some cases, may be the only official record of the office activities. Chronologies that are exact copies of office records held in an approved record keeping system are reference and can be discarded annually or when no longer needed. Every employee maintains what he/she calls "working files." Often, these files are duplicates of the office record copy. However, any working paper or draft that was circulated outside the unit of origin for comment or action and contains substantive information not captured in the final document must be kept (along with the final) in the office record keeping system. E-mail messages may also constitute records.

(b)(3) [redacted] including the proper capture and maintenance of e-mail. If there are questions regarding retention and disposition of an office chronology, a collection of working files, e-mail or other records, the custodian must contact the component or Directorate Information Management Officer (IMO) for guidance.

6. (U) There are no presumptions that work products, finished or in draft, or the documentation of decisions, policies, and transactions (all records) produced by a CIA employee are personal. Such work was produced for and remains the property of the Agency, and represents a Federal record. However, employee-originated materials of a strictly personal nature (despite using Government facilities) that do not relate to or have an effect upon Agency business are excluded from the definition of Federal records. This material must be kept separate from the Agency records. Personal papers, prior to being removed from CIA or other Federal property, must be reviewed by the Directorate Information Release Officer (IRO). See the Information and Records Management Database (AGNS04) and refer to 36 CFR § 1222.36(c) for additional guidance on personal papers.

7. (U) Prior to leaving an assignment or the Agency, each employee shall ensure that:
- o the records he/she received or originated are in an approved record keeping system;
 - o all other referential information is disposed of in accordance with approved disposition schedules;
 - o no official materials, including copies, whether classified or not, are removed from Agency facilities without authorization;
 - o the appropriate Directorate IRO has reviewed (for release) all information of a purely personal nature, not associated with official Agency activities, before removal from CIA or other government facilities.

(b)(3) 8. (U) If you have any questions regarding the retention of federal records, please consult with your Directorate (MSO/IMO [redacted] DI/IMO - [redacted] DO/IMO [redacted] DST/IMO [redacted] DCI Area/IMO - [redacted] or component Information Management Officer.

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CIO/IMS 0170-03
12 December 2003

MEMORANDUM FOR: Director of Central Intelligence
Deputy Director of Central Intelligence
Deputy Director of Central Intelligence
for Community Management
Executive Director
Deputy Director for Intelligence
Deputy Director for Operations
Deputy Director for Science and Technology
Director of Security
Chief Financial Officer
Chief, Global Support
Chief Human Resources Officer
Chief Information Officer
Chairman, National Intelligence Council
General Counsel
Inspector General.
Associate Director of Central Intelligence
for Military Support
Deputy Executive Director
Director of Congressional Affairs
Director of Public Affairs

(b)(3)

FROM:

[Redacted]

Director of Information Management
Services, CIO

SUBJECT:

(U) Records Responsibilities of Senior Officials
of the Central Intelligence Agency

1. (U) The National Archives and Records Administration (NARA) requires us to periodically remind all employees of certain records management responsibilities.

2. (U) Senior officials of the Agency are responsible for ensuring that adequate and proper documentation of the organization, functions, policies, decisions, procedures, activities, and essential transactions of the Agency is created and maintained, and that final disposition is handled properly, in accordance with applicable laws, regulations, and approved records control schedules.

3. (U//~~FOUO~~) Agency employees originate or receive almost every product or communiqué via computer and much of the Agency business is transacted through email, inside and outside the CIA.

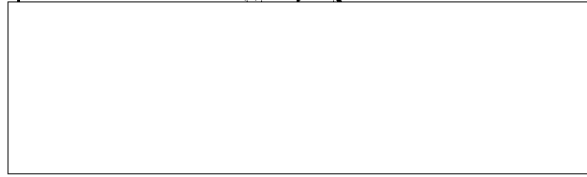
Subject: (U) Records Responsibilities of Senior Officials of
the Central Intelligence Agency

Accordingly, these records should be put into an approved record keeping system, for example, the Proactive Electronic Records Management System (PERM). Alternatively, email records may be printed and put in a paper record keeping system.

4. (U//~~FOUO~~) Each Directorate has a senior Information Management Officer (IMO) whose charge is to assist you and your staff on issues regarding records management and the appropriate classification level to apply to these records. As needed, the Directorate IMO, or one of the component IMOs in your area, can also provide handouts and/or a brief presentation about proper records management techniques. We also reminded employees of their record keeping responsibilities in a recently issued Employee Bulletin, Number 0002-03, dated 2 October 2003.

5. (U//~~FOUO~~) Please contact your Directorate IMO or the Chief, Records and Classification Management Group/IMS/CIO for any assistance that we may provide to facilitate recordkeeping in your office.

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Subject: (U) Records Responsibilities of Senior Officials of
the Central Intelligence Agency

CIO/IMS/ [redacted]

(12 Dec 03) [redacted]

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February 5, 2001

No. 835

(U//~~AFUO~~) Records Responsibilities of Employees and Managers

(U//~~AFUO~~) The National Archives and Records Administration requires us to periodically remind employees, particularly during a change in Administration, of certain records management responsibilities.

(U//~~AFUO~~) **Each employee**, regardless of rank or position, has an official responsibility to **create and maintain** the records, electronic and non- electronic, needed to document the activities of the component to which he/she is assigned. These records include cables, memoranda, e-mail, meeting minutes, instant messaging, audio and video recordings, and speeches.

(U//~~AFUO~~) **Prior to leaving the Agency**, employees should ensure that the records they have received or created are in an **approved recordkeeping system**. Duplicate copies that employees have maintained in their offices for reference purposes should be destroyed. Employees leaving the Agency are reminded that no official materials, including copies, whether or not classified, are to be removed from Agency facilities without authorization.

(U//~~AFUO~~) An employee may take information of a **purely personal nature** not associated with official Agency activities when departing CIA and public service.

(U//~~AFUO~~) If you have any questions regarding the retention of federal records, please consult with your Directorate or component Information Management Officer or Chief/Records and Classification Management Group, Office of Information Management,

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[Return to TOC] [Full Text Version]

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OPR: CIO EB NUMBER: 001-03
2 October 2003

(U) NON-TEXTUAL RECORDS PRESERVATION

(U) This Employee Bulletin is being issued to ensure that Agency officers who permit their records to be stored outside of the Agency Records Center (ARC) or another National Archives and Records Administration (NARA) approved facility are aware of their responsibilities to maintain all records in accordance with 36 CFR § 1220 – 1236.

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(U) Of particular concern is the preservation of non-textual records appraised as permanent. These media are particularly fragile and require appropriate handling and storage in order to preserve the information contained therein. Examples of these types of records include motion picture film; still photography; imagery; film strips; sound and video recordings; posters and other graphic works; and multimedia productions with related finding aids and production documentation. Other non-paper records requiring special handling include microfilm and microfiche.

(U) Specific instruction for the preservation, maintenance, and transfer of these media to the National Archives can be found in:

- 36 Code of Federal Regulations § 1228.266, Transfer of audiovisual records
- 36 Code of Federal Regulations § 1228.270, Transfer of electronic records
- 36 Code of Federal Regulations § 1232, Audiovisual records management
- 36 Code of Federal Regulations § 1234, Electronic records management
- The NARA Publication, entitled "Managing Audiovisual Records "
- Additional information can be found in ISO standards 18911, 18918, and 18920.

(U) Agency offices that store non-textual media in their areas or with another storage provider (other than the ARC) must comply with the guidance noted above. At a minimum, managers must ensure that:

- Audiovisual media records are stored in a facility where the temperature does not exceed 70 degrees Fahrenheit and relative humidity is below 50 percent. (Lower temperature and humidity levels prolong the useful life of these records.)
- Film records requiring long-term retention are of the polyester-based silver gelatin type as opposed to cellulose-acetate film, which deteriorates over time.
- Equipment intended for projection or playback of all non-textual media is in good working order.
- Permanent audiovisual records be inspected every two years for damage or deterioration.
- All photographs are placed in inert plastic sleeves. (Inert plastics and other storage materials are described in the ISO standard 18902:200)
- All media is packaged in inert plastic, non-corroding metal, or acid-free paper based containers.
- Silver gelatin originals are separated from non-silver reference copies and, if necessary, stored off-site of the customer premises.

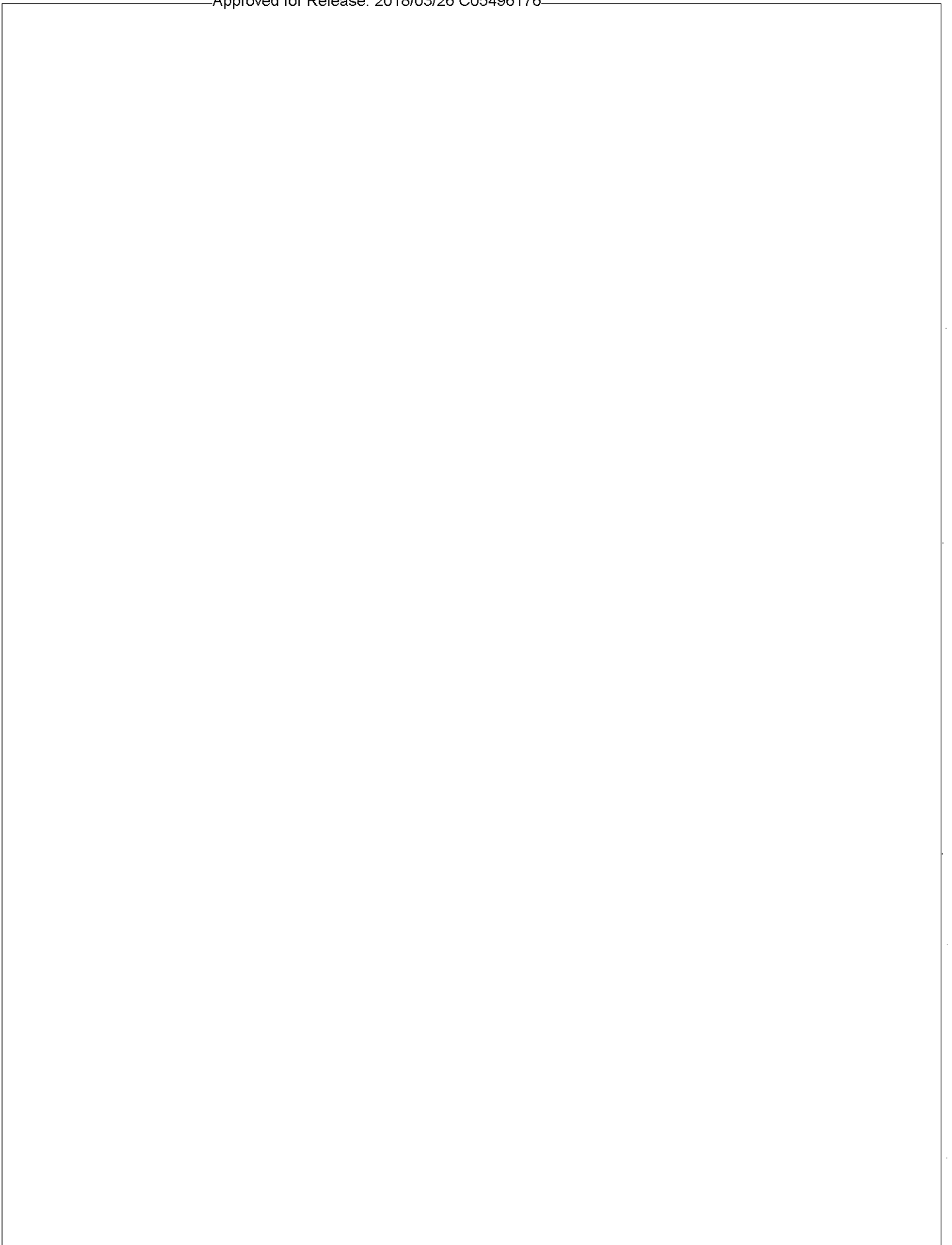
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(U) NARA has determined that the ARC meets the Federal standards to ensure that records maintained at the AARC are properly safeguarded and preserved. The ARC not only maintains a controlled environment but also periodically reviews film and other non-textual media for signs of potential deterioration.

(U//~~ATUO~~) Component managers may wish to consider using the ARC to store non-textual materials that they now maintain within their office or other facilities under their control. Questions regarding the preservation of non-textual media can be addressed to ARC personnel or to your Directorate or component Information Management Officer.

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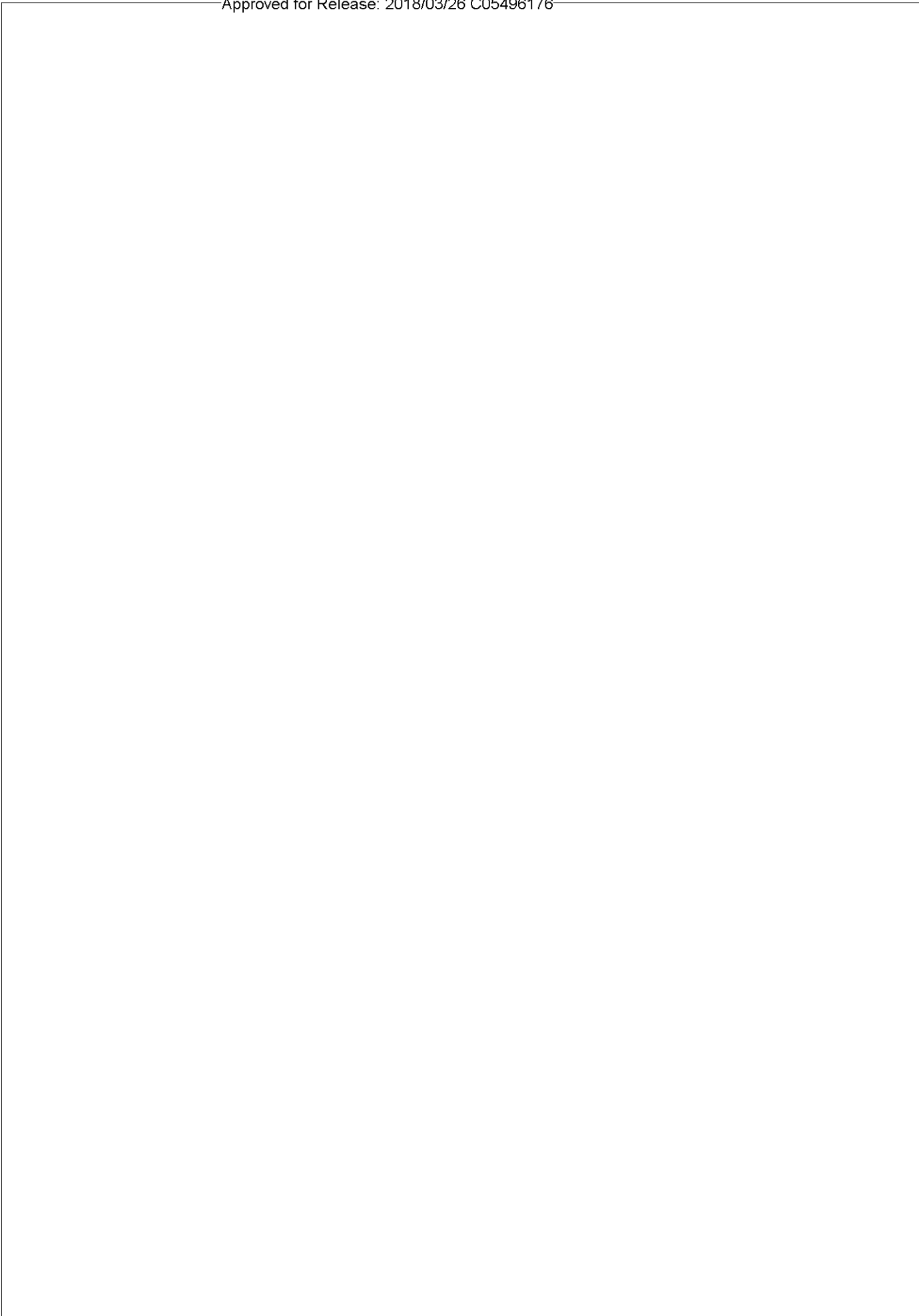
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