



Date: November 25, 2020  
To: Heads of Federal Departments and Agencies  
From: David S. Ferriero  
Archivist of the United States  
Subject: Federal Records Management During Presidential Transition

I am writing to remind you of the importance of records management in your agencies as we plan the transition to the next Presidential Administration. The Federal Records Act (FRA), at 44 U.S.C. 3101, charges agency heads with creating and preserving federal records containing adequate and proper documentation of the agency's activities so that the legal and financial rights of the Government and individuals affected by the agency's activities are protected. In times of transition, it is crucial that agency heads work with their Senior Agency Official for Records Management and Agency Records Officers to ensure that this message is communicated within the agency and that all agency officials and employees are properly briefed on their records management responsibilities. NARA has [resources](#) to help you meet your agency's legal obligations, promote effective business operations during the transition, and preserve your agency's enduring historical record.

There are several areas you should consider as you work with your records officials, legal counsel, and information technology staff to prepare for a transition.

### **Exit and Entrance Briefings**

It is important to remind all incoming and departing political appointees and agency officials of their recordkeeping responsibilities under the Federal Records Act. The records and information they created, or will create, in the course of their official duties, must remain under the management and control of the agency. By ensuring all officials are aware of their roles, responsibilities, and Federal records management requirements, agencies can ensure official actions and decisions are documented and preserved for future generations.

## **Email Management and Electronic Messaging Accounts**

Managing email and other types of electronic messages remains a high profile issue for agencies and requires continuous monitoring. As a general rule, agency officials should use official email and electronic messaging accounts to conduct agency business (see [NARA Bulletin 2015-02: Guidance on Managing Electronic Messages](#) for more information). Personal accounts, including encrypted messaging apps, should only be used in exceptional circumstances. On the rare occasions when this occurs, and Federal records are created, individuals must capture these messages in agency recordkeeping systems. If any federal employees create or receive a federal record in a personal or nonofficial email account, they must either include their official account on the "cc" line of any emails sent, or forward a complete copy to their official account within 20 days. Agencies are responsible for managing all electronic messages – including traditional SMS texts, encrypted communications, messaging applications, and direct messages on social media platforms – as Federal records. Many apps, including WhatsApp, have electronic export capabilities, which should always be utilized. Screenshots should only be used as a last resort.

## **Social Media Management**

Social media accounts created or used for official agency business must stay under the control of the agency. When an employee uses a personal social media account to communicate with the public on behalf of the agency, they may be creating Federal records that must be brought under records management control. It may be necessary for the account to become the property of the agency.

It is a best practice for employees and senior officials to create unique agency-administered accounts when they begin using social media for official purposes or when they enter Federal service. When an employee starts or stops speaking on behalf of the agency, they should indicate their change of status on the social media platform. This allows for a clear delineation between when an employee is acting in an official or personal capacity. Upon leaving government service, an employee who wishes to continue using the same social media platforms for personal reasons will need to create new social media accounts.

## **Web Records Management**

NARA guidance requires agencies to manage web sites as records, since that content generally meets the legal definition of a Federal record. NARA works with agencies to identify and schedule web records in order to preserve those records that are historically valuable and worthy of permanent retention for future generations of researchers. In many cases, websites contain databases or datasets. We remind agencies that such data, or the systems in which they reside, must be scheduled as Federal records.

This is particularly important during a transition when agencies make significant changes to their web content, such as when sites are updated to reflect changes in agency leadership or when websites undergo a significant redesign. Agencies are required to manage these records, including transferring them to NARA if they are scheduled as permanent records. These requirements and responsibilities are discussed in detail in [NARA's web guidance](#).

## **Transition Materials**

Transition materials created or received by the President-elect's Transition Team (PETT) are private materials and not Federal records. However, transition materials created and maintained by an agency are Federal records and must be managed in accordance with an approved agency records schedule. The same is true for communications between agency officials and the PETT; the agency versions are Federal records and the PETT versions are private materials.

If a PETT member is appointed to an agency position as part of the new Administration, the status of PETT materials that the individual brings to the agency may change at that time. If PETT materials are incorporated into agency files, they become records under either the FRA, for individuals working at Federal agencies, or the Presidential Records Act, for individuals working in the White House. If the PETT materials are kept separate from agency files, then they remain private materials.

## **Conclusion**

Records management takes on increased importance during transitions. The ability to capture and share knowledge is paramount to ensuring a smooth transfer of power.

Federal records protect the rights and interests of the public, hold officials accountable for their actions, and document our nation's history. The mission of both the National Archives and your agency is to protect these records and make them available to the public. Sound records management at such critical times ensures today's records will be available for future generations.

Thank you for your prompt and deliberate attention to these important requirements. If you have any questions about your agency's records management responsibilities during this transition, or would like to discuss these issues further, please contact Laurence Brewer, Chief Records Officer, at [Laurence.Brewer@nara.gov](mailto:Laurence.Brewer@nara.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read "David S. Ferriero". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

DAVID S. FERRIERO  
Archivist of the United States

cc: Senior Agency Officials for Records Management  
Agency Records Officers  
General Counsels