



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION  
8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001  
[www.archives.gov](http://www.archives.gov)

***Sent Via Email. No Hard Copy to Follow.***

March 21, 2019

Mr. Bruce Downs  
Deputy Chief Information Officer  
Acting Senior Agency Official for Records Management  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Dear Mr. Downs:

I have received the attached Congressional inquiry alleging a potential unauthorized disposition of federal records. This inquiry questions whether calendars or calendar entries of the Department of Interior's (DOI) Acting Secretary, David Bernhardt, are being deleted. The inquiry further questions whether DOI is adequately capturing and preserving information documenting the Acting Secretary's meetings in accordance with DOI's approved records schedules.

I am requesting that you investigate this matter to determine if such records are being deleted and whether meeting information is being adequately captured and preserved in accordance with the Department's records schedules. As required by 36 CFR 1230.14, please provide me with a response within 30 calendar days that documents the findings of your investigation. If you determine that an unauthorized disposition of records occurred, please include in your report a description and exact details of the circumstances surrounding the unauthorized disposition. Please also outline any actions taken to retrieve or recreate any loss of records, and provide a statement of the safeguards put into place to prevent any future occurrences of unauthorized disposition.

Upon receipt and review of this report, I would like to schedule a follow up meeting with you and the Department's Records Officer, Mr. David Alspach, to discuss the Department's recordkeeping procedures and practices referenced in the Congressional inquiry.

Sincerely,

LAURENCE BREWER  
Chief Records Officer  
for the U.S. Government

Enclosure

CC

Mr. David Alspach

U.S. Department of the Interior

Office of the Secretary

david\_alspach@ios.doi.gov



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June 13, 2019

Mr. Bruce Downs  
Deputy Chief Information Officer  
Acting Senior Agency Official for Records Management  
U.S. Department of the Interior  
1849 C Street, NW  
Washington, DC 20240

Dear Mr. Downs:

In response to a Congressional inquiry from the Committee on Oversight and Reform regarding recordkeeping practices of the Department of the Interior (DOI) and adequacy of capture, maintenance, and preservation of information documenting Secretary Bernhardt's activities and meetings in accordance with DOI's approved records schedules, the National Archives and Records Administration (NARA) requested your review of the Department's records management practices pertaining to these matters, in accordance with the Federal Records Act (44 U.S.C. 2905 and 3106) and NARA's regulation on Unlawful or Accidental Removal, Defacing, Alteration, or Destruction of Records, 36 C.F.R. Part 1230. Under this process, NARA does not conduct an investigation, but instead evaluates the reports and information that the agency provides us in response to the allegations.

Through reports, meetings with NARA, and responses to follow-up questions, the Department explained that the Secretary's support staff maintain all meetings and appointments via the Secretary's electronic calendar account, which for records management purposes, is referred to and described as the Secretary's "calendar." Additionally, support staff may also create a summary of expected activities throughout the day. This "daily card" is printed nightly for the Secretary to physically carry with him. Creation of daily cards is dependent upon availability of both support staff and the Secretary for creation and receipt, respectively, therefore gaps are expected. The Department has confirmed that every day when a daily card was created, the record has been properly preserved, and has also clarified that the Secretary does not make hand-written notes on these cards. The Secretary's calendar and daily cards are maintained as permanent records under the disposition authority for High Level Officials records, DAA-0048-2013-0008-0004. The Department stated it has retroactively captured, maintained, and preserved calendars and all of the daily cards created since August 1, 2017 (Secretary Bernhardt's first day as Deputy Secretary) to present.

To ensure future records capture, the Department is implementing a process with the Secretary's scheduling and support staff to preserve both the online calendar and daily cards on a monthly basis in the Department's electronic recordkeeping system. Once stored in this system, a permanent records schedule indicator is added to the records to prevent any unauthorized destruction.

To help promote transparency, the Department recently established a new process to align archiving of calendars and daily cards with their publication for Freedom of Information Act and other purposes. The Department provided NARA a sample file of a daily card from September of 2017. The Department has the same documentation for every month in 2017 and 2018. In addition, all the remaining daily cards, including those for 2019, are available upon request and, when appropriate, posted on the Department's website in the Office of the Secretary FOIA reading room.

The Department also requires annual records management training for all new employees that includes briefings for all political appointees pertaining to their legal obligations for managing records.

The Department is currently readying for transition from a Google platform to the Microsoft Office 365 platform. The Department has assured NARA that the migration will retain delegations and permissions for Gmail mailboxes, calendars, contacts, folders, and tasks. Google Drive data will migrate to OneDrive while maintaining versioning, full fidelity, and metadata. File formats will be automatically converted to available Office 365 formats. Non-native files such as PDF will be migrated as well. All data will migrate without any change to the source structure or permissions.

As part of the migration strategy, the Department will direct bureaus and offices to validate that all records have been migrated and document their compliance. All Gmail accounts that are subject to litigation holds defined by the Solicitor's office will be retained and migrated to Office 365.

Based on our meeting with Department records management officials and our review of your report and responses to follow-up questions concerning the recordkeeping and records management practices pertaining to the Secretary and senior-level officials, we have found no basis to believe that there has been an unauthorized destruction of federal records. As a result of the information NARA has obtained and reviewed, we will close out our action on this case.

Sincerely,

A handwritten signature in blue ink that reads "Laurence V. Brewer". The signature is written in a cursive style with a large initial "L".

LAURENCE BREWER  
Chief Records Officer  
for the U.S. Government