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APR 6 2016

CHIEF INFORMATION OFFICER

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
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SUBJECT: Use of Non-Official Electronic Messaging Accounts and Records Management

This memorandum provides clarifying guidance with respect to existing DoD records management policies set forth in DoD Instruction 5015.02, "Records Management Program," dated February 24, 2015, and DoD Instruction 8550.01, "DoD Internet Services and Internet-Based Capabilities," dated September 11, 2012. The guidance and updates reflected in this memorandum reflect developments in electronic messaging technology, and ensure the Department's guidance is clear, practicable, and consistent with recent changes to the Federal Records Act. In addition, because these policies are managed and implemented by DoD Components, each Component must ensure the guidance and updates reflected in this memorandum are implemented within their Component in a manner appropriate to their mission needs.

Under the Federal Records Act and its implementing regulations, records include all recorded information, regardless of form or characteristics, made or received in connection with the transaction of public business that contains information that is appropriate for preservation as evidence of government organization, functions, policies, decisions, procedures, operations, or other activities, or that includes information of value to the agency. Recent amendments to the Federal Records Act make clear records may be transmitted through any account that sends electronic messages, including but not limited to e-mail, social media, and text messaging.

The National Archives and Records Administration (NARA) recognizes, consistent with the Federal Records Act, there may be times when agency personnel (e.g., civilian employees, military members, support contractors) need to use non-official electronic messaging accounts to conduct official business. In accordance with DoDI 8550.01, DoD policy is that non-official electronic messaging accounts shall not be used to conduct official DoD communication barring the absence of official communication channels or when other appropriate circumstances exist.

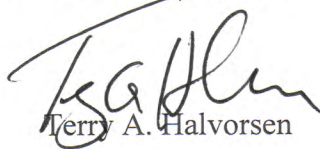
While DoD expects circumstances requiring the use of non-official electronic messaging accounts to conduct official business will not be routine, DoD recognizes there are circumstances that may warrant use of non-official electronic messaging accounts, including:

- When official messaging accounts are not available and mission requirements require use of a non-official messaging account to communicate;
- When technological difficulties render use of available official messaging accounts impractical or unreliable and a non-official messaging account is the only reliable way to communicate;
- When participating in activities such as professional networking, development, and collaboration related to, but not directly associated with, official mission activities;
- When use of an official messaging account would substantially delay or hinder the transmission of purely administrative communications, or would otherwise be inconsistent with the individual's ability to conduct his or her work efficiently;
- When the appropriate supervisor or commanding officer has authorized use of a non-official messaging account; or
- When approved by component heads for authorized users to engage in public communication related to assigned duties, such as recruiting, public affairs functions, or other purposes determined necessary in the interest of the Federal government.

In the event circumstances exist that would warrant the use of a non-official electronic messaging account, DoD personnel must never transmit classified information on that account, and should use good judgment regarding the transmission of other potentially sensitive information.

Any use of a non-official electronic messaging account to conduct official business must also comply with changes to the Federal Records Act enacted in November 2014 (Public Law 113-187). To comply with current law, DoD personnel may not create or send a "record" using a non-official electronic messaging account unless the employee or military member (1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record, or (2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record. The DoD CIO will update DoD records management policies to reflect these amendments to the Federal Records Act and related NARA guidance on records management.

My point of contact for this action is Patti Benner (patricia.l.benner4.civ@mail.mil).


Terry A. Halvorsen