

Message

From:

(b)(6), (b)(7)(C)

Sent:

4/5/2022 7:43:16 PM

To:

(b)(6), (b)(7)(C)

Subject: Secure Messaging App - Update

Attachments: 121321 Mobile Messaging Communication.docx; 040422 v1 status - Attach1_UD-2022-0001_Report_211207final-CGW Updates.docx

Importance: High

Hi everyone,

Please review the attached (yellow highlights) as we prepare an update to send to the DHS CIO on our current status.

If you were not aware, NBC News caught wind of our OIG audit finding as well as the NARA inquiry, and published a report that called out the DHS CIO by name, due to the fact the NARA letter was addressed specifically to him and not CBP. As a result, he is wanting a current status on our efforts.

Please respond soonest as DAC (b)(6), (b)(7)(C) is trying to get this response out ASAP, and hopefully later today/this evening if possible.

040422 file – that is the response to review.

121321 – that is referenced the 040422 response...and attached just in case (no review necessary on this, it's already been sent).

Thanks.

(b)(6), (b)(7)(C)

Executive Director
Enterprise Infrastructure and Operations Directorate (EIOD)
Office of Information and Technology (OIT)
U.S. Customs and Border Protection
Department of Homeland Security

(b)(6), (b)(7)(C) (cell)

(b)(6), (b)(7)(C)

To schedule an appointment, please contact (b)(6), (b)(7)(C)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

1/25/2022 5:07:39 PM

To:

(b)(6), (b)(7)(C)

Subject:

Review Messaging App Directive

Attachments:

Secure Messaging Apps Directive_20220113_for review (RIM preliminary).docx

Location:

Microsoft Teams Meeting

Start:

1/25/2022 6:00:00 PM

End:

1/25/2022 6:45:00 PM

Show Time As:

Tentative

Required

(b)(6), (b)(7)(C)

Attendees:

Attached with **GREEN** comments is my very initial set of comments and observations for expansion during our discussion

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

4/15/2022 3:32:09 PM

To:

(b)(6), (b)(7)(C)

Subject:

Review (b)(5) s on messaging memo from AC

Attachments:

RE: Requesting (by 4/7/22) (b)(5) of communication regarding use of Wickr and WhatsApp

Location:

Microsoft Teams Meeting

Start:

4/18/2022 3:00:00 PM

End:

4/18/2022 4:00:00 PM

Show Time As:

Tentative

Required

(b)(6), (b)(7)(C)

Attendees:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID:

(b)(6), (b)(7)(C)

[Find a local number](#) |

[Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

9/30/2021 2:31:23 PM

To:

(b)(6), (b)(7)(C)

Subject:

wickr FOIA continued

Location:

Microsoft Teams Meeting

Start:

9/30/2021 4:00:00 PM

End:

9/30/2021 4:30:00 PM

Show Time As:

Tentative

Required

(b)(6), (b)(7)(C)

Attendees:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID:

(b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From: (b)(6), (b)(7)(C)

Sent: 10/26/2021 8:23:49 PM

To: (b)(6), (b)(7)(C)

CC: (b)(6), (b)(7)(C)

Subject: Allegation of Unauthorized Disposition

Attachments: 2021-10-26_UD-2022-0001_DHS-CBP_Open Letter-1301-1b.pdf

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. If you feel this is a suspicious-looking email, please report by using the Report Phish button option.

Good afternoon (b)(6), (b)(7)(C)

Please see the attached letter from Laurence Brewer Chief Records Officer for the US Government regarding CBP's planned deployment of WICKR and the information that we received in the OIG report, "CBP Targeted americans with the 2018-2019 Migrant Caravan" regarding the use of WhatsApp.

I will be NARA's point of contact for this matter. Please respond to me within 30 calendar days with the information that NARA requested in the letter. Please let me know if you have any questions.

Thank you,

(b)(6), (b)(7)(C)

Records Management Oversight and Reporting

College Park, MD 20740

Office: (b)(6), (b)(7)(C)

Mobile: (b)(6), (b)(7)(C)

Appointment

From: (b)(6), (b)(7)(C)

Sent: 10/27/2021 2:19:47 PM

To: (b)(6), (b)(7)(C)

Subject: Discuss CBP RIM Action Plan to address NARA letter

Location: Microsoft Teams Meeting

Start: 10/27/2021 5:30:00 PM

End: 10/27/2021 6:30:00 PM

Show Time As: Tentative

Required Attendees: (b)(6), (b)(7)(C)

Instructions from AC this morning to (b)(6), (b)(7)(C) and OIT CoS:
FYSA and ACTION – Please send to all OIT XDs, CTO and Division Directors through your Taskings process

Dawn

- You have lead action to respond from records management (b)(6), (b)(7)(C)
- Please work with XD (b)(6), (b)(7)(C) and Team, who are developing an overall WhatsApp/Wickr solution as an interim state (may include a grandfather clause for a while) and final transition state. This memo should be sent to the parties affected in CBP and should include RIM considerations. [ENTSD]
- The rest of the Apps for Records Management should be tracked with XDs (b)(6), (b)(7)(C) XDs]
- It should also be briefed at OIT staff and ITGC as a news/action item underway. [CTO]

(b)(6), (b)(7)(C) read through the audit report and noted the following keywords that may have records management implications: here is the link to the audit report: [OIG-21-62 - CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan \(dhs.gov\)](#)

- Keywords:
 - interviews
 - lookouts
 - communications via email
 - communications via WhatsApp
 - documents within emails or WhatsApp
 - TECS
- page 30-31 reference to records and CBP Records Handbook
- Page 33 – 6 Recommendations
 - #6 is about WhatsApp
- Page 36 - CBP/OIT Response

Stopped on page 37 (Appendix A)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/15/2021 1:53:33 PM

To:

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

cc:

(b)(6), (b)(7)(C)

Subject: Messaging Apps Policy Working Group *NEW TIME*

Attachments: FW: Messaging Apps Policy Working Group; Untitled Attachment; Untitled Attachment; Untitled Attachment; Untitled Attachment; Untitled Attachment

Location: Microsoft Teams Meeting

Start: 4/20/2022 6:00:00 PM

End: 4/20/2022 7:00:00 PM

Show Time As: Busy

Recurrence: Weekly

Occurs on Wednesday every other week from 2:00 PM to 3:00 PM effective 4/20/2022 until 8/17/2022. (UTC-05:00) Eastern Time (US & Canada)

Required Attendees:

(b)(6), (b)(7)(C)

Optional Attendees:

MOVING TIME TO ACCOMODATE DATA STRATEGY WG

All,

Following CBP's acquisition of secure messaging services through the award of a contract with Wickr, the Privacy Division will be leading an effort to develop both Privacy Compliance Documentation [Privacy Threshold Analysis (PTA) & Privacy Impact Assessment (PIA)] and a Secure Messaging Platform Policy. I will provide an outline of the PTA and PIA process as well as provide a timeline for completion.

The Privacy Division is requesting all representatives of all operational and support offices involved in the use of Wickr or other secure messaging services come prepared to discuss their offices usage of these tools. In addition, working group members should be prepared to provide their thoughts about potential policy bounds that may be necessary around the usage of the messaging Apps.

Following the meeting, I will send out meeting minutes with due outs as well as a invite for the next meeting. Please forward this invite to anyone you think I may have missed. If you would like to be removed from future messages related to this group, please let me know.

Regards,

(b)(6), (b)(7)(C)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

To:

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

CC:

(b)(6), (b)(7)(C)

Subject: FW: Messaging Apps Policy Working Group

Start: 11/17/2021 6:30:00 PM

End: 11/17/2021 7:30:00 PM

Recurrence: (none)

Required

Attendees:

(b)(6), (b)(7)(C)

**Optional
Attendees:**

-----Original Appointment-----

From: (b)(6), (b)(7)(C)

Sent: Monday, October 18, 2021 12:04 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: Messaging Apps Policy Working Group

When: Wednesday, November 17, 2021 1:30 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

All,

Following CBP's acquisition of secure messaging services through the award of a contract with Wickr, the Privacy Division will be leading an effort to develop both Privacy Compliance Documentation [Privacy Threshold Analysis (PTA) & Privacy Impact Assessment (PIA)] and a Secure Messaging Platform Policy. I will provide an outline of the PTA and PIA process as well as provide a timeline for completion.

The Privacy Division is requesting all representatives of all operational and support offices involved in the use of Wickr or other secure messaging services come prepared to discuss their offices usage of these tools. In addition, working group members should be prepared to provide their thoughts about potential policy bounds that may be necessary around the usage of the messaging Apps.

Following the meeting, I will send out meeting minutes with due outs as well as a invite for the next meeting. Please forward this invite to anyone you think I may have missed. If you would like to be removed from future messages related to this group, please let me know.

Regards,

(b)(6), (b)(7)(C)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

9/30/2021 2:31:22 PM

To:

(b)(6), (b)(7)(C)

Subject:

wickr FOIA continued

Location:

Microsoft Teams Meeting

Start:

9/30/2021 4:00:00 PM

End:

9/30/2021 4:30:00 PM

Show Time As: Busy

Required

(b)(6), (b)(7)(C)

Attendees:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

10/27/2021 2:19:46 PM

To:

(b)(6), (b)(7)(C)

Subject:

Discuss CBP RIM Action Plan to address NARA letter

Location:

Microsoft Teams Meeting

Start:

10/27/2021 6:00:00 PM

End:

10/27/2021 7:00:00 PM

Show Time As: Busy

Required

(b)(6), (b)(7)(C)

Attendees:

Instructions from AC this morning to (b)(6), (b)(7)(C) and OIT CoS:

FYSA and ACTION – Please send to all OIT XDs, CTO and Division Directors through your Taskings process

(b)(6), (b)(7)(C)

- You have lead action to respond from records management (b)(6), (b)(7)(C)
- Please work with XD (b)(6), (b)(7)(C) and Team, who are developing an overall WhatsApp//Wickr solution as an interim state (may include a grandfather clause for a while) and final transition state. This memo should be sent to the parties affected in CBP and should include RIM considerations. [ENTSD]
- The rest of the Apps for Records Management should be tracked with XDs (b)(6), (b)(7)(C) + XDs]
- It should also be briefed at OIT staff and ITGC as a news/action item underway. [CTO]

Liz read through the audit report and noted the following keywords that may have records management implications: here is the link to the audit report: [OIG-21-62 - CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan \(dhs.gov\)](#)

- Keywords:
 - interviews
 - lookouts
 - communications via email
 - communications via WhatsApp
 - documents within emails or WhatsApp
 - TECS
- page 30-31 reference to records and CBP Records Handbook
- Page 33 – 6 Recommendations
 - #6 is about WhatsApp
- Page 36 - CBP/OIT Response

Stopped on page 37 (Appendix A)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/15/2021 2:11:54 PM

To:

(b)(6), (b)(7)(C)

Subject:

NARA Letter Check-in

Attachments:

RE: best time today for NARA Letter check-in Meeting?

Location:

Microsoft Teams Meeting

Start:

11/15/2021 4:30:00 PM

End:

11/15/2021 5:00:00 PM

Show Time As: Busy

Required

(b)(6), (b)(7)(C)

Attendees:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From:

(b)(6), (b)(7)(C)

Sent:

11/15/2021 2:00:10 PM

To:

CC:

(b)(6), (b)(7)(C)

Subject:

RE: best time today for NARA Letter check-in Meeting?

Hit send too quick.

Topics:

1. Inserting RIM language in the training deck that NLECC created and XD (b)(6), (b)(7)(C) said he would push for distribution and use. Who will own this training?
2. Inserting RIM language in the instructions / process for requesting and approval for use of Wickr and/or WhatsApp. – SOC? AirWatch team?
3. Integration into Messaging IPT meeting and agenda topics
 - a. RIM language into policy
 - b. RIM retention capability into solution
 - c. ?? is it one size fits all or will each messaging app need to have separate and distinct retention policy based on 'use'?

(b)(6), (b)(7)(C) CBP Chief Records Officer

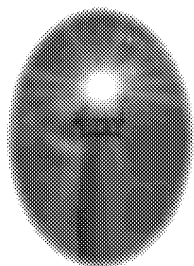
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



From: (b)(6), (b)(7)(C)

Sent: Monday, November 15, 2021 8:56 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: best time today for NARA Letter check-in Meeting?

(b)(6), (b)(7)(C) CBP Chief Records Officer

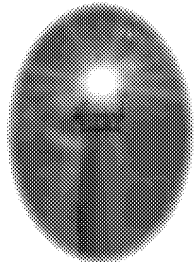
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



Appointment

From:

(b)(6), (b)(7)(C)

Sent:

10/27/2021 3:22:30 PM

To:

(b)(6), (b)(7)(C)

Subject:

Discuss CBP RIM Action Plan to address NARA letter

Location:

Microsoft Teams Meeting

Start:

10/27/2021 6:00:00 PM

End:

10/27/2021 7:00:00 PM

Show Time As: Tentative

Required

(b)(6), (b)(7)(C)

Attendees:

Instructions from AC this morning to (b)(6), (b)(7)(C) and OIT CoS:

FYSA and ACTION – Please send to all OIT XDs, CTO and Division Directors through your Taskings process

(b)(6), (b)(7)(C)

- You have lead action to respond from records management (b)(6), (b)(7)(C)
- Please work with XD (b)(6), (b)(7)(C) and Team, who are developing an overall WhatsApp/Wickr solution as an interim state (may include a grandfather clause for a while) and final transition state. This memo should be sent to the parties affected in CBP and should include RIM considerations. [ENTSD]
- The rest of the Apps for Records Management should be tracked with XDs (b)(6), (b)(7)(C) + XDs]
- It should also be briefed at OIT staff and ITGC as a news/action item underway. [CTO]

Liz read through the audit report and noted the following keywords that may have records management implications: here is the link to the audit report: [OIG-21-62 - CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan \(dhs.gov\)](#)

- Keywords:
 - interviews
 - lookouts
 - communications via email
 - communications via WhatsApp
 - documents within emails or WhatsApp
 - TECS
- page 30-31 reference to records and CBP Records Handbook
- Page 33 – 6 Recommendations
 - #6 is about WhatsApp
- Page 36 - CBP/OIT Response

Stopped on page 37 (Appendix A)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From:

(b)(6), (b)(7)(C)

Sent:

11/2/2021 12:52:42 AM

To:

CC:

(b)(6), (b)(7)(C)

Subject:

RE: CBP Response due Re: NARA Unauthorized Destruction Letter tied to OIG Audit - short suspense

Good evening (b)(6), (b)(7)(C)

I hope you and the family are healthy and safe!

The Office of Field Operations, Admissibility and Passenger Programs Directorate, Traveler Entry Programs' subject matter expert, Director (b)(6), (b)(7)(C) is available tomorrow at 0915 hours. Will that time be doable?

(b)(6), (b)(7)(C)

Director, Quality Assurance Enterprise Division
Planning, Program Analysis & Evaluation
Office of Field Operations
U.S. Customs & Border Protection
1300 Pennsylvania Avenue
Room 5.5A-4
Washington, DC 20229

Cell: (b)(6), (b)(7)(C)

UnClass: (b)(6), (b)(7)(C)

HSDN: (b)(6), (b)(7)(C)

QAED Motto – "Trust but Verify"



U.S. Customs and
Border Protection

This document and any attachment(s) may contain restricted, sensitive, and/or law enforcement-sensitive information belonging to the U.S. Government. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient.

From:

(b)(6), (b)(7)(C)

Sent: Monday, November 1, 2021 2:35 PM

To: OFO AUDITS:

(b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc:

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

CBPRECORDSMANAGEMENT

(b)(7)(E)

Subject: CBP Response due Re: NARA Unauthorized Destruction Letter tied to OIG Audit - short suspense

Good afternoon

CBP RIM is seeking assistance from OFO in responding to a NARA Letter regarding the use of WhatsApp and Wickr and possible unauthorized destruction of records.

Laurence Brewer Chief Records Officer for the US Government sent a letter (*see attached*) to (b)(6), (b)(7)(C) Chief Information Officer (CIO), DHS Senior Agency Official for Records Management (SAORM), and (b)(6), (b)(7)(C) CBP Chief Records Officer (CRO), regarding CBP's planned deployment of Wickr and information that NARA received in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan" (link to the report: [OIG-21-62 - CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan \(dhs.gov\)](#)) regarding the use of WhatsApp and possible unauthorized destruction of records.

Request:

With input from OFO and other CBP Offices, CBP RIM is compiling the DHS/CBP response to the NARA letter. We were given your names as **POCs for OFO** by the *OIT Audit & Assessment Management Branch (OIT-AAMB)*, (b)(6), (b)(7)(C) *Branch Chief*. Per the information below, CBP RIM is seeking your assistance to (1) provide input to address the NARA Letter to include unauthorized destruction and (2) provide specific information related to the use of and retention practices for records created by WhatsApp and Wickr. We are also seeking to talk with the OFO POCs that participated in the OIG audit interviews and/or are working on remediation responses to the six recommendations that OIG cited in their report.

CBP has been given a short suspense for responding to the NARA Letter. Are you (or the appropriate POCs / SMEs) available to meet for approximately 1 hour during any of the following times:

Tuesday – 11/2/21 9am – 10am ~or~ 12:00 – 2:30pm
Wednesday – 11/3/21 10am – 11:30 ~or~ 2pm – 4pm

Background:

The National Archives and Records Administration (NARA) indicated in their letter that they became aware, through multiple media reports and the recent Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan," that CBP has been using the messaging software WhatsApp and is deploying the encrypted messaging application Wickr across all components of the agency.

*** NARA instructed DHS/CBP to provide a response that addresses the following (as contained in the attached letter):

1. Ensure that Records Management regulations are being adhered to
2. Ensure that the CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies
3. Ensure that CBP is communicating to all employees that they cannot use these applications to circumvent their records management responsibilities and that all employees are aware that they must be retaining all messages that are federal records in accordance with agency policy and all applicable NARA-approved records schedules
4. The final response from CBP must include:
 - a. a complete description of the records with volume and dates if known
 - b. a description of the office maintaining the records

- c. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records
 - d. a statement of the safeguards established to prevent further loss of documentation
 - e. details of the actions taken to salvage, retrieve, or reconstruct the records
5. DHS/CBP's response must also include Records Management corrective actions that CBP will be required to implement as a result of the OIG investigation
 6. Additionally, the response must include any documentation in the form of policies, training, approved records schedules or other resources CBP has established to mitigate the records management risk associated with the improper use of Wickr, WhatsApp, or similar messaging applications.

Key NARA Letter citations from OIG report:

Further, the OIG report states that there are "instances of CBP officers not documenting information they obtained during caravan-related inspections" (page 12); that CBP officials did not retain communication records (page 17); and that "the CBP officials failure to retain *WhatsApp* messages likely violated DHS and CBP records retention policies because the messages were information that CBP created or received in carrying out its mission and contained substantive information that was necessary to adequately and properly document the activities and functions of the CBP officials" (page 28). This violation of policy resulted in what NARA identified as *unauthorized destruction* of records caused by use of WhatsApp and Wickr.

The OIG identified the following 6 **Recommendations** within their audit report:

Recommendation 1: Update Customs Directive No. 4320-003, July 1990 (TECS Directive) to clarify the appropriate bases for placing lookouts and provide training to all CBP officials who have the authority to place lookouts.

CBP Response to Recommendation 1: Concur. CBP will update lookout placement procedures in the TECS Directive. Additionally, CBP will modify existing training to inform users that lookouts should only be created for law enforcement purposes. CBP expects to complete these actions by December 31, 2021.

Recommendation 2: Develop and implement procedures to ensure CBP officials update and remove lookouts in accordance with the TECS Directive.

CBP Response to Recommendation 2: Concur. CBP will update lookout placement procedures in the TECS Directive. In addition, CBP will issue a memorandum and muster to remind CBP officers of their responsibilities to remove and update lookouts in accordance with policy. CBP expects to complete these actions by December 31, 2021.

Recommendation 3: Develop and issue a policy regarding asking, advising, or otherwise communicating with foreign governments about denying entry to U.S. citizens. At a minimum, the policy should specify the appropriate circumstances for such communications, who is authorized to approve such communications, and the procedures to follow when making such communications.

CBP Response to Recommendation 3: Concur. CBP will revise Directive No. 4320-025A, "Disclosure of Official Information to Foreign Authorities," dated April 2014, by adding a provision on sharing U.S. persons' information with foreign governments. CBP component offices will collaborate to revise and issue the policy. CBP expects to complete these actions by July 29, 2022.

Recommendation 4: Conduct a review of all instances in which CBP, as part of its response to the migrant caravan, disclosed U.S. citizens' Sensitive Personally Identifiable Information to Mexican officials, between October 2018 and March 2019, to identify any instances that did not comply with foreign disclosure requirements and take remedial actions. Remedial actions may include rescinding requests to deny entry to U.S. citizens, retroactively instructing foreign authorities to hold CBP information in confidence and use CBP information only for the purpose for which CBP provided it, ensuring disclosures are properly documented in CBP's systems of records, and any other steps necessary to ensure that all foreign disclosures comply with *CBP*

Directive No. 4320-025A, Disclosure of Official Information to Foreign Authorities, DHS Sensitive Systems Policy Directive 4300A, DHS Handbook for Safeguarding Sensitive Personally Identifiable Information, and all other applicable policies and procedures.

CBP Response to Recommendation 4: Concur. CBP will identify and review disclosures of U.S. citizens' Personally Identifiable Information to Mexican officials that occurred as part of its response to the migrant caravans between October 2018 and March 2019, to ensure compliance with foreign disclosure requirements (specifically established policies and delegations of authority). To the extent remedial actions are required, CBP will remediate each noncompliant disclosure. CBP expects to complete these actions by March 31, 2022.

Recommendation 5: Provide training to all CBP personnel on the process for sharing information with foreign nations, covering all applicable policies and procedures, including which CBP personnel are authorized to make foreign disclosures.

CBP Response to Recommendation 5: Concur. CBP's Privacy and Diversity Office, in coordination with various CBP components, will identify individuals and work units that regularly disclose PII to foreign partners, and will provide virtual training regarding all applicable policies and procedures by March 31, 2022. The Privacy and Diversity Office, in coordination with the Office of Training and Development, will also develop a new course focused on domestic and foreign information sharing in the DHS Performance and Learning Management System. CBP expects to complete these actions by December 30, 2022.

Recommendation 6: Take immediate action to end the use of WhatsApp for operational purposes or to ensure that WhatsApp messages are retained in compliance with legal and policy requirements including records retention schedules.

CBP Response to Recommendation 6: Concur. CBP's Office of Information and Technology will explore the viability of the continued operational use of WhatsApp, which will include looking for a replacement. Office of Information and Technology is currently piloting a managed messaging platform to replace WhatsApp. CBP is currently working on an operational pilot. CBP expects to complete these actions by December 31, 2021.

Please don't hesitate to let me know if you have any questions related to this request.

Thank you,

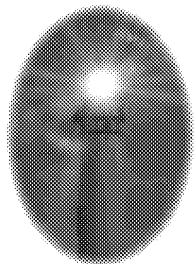
(b)(6), (b)(7)(C) | CBP Chief Records Officer
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



Message

From: USBP-AUDIT-TEAM (b)(7)(E)
(b)(7)(E)
Sent: 11/1/2021 8:16:01 PM
To: (b)(6), (b)(7)(C)
CC: USBP-AUDIT-TEAM (b)(7)(E)
(b)(7)(E)
Subject: RE: CBP Response due Re: NARA Unauthorized Destruction Letter tied to OIG Audit - short suspense
Flag: Follow up

Good afternoon (b)(6), (b)(7)(C)

The USBP SME would be (b)(6), (b)(7)(C) and he is available Wednesday starting at 10am. Of course, USBP Audit Liaison Team would attend the meeting as well, whenever you are able to schedule it.

If you have any further questions, please let me know.

Thank you!

(b)(6), (b)(7)(C)
Assistant Chief
Policy and Compliance Division
Strategic Planning and Analysis Directorate (SPAD)
U.S. Border Patrol Headquarters

(b)(6), (b)(7)(C)
Audit Group Mailbox (b)(7)(E)

From: (b)(6), (b)(7)(C)
Sent: Monday, November 1, 2021 2:29 PM
To: USBP-AUDIT-TEAM (b)(7)(E) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: CBP Response due Re: NARA Unauthorized Destruction Letter tied to OIG Audit - short suspense

Good afternoon,
CBP RIM is seeking assistance from USBP in responding to a NARA Letter regarding the use of WhatsApp and Wickr and possible unauthorized destruction of records.

(b)(6), (b)(7)(C) Chief Records Officer for the US Government sent a letter (*see attached*) to Eric Hysen Chief Information Officer (CIO), DHS Senior Agency Official for Records Management (SAORM), and Dawn Watts CBP Chief Records Officer (CRO), regarding CBP's planned deployment of Wickr and information that NARA received in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan" (link to the report: [OIG-21-62 - CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan \(dhs.gov\)](https://www.dhs.gov/oig-21-62-cbp-targeted-americans-associated-with-the-2018-2019-migrant-caravan)) regarding the use of WhatsApp and possible unauthorized destruction of records.

Request:

With input from USBP and other CBP Offices, CBP RIM is compiling the DHS/CBP response to the NARA letter. We were given your names as **POCs for USBP** by the *OIT Audit & Assessment Management Branch (OIT-AAMB)*, *Judy Wright Branch Chief*. Per the information below, CBP RIM is seeking your assistance to (1) provide input to address the NARA Letter to include unauthorized destruction and (2) provide specific information related to the use of and retention practices for records created by WhatsApp and Wickr. We are also seeking to talk with the USBP POCs that participated in the OIG audit interviews and/or are working on remediation responses to the six recommendations that OIG cited in their report.

CBP has been given a short suspense for responding to the NARA Letter. Are you (or the appropriate POCs / SMEs) available to meet for approximately 1 hour during any of the following times:

Tuesday – 11/2/21 9am – 10am ~or~ 12:00 – 2:30pm

Wednesday – 11/3/21 10am – 11:30 ~or~ 2pm – 4pm

Background:

The National Archives and Records Administration (NARA) indicated in their letter that they became aware, through multiple media reports and the recent Office of Inspector General (OIG) report, “CBP Targeted Americans with the 2018-2019 Migrant Caravan,” that CBP has been using the messaging software WhatsApp and is deploying the encrypted messaging application Wickr across all components of the agency.

*** NARA instructed DHS/CBP to provide a response that addresses the following (as contained in the attached letter):

1. Ensure that Records Management regulations are being adhered to
2. Ensure that the CBP is regulating the use of these messaging applications consistent with NARA’s and the Department’s records management policies
3. Ensure that CBP is communicating to all employees that they cannot use these applications to circumvent their records management responsibilities and that all employees are aware that they must be retaining all messages that are federal records in accordance with agency policy and all applicable NARA-approved records schedules
4. The final response from CBP must include:
 - a. a complete description of the records with volume and dates if known
 - b. a description of the office maintaining the records
 - c. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records
 - d. a statement of the safeguards established to prevent further loss of documentation
 - e. details of the actions taken to salvage, retrieve, or reconstruct the records
5. DHS/CBP’s response must also include Records Management corrective actions that CBP will be required to implement as a result of the OIG investigation
6. Additionally, the response must include any documentation in the form of policies, training, approved records schedules or other resources CBP has established to mitigate the records management risk associated with the improper use of Wickr, WhatsApp, or similar messaging applications.

Key NARA Letter citations from OIG report:

Further, the OIG report states that there are “instances of CBP officers not documenting information they obtained during caravan-related inspections” (page 12); that CBP officials did not retain communication records (page 17); and that “the CBP officials failure to retain *WhatsApp* messages likely violated DHS and CBP records retention policies because the messages were information that CBP created or received in carrying out its mission and contained substantive information that was necessary to adequately and properly document

the activities and functions of the CBP officials” (page 28). This violation of policy resulted in what NARA identified as *unauthorized destruction* of records caused by use of WhatsApp and Wickr.

The OIG identified the following 6 **Recommendations** within their audit report:

Recommendation 1: Update Customs Directive No. 4320-003, July 1990 (TECS Directive) to clarify the appropriate bases for placing lookouts and provide training to all CBP officials who have the authority to place lookouts.

CBP Response to Recommendation 1: Concur. CBP will update lookout placement procedures in the TECS Directive. Additionally, CBP will modify existing training to inform users that lookouts should only be created for law enforcement purposes. CBP expects to complete these actions by December 31, 2021.

Recommendation 2: Develop and implement procedures to ensure CBP officials update and remove lookouts in accordance with the TECS Directive.

CBP Response to Recommendation 2: Concur. CBP will update lookout placement procedures in the TECS Directive. In addition, CBP will issue a memorandum and muster to remind CBP officers of their responsibilities to remove and update lookouts in accordance with policy. CBP expects to complete these actions by December 31, 2021.

Recommendation 3: Develop and issue a policy regarding asking, advising, or otherwise communicating with foreign governments about denying entry to U.S. citizens. At a minimum, the policy should specify the appropriate circumstances for such communications, who is authorized to approve such communications, and the procedures to follow when making such communications.

CBP Response to Recommendation 3: Concur. CBP will revise Directive No. 4320-025A, “Disclosure of Official Information to Foreign Authorities,” dated April 2014, by adding a provision on sharing U.S. persons’ information with foreign governments. CBP component offices will collaborate to revise and issue the policy. CBP expects to complete these actions by July 29, 2022.

Recommendation 4: Conduct a review of all instances in which CBP, as part of its response to the migrant caravan, disclosed U.S. citizens’ Sensitive Personally Identifiable Information to Mexican officials, between October 2018 and March 2019, to identify any instances that did not comply with foreign disclosure requirements and take remedial actions. Remedial actions may include rescinding requests to deny entry to U.S. citizens, retroactively instructing foreign authorities to hold CBP information in confidence and use CBP information only for the purpose for which CBP provided it, ensuring disclosures are properly documented in CBP’s systems of records, and any other steps necessary to ensure that all foreign disclosures comply with *CBP Directive No. 4320-025A, Disclosure of Official Information to Foreign Authorities, DHS Sensitive Systems Policy Directive 4300A, DHS Handbook for Safeguarding Sensitive Personally Identifiable Information*, and all other applicable policies and procedures.

CBP Response to Recommendation 4: Concur. CBP will identify and review disclosures of U.S. citizens’ Personally Identifiable Information to Mexican officials that occurred as part of its response to the migrant caravans between October 2018 and March 2019, to ensure compliance with foreign disclosure requirements (specifically established policies and delegations of authority). To the extent remedial actions are required, CBP will remediate each noncompliant disclosure. CBP expects to complete these actions by March 31, 2022.

Recommendation 5: Provide training to all CBP personnel on the process for sharing information with foreign nations, covering all applicable policies and procedures, including which CBP personnel are authorized to make foreign disclosures.

CBP Response to Recommendation 5: Concur. CBP’s Privacy and Diversity Office, in coordination with various CBP components, will identify individuals and work units that regularly disclose PII to foreign partners, and will provide virtual training regarding all applicable policies and procedures by March 31, 2022. The Privacy and Diversity Office, in coordination with the Office of Training and Development, will also develop a

new course focused on domestic and foreign information sharing in the DHS Performance and Learning Management System. CBP expects to complete these actions by December 30, 2022.

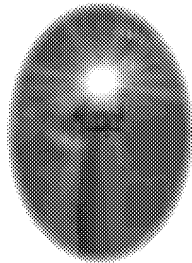
Recommendation 6: Take immediate action to end the use of WhatsApp for operational purposes or to ensure that WhatsApp messages are retained in compliance with legal and policy requirements including records retention schedules.

CBP Response to Recommendation 6: Concur. CBP's Office of Information and Technology will explore the viability of the continued operational use of WhatsApp, which will include looking for a replacement. Office of Information and Technology is currently piloting a managed messaging platform to replace WhatsApp. CBP is currently working on an operational pilot. CBP expects to complete these actions by December 31, 2021.

Please don't hesitate to let me know if you have any questions related to this request.

Thank you,

(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM
(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline
800-273-8255

CBP Employee Assistance Program
800-755-7002



Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/17/2021 4:46:38 PM

To:

(b)(6), (b)(7)(C)

CC:

Subject: Messaging Apps Policy Working Group

Location: Microsoft Teams Meeting

Start: 11/17/2021 6:30:00 PM

End: 11/17/2021 7:30:00 PM

Show Time As: Tentative

Recurrence: Weekly
every 2 week(s) on Wednesday from 1:30 PM to 2:30 PM

-----Original Appointment-----

From: (b)(6), (b)(7)(C)

Sent: Wednesday, October 20, 2021 3:12 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: Messaging Apps Policy Working Group

When: Wednesday, November 17, 2021 1:30 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Hi (b)(6), (b)(7)(C) – I wanted to invite you and (b)(6), (b)(7)(C) to the Messaging Apps Policy Working Group tomorrow for your awareness, particularly because one of the agenda topics will be related to records. OIT will present on the different types of Messaging Apps available at CBP and about record keeping related to these Messaging Apps. We hope that you will be able to attend!

(b)(6), (b)(7)(C)

-----Original Appointment-----

From: (b)(6), (b)(7)(C)

Sent: Monday, October 18, 2021 12:04 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: Messaging Apps Policy Working Group

When: Wednesday, November 17, 2021 1:30 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

All,

Following CBP's acquisition of secure messaging services through the award of a contract with Wickr, the Privacy Division will be leading an effort to develop both Privacy Compliance Documentation [Privacy Threshold Analysis (PTA) & Privacy Impact Assessment (PIA)] and a Secure Messaging Platform Policy. I will provide an outline of the PTA and PIA process as well as provide a timeline for completion.

The Privacy Division is requesting all representatives of all operational and support offices involved in the use of Wickr or other secure messaging services come prepared to discuss their offices usage of these tools. In addition, working group members should be prepared to provide their thoughts about potential policy bounds that may be necessary around the usage of the messaging Apps.

Following the meeting, I will send out meeting minutes with due outs as well as a invite for the next meeting. Please forward this invite to anyone you think I may have missed. If you would like to be removed from future messages related to this group, please let me know.

Regards,

(b)(6), (b)(7)(C)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/15/2021 2:11:54 PM

To:

(b)(6), (b)(7)(C)

Subject:

NARA Letter Check-in

Attachments:

RE: best time today for NARA Letter check-in Meeting?

Location:

Microsoft Teams Meeting

Start:

11/15/2021 4:30:00 PM

End:

11/15/2021 5:00:00 PM

Show Time As:

Tentative

Required

(b)(6), (b)(7)(C)

Attendees:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From:

(b)(6), (b)(7)(C)

Sent:

11/15/2021 2:00:10 PM

To:

CC:

(b)(6), (b)(7)(C)

Subject:

RE: best time today for NARA Letter check-in Meeting?

Hit send too quick.

Topics:

1. Inserting RIM language in the training deck that NLECC created and XD (b)(6), (b)(7)(C) said he would push for distribution and use. Who will own this training?
2. Inserting RIM language in the instructions / process for requesting and approval for use of Wickr and/or WhatsApp. – SOC? AirWatch team?
3. Integration into Messaging IPT meeting and agenda topics
 - a. RIM language into policy
 - b. RIM retention capability into solution
 - c. ?? is it one size fits all or will each messaging app need to have separate and distinct retention policy based on 'use'?

(b)(6), (b)(7)(C) CBP Chief Records Officer

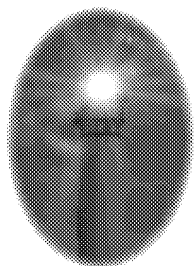
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



From: (b)(6), (b)(7)(C)

Sent: Monday, November 15, 2021 8:56 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: best time today for NARA Letter check-in Meeting?

(b)(6), (b)(7)(C) CBP Chief Records Officer

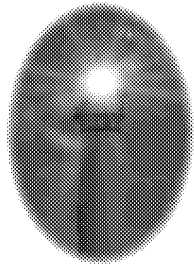
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/24/2021 12:56:57 AM

To:

CC:

(b)(6), (b)(7)(C)

Subject:

Review and update CBP Response to NARA Unauthorized Disposition open case

Attachments:

URGENT - RE: Short Suspense - due noon 11/24/21 - RE: DHS/CBP RIM's response to the NARA Unauthorized Disposition Letter & FW: Draft C1 Memo & Training slides - RE: After Actions & Questions -

Location:

available by phone after noon

Start:

11/24/2021 1:30:00 PM

End:

11/24/2021 2:30:00 PM

Show Time As:

Tentative

Required

Attendees:

Optional

Attendees:

(b)(6), (b)(7)(C)

Please forward as you deem appropriate.

Meeting Purpose:

1. Ensure understanding of the risks to CBP in the use of WhatsApp or similar messaging apps
2. Review draft CBP response to NARA Unauthorized Disposition open case
3. Update listed corrective actions with specific CAPA language including lead office, definition of done, and target completion dates:
4. Identify responsible team for:
 - a. Completing technical Long term / interim solution
 - b. Receiving requests and approving / denying requests for access to WhatsApp (or similar messaging apps) on their devices
 - c. Granting access, providing instruction (training slides) for how to conduct manual record retention
 - d. Creation, maintenance, and distribution of WhatsApp guidance and documentation
 - e. Conducting oversight on compliance with manual record retention
 - f. Communicating applicable laws and regulations on the use of messaging apps to DHS / CBP wide
 - g. Creating C1 memo, routing through review process, working with OIT Correspondence to route up to C1 for signature and distribution
 - h. Creating CBP level policy to align with DHS policy on use of messaging apps
 - i. Creating and maintaining list of apps that have been blocked by CBP
 - j. Creating and maintaining list of users that have been granted access to use WhatsApp (or similar messaging apps)
 - k. ...

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: **(b)(6), (b)(7)(C)**

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From:

(b)(6), (b)(7)(C)

Sent:

11/23/2021 6:31:57 PM

To:

CC:

(b)(6), (b)(7)(C)

Subject:

URGENT - RE: Short Suspense - due noon 11/24/21 - RE: DHS/CBP RIM's response to the NARA Unauthorized Disposition Letter & FW: Draft C1 Memo & Training slides - RE: After Actions & Questions -

Attachments:

111821.1406 (b)(6), (b)(7)(C) edits NARA-Letter-Response.docx; INC0963540 - WhatsApp installation request

Importance:

High

XD (b)(6), (b)(7)(C)

Thank you for your input, I have included it here.

XD (b)(6), (b)(7)(C)

I have included you here because the **CTO was cited as having responsibilities related to the tracking, approval, and management of WhatsApp access**. The use of WhatsApp and how CBP is managing that use is subject of an OIG Audit and an open case with NARA against CBP alleging CBP has, and is continuing, to conduct Unauthorized Disposition of Federal Records generated by the use of WhatsApp and similar messaging apps.

XD (b)(6), (b)(7)(C)

Please also weigh-in.

In reviewing ENTSD's and the SOC's attached responses to the open NARA Unauthorized Disposition Letter (and OIT's milestones in the CAP against the OIG report) there are definite process gaps and disagreement on which OIT Directorate has responsibility for significant and required actions. It appears that the **CTO (XD (b)(6), (b)(7)(C) included here)** also has a role in the overall process.

Just a portion of SOC's response highlights the gaps and disconnects: The SOC doesn't approve or take any action regarding WhatsApp requests. When a request comes into the SOC, it is forwarded to **CTO who manages the TRM and ENTSD who manages mobile devices**.

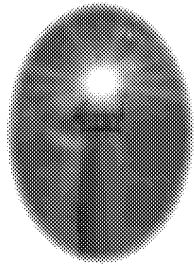
CTO manages the TRM, where WhatsApp is listed as Restricted. Recommend that a list of authorized users be maintained by CTO. CSD is not aware of the existence of this list.

The SOC also does not add approved users to AD. I believe this is done by ENTSD. It is not a SOC responsibility.

Is it possible to get the SOC, ENTSD, and the CTO stakeholders together on a call to determine how CBP can answer the requirements and identify POCs and expected due dates – ASAP?

The response will be reviewed with the aDAC on 11/26/21 Friday, and the AC on 11/29/21 Monday. It will then go to CIO Hysen for review before being submitted to NARA. The response will be considered publicly available information and several citizen action groups such as CREW will be looking for the DHS/CBP response.

(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM
(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline
800-273-8255
CBP Employee Assistance Program
800-755-7002



From: (b)(6), (b)(7)(C)

Sent: Tuesday, November 23, 2021 12:55 PM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: RE: Short Suspense - due noon 11/24/21 - RE: DHS/CBP RIM's response to the NARA Unauthorized Disposition Letter & FW: Draft C1 Memo & Training slides - RE: After Actions & Questions -

A determination is needed on exactly who should be approving the WhatsApp requests. Historically these have been sent to the SOC and then an email has come back with the approval. ENTSD created the Active Directory security group allowing for users to be added and removed as needed. This Active Directory security group can be maintained by anyone with granted access. If the SOC is not going to be the group to do this, a determination is needed asap as to who it will be (I see CTO office referenced in this most recent response).

Please also see the attached escalated request where someone in Honduras is requesting WhatsApp. Not sure who is approving it at this point.

(b)(6), (b)(7)(C) PMP
Director, Mobility and Collaboration Branch (MCB)
DHS | CBP | ES | OIT | ENTSD
Work: (b)(6), (b)(7)(C)
Mobile: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Tuesday, November 23, 2021 12:47 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: RE: Short Suspense - due noon 11/24/21 - RE: DHS/CBP RIM's response to the NARA Unauthorized Disposition Letter & FW: Draft C1 Memo & Training slides - RE: After Actions & Questions -

(b)(6), (b)(7)(C)

I've attached the document with comments from CSD and SOC perspective. (b)(5)
(b)(5) Thanks

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
Acting Chief Information Security Officer
Acting Executive Director, Cybersecurity Directorate
Office of Information and Technology
U.S. Customs and Border Protection
(b)(6), (b)(7)(C) Mobile
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Monday, November 22, 2021 5:04 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: Short Suspense - due noon 11/24/21 - RE: DHS/CBP RIM's response to the NARA Unauthorized Disposition Letter & FW: Draft C1 Memo & Training slides - RE: After Actions & Questions -

XD (b)(6), (b)(7)(C) and team,

The attached email tasker that was distributed on 10/28/21 per AC (b)(6), (b)(7)(C) direction – based on discussions and research CBP RIM has learned that **CSD / SOC** is a stakeholder in the tasker.

BACKGROUND: In response to a recent Office of Inspector General (OIG) report, “CBP Targeted Americans with the 2018-2019 Migrant Caravan,” a CAP was opened by the OIT ALT that includes implied **actions for the SOC**. The National Archives and Records Administration (NARA) became aware, through multiple media reports and the OIG report, that CBP has been using the messaging software WhatsApp and is deploying the encrypted messaging application Wickr across all components of the agency. Subsequently NARA opened a case against DHS/CBP for Unauthorized Destruction of Records due to use of messaging apps such as WhatsApp.

CBP RIM is working with DHS, USBP, OFO, ENTSD, and others to respond to the NARA case. The CBP RIM response to NARA cites **SOC actions** based on the CAP but also based on discussions with ENTSD (XD (b)(6), (b)(7)(C)) cc'd here) and the Messaging Apps WG that meets on alternate Wednesdays.

Response due noon, 11/24/21 - Attached for SOC review, comment, or concurrence: The initial draft response will be provided to the aDAC for review and approval on 11/26/21.

1. Initial draft of DHS/CBP response to the NARA open case letter. 11821.1406 MacNeil edits NARA-Letter-Response

Due by COB 11/30/21 – Attached for SOC review, comment, or concurrence are:

1. Proposed edits to the Android/iOS WhatsAppBackup training slides to be included for distribution when SOC approves the use of WhatsApp for users
2. Proposed language for OIT (SOC?) to edit and provide as a C1 memo to communicate with CBP the records management requirements when using messaging apps such as WhatsApp

Please let me know if you have questions on this and/or if someone from the SOC would like to discuss.

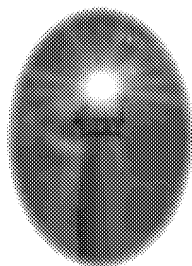
Thank you,

(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM

(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



From: (b)(6), (b)(7)(C)

Sent: Monday, November 22, 2021 3:01 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: RE: Draft C1 Memo & Training slides - RE: After Actions & Questions - RE: CBP RIM's response to the NARA Unauthorized Disposition Letter

(b)(6), (b)(7)(C)

The draft of a C1 memo and the edits you made to the draft training materials looks good.

XD:

(b)(6), (b)(7)(C) is going to schedule a meeting with (b)(6), (b)(7)(C) and the SOC to get any other edits and concurrence of the actions which will be required by the SOC with regard to this audit remediation. These include:

- Edits/concurrence to C1 memo re the need to archive WhatsApp.
- Distribution of the Manual Archiving Training to all existing and future WhatsApp users as the SOC approves/adds people to the AD Security Group (OIG CAP Audit :M-00093 Manual archiving will be required until a solution such as Smarsh or TeleMessage is in place.)
- Edits/concurrence to the NARA response (see previous email).

Thank you

(b)(6), (b)(7)(C) PMP

Director, Mobility and Collaboration Branch (MCB)

DHS | CBP | ES | OIT | ENTSD

Work: (b)(6), (b)(7)(C)

Mobile: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Friday, November 19, 2021 6:51 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: Draft C1 Memo & Training slides - RE: After Actions & Questions - RE: CBP RIM's response to the NARA Unauthorized Disposition Letter

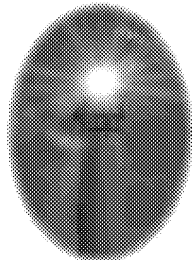
Good morning,

(b)(5)

Also attached is an initial cut at the C1 memo. (b)(5)
(b)(5)

Question: Will ENTSD call a meeting with RIM, PDO and Policy Directive? Or should we handle edits and input via email exchange?

(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM
(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline
800-273-8255
CBP Employee Assistance Program
800-755-7002



From: (b)(6), (b)(7)(C)

Sent: Wednesday, November 17, 2021 8:46 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: FW: After Actions & Questions - RE: CBP RIM's response to the NARA Unauthorized Disposition Letter

Importance: High

Hi (b)(6), (b)(7)(C) see attached and (b)(6), (b)(7)(C) EXCELLENT responses to your questions.

For the NARA ppt, I added slide 8.

I will forward this to (b)(6), (b)(7)(C) to be included in the meeting invite later today unless I hear from you otherwise.

Thanks.

(b)(6), (b)(7)(C)

Executive Director, on detail supporting
Enterprise Networks & Technology Support (ENTSD)
Office of Information and Technology (OIT)
U.S. Customs and Border Protection
Department of Homeland Security

(b)(6), (b)(7)(C) desk)
(b)(6), (b)(7)(C) cell)

(b)(6), (b)(7)(C)

To schedule an appointment, please contact (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Tuesday, November 16, 2021 1:11 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: RE: After Actions & Questions - RE: CBP RIM's response to the NARA Unauthorized Disposition Letter

XD...

Attached are updated draft training guides for existing end users. There is one for Android and one for iOS. These can be further edited by the SOC or RIM as needed.

Other notes are below. Sections from (b)(6), (b)(7)(C) email have been copied below with responses beneath each one in blue:

(b)(5)

(b)(5)

Question:

(b)(5)

From: (b)(6), (b)(7)(C)

Sent: Monday, November 15, 2021 1:45 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: After Actions & Questions - RE: CBP RIM's response to the NARA Unauthorized Disposition Letter

(b)(6), (b)(7)(C)

Thank you all for meeting with us last week regarding the NARA Letter / Open Case related to the OIG Audit, Recommendation 6 on messaging apps.

I captured a few after actions per our discussion and I have a couple questions – I have captured below:

After Actions:

1.

2.

(b)(5)

It was discussed that the **AirWatch** team is responsible for receiving and approving user requests to load WhatsApp onto their devices...

Question:

1. **Who is the correct POC** to get insight into how this process is working so it can be included in the CBP response to NARA?

a.

(b)(5)

Will you please let me know if the actions / suggestions / question above can be accomplished in time for the Wednesday working group meeting and in time for inclusion in CBP's response back to NARA?

Thanks,

(b)(6), (b)(7)(C)

CBP Chief Records Officer

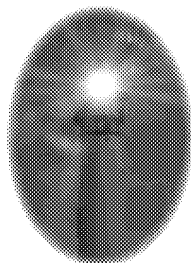
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



-----Original Appointment-----

From: (b)(6), (b)(7)(C)

Sent: Tuesday, November 9, 2021 3:59 PM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: CBP RIM's response to the attached NARA Unauthorized Disposition Letter

When: Wednesday, November 10, 2021 11:00 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Attaching the presentation that (b)(6), (b)(7)(C) just emailed.

Hi (b)(6), (b)(7)(C),

I am requesting 30 mins on XD (b)(6), (b)(7)(C) calendar to discuss CBP RIM's response to the attached NARA Unauthorized Disposition Letter. The letter was sent from Laurence Brewer Chief Records Officer for the US Government to (b)(6), (b)(7)(C) Chief Information Officer (CIO), DHS Senior Agency Official for Records Management (SAORM), regarding CBP's planned deployment of WICKR and the information that NARA received in the OIG report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan" regarding the use of WhatsApp. With input from OIT Offices, CBP RIM is the lead for compiling the DHS/CBP response (due 11/12/21) that will go from CIO (b)(6), (b)(7)(C) to the Laurence Brewer Chief Records Officer for the US Government.

Purpose of the meeting with XD (b)(6), (b)(7)(C) is to gain insight into the technical solutions that are being considered; interim solutions and long term solutions. NARA's primary area of concern is the loss of records generated when WhatsApp and similar messaging apps are used. Our deadline is extremely tight due to the multiple levels of reviews the response will have to go through i.e. USBP, OFO, OIT, OCC, DHS SAORM... I want to ensure XD (b)(6), (b)(7)(C) is aware of our conclusions to-date and try to identify POCs within ENTSD that CBP RIM can meet with that have firsthand knowledge of the actions being taken: technical/manual solution, policy creation, training, communication, enforcement, consequences...

The CBP RIM response needs to address current status of the lost records, actions and timelines CBP is taking to 'manage' retention of records generated using messaging apps such as WhatsApp, creation of a NARA approved schedule that is compatible with the technical solutions being pursued.

An important distinction is that response to the OIG Report does NOT replace CBP's need to provide response to NARA's Letter.

*** NARA instructed DHS/CBP RIM to provide a response that addresses the following (as contained in the attached letter):

1. Ensure that Records Management regulations are being adhered to
2. Ensure that the CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies
3. Ensure that CBP is communicating to all employees that they cannot use these applications to circumvent their records management responsibilities and that all employees are aware that they must be retaining all messages that are federal records in accordance with agency policy and all applicable NARA-approved records schedules

4. Include a complete description of the records with volume and dates if known; description of the office maintaining the records; a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records; a statement of the safeguards established to prevent further loss of documentation; and details of the actions taken to salvage, retrieve, or reconstruct the records. DHS/CBP's response must also include Records Management corrective actions that CBP will be required to implement as a result of the OIG investigation.

(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM
(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C) United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From:

(b)(6), (b)(7)(C)

Sent:

11/23/2021 5:49:31 PM

To:

(b)(6), (b)(7)(C)

CC:

Subject:

INC0963540 - WhatsApp installation request

Sir,

(b)(6), (b)(7)(C) located overseas in Honduras and is requesting the mobile application WhatsApp to be install on his device to use communication between fellow CBP officer Overseas. He stated he submitted the request to TRM but they closed those ticket. He requests to be escalated. Please advise

CBPO:

(b)(6), (b)(7)(C)

CSI Puerto Cortes, Honduras

Device: Iphone

Cell:

(b)(6), (b)(7)(C)

Office:

(b)(6), (b)(7)(C)

Thank you in advance for your assistance

(b)(6), (b)(7)(C) HDI, ITIL®v3

Team Patriot (Contractor)

TSD Advanced Support -Team Lead

Technology Service Desk

CBP/OIT/FSD/TSD

Desk:

(b)(6), (b)(7)(C)

Cell:

(b)(6), (b)(7)(C)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/5/2021 8:30:25 PM

To:

(b)(6), (b)(7)(C)

Subject: ITGC Deck

Attachments: RIM ITGC 211105.pptx

Location: Microsoft Teams Meeting

Start: 11/8/2021 3:30:00 PM

End: 11/8/2021 4:00:00 PM

Show Time As: Tentative

Required

(b)(6), (b)(7)(C)

Attendees:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/30/2021 10:02:17 PM

To:

(b)(6), (b)(7)(C)

Subject:

w/DHS-Review CBP response to NARA Unauthorized disposition letter

Attachments:

NARA Unauth Disp Report Mockup 211206dw v1-draft.docx; CBP ack WhatsApp letter 120621 v1-draft.docx

Location:

Microsoft Teams Meeting

Start:

12/6/2021 2:00:00 PM

End:

12/6/2021 3:00:00 PM

Show Time As: Busy

Required

Attendees:

(b)(6), (b)(7)(C)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From:

(b)(6), (b)(7)(C)

Sent:

2/17/2022 2:31:12 PM

To:

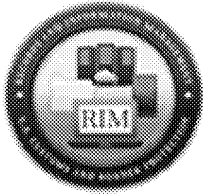
(b)(6), (b)(7)(C)

Subject:

FOR PRIVACY SIGNATURE: Electronic Messaging Schedule

Attachments:

cbp_0234.eMessaging-cro.pdf; DAA-0568-2022-0005 v2.pdf



2/17/2022

CBP RIM has developed the Electronic Messaging Schedule. Please see the below analysis with attachments. If you approve, please sign the 234 Form. We will follow-up with you by 2/22/2022 if a response is not received.

Result Options:

Schedule Developed (Non-IT System)

- 234 Signatures: CRO, Privacy, OCC, Business Owner, LRIM

Title: Electronic Messaging Records

Approvals Required for Retention:

- Chief Records Officer: (b)(6), (b)(7)(C) signed
- Privacy: (b)(6), (b)(7)(C)
- Chief Counsel: (b)(6), (b)(7)(C)
- Business Owner: (b)(6), (b)(7)(C)
- LRIM: (b)(6), (b)(7)(C)

CBP RIM Team Analysis:

CBP RIM developed an electronic messaging records schedule as a part of the ERM Program Plan and in response to the NARA Unauthorized Disposal Letter regarding Wickr and WhatsApp. The scope includes any electronic messaging not covered by other schedules or integrated into IT system functions. The retention was based on Capstone email roles and retentions.

Analysis Outcome:

CBP RIM drafted a schedule DAA-0568-2022-0005. The schedule contains a permanent schedule item for messages of Capstone Officials (60 top roles within the agency) and a temporary item for all other messages (10 year retention).

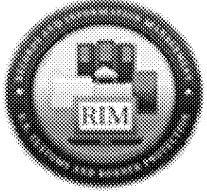
(b)(6), (b)(7)(C)

Senior Records Information Management Advisor
Capitol Advisors on Technology, LLC
Records and Information Management
OIT | CBP | DHS

Cell (b)(6), (b)(7)(C)

TEAMS (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)





DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

RECORDS AND SYSTEMS RETENTION SCHEDULE APPROVAL

CBP Record Series or Electronic Information System Name:

Electronic Messaging Records

SECTION TO BE FILLED OUT BY CBP RIM PROGRAM

Name of CBP RIM Scheduler (Last, First, Middle Initial):

(b)(6), (b)(7)(C)

Select One:

- A) The CBP RIM Program reviewed this system with System Subject Matter Experts and has determined that the system is covered by existing NARA-approved schedules (list provided separately).
- B) The CBP RIM Program reviewed this system with System Subject Matter Experts and has developed a retention schedule for all unscheduled records held within the system (draft schedule provided separately).
- C) The CBP RIM Program reviewed the provided records series with Subject Matter Experts and has determined that the records are covered by existing NARA-approved schedules (list provided separately)
- D) The CBP RIM Program developed these record series with Subject Matter Experts and has drafted a retention schedule for NARA submission (draft schedule provided separately)

DAA-0568-2022-0005 v2

(b)(6), (b)(7)(C)

Chief Records Officer Signature:

SECTION TO BE FILLED OUT BY STAKEHOLDERS

I have reviewed the provided draft retention schedule and approve of the description(s) and retention period(s). I support submitting this retention schedule to the National Archives and Records Administration for approval. By providing my signature, I understand that these records cannot be dispositioned until NARA has approved this schedule.

Business Owner Signature	LRIM Signature
Chief Counsel Representative Signature	LRIM Signature (Optional- if more than one office is involved)
Privacy Representative Signature	LRIM Signature (Optional- if more than one office is involved)

Request for Records Disposition Authority

Records Schedule Number DAA-0568-2022-0005

Schedule Status Draft

Agency or Establishment Bureau of Customs and Border Protection

Record Group / Scheduling Group Records of the Bureau of Customs and Border Protection

Records Schedule applies to Agency-wide

Schedule Subject Electronic Messaging Records

Internal agency concurrences will be provided Yes

Background Information This schedule covers electronic messaging records sent and received in the course of CBP business and includes electronic messaging such as text messages, chat/instant messages, chats and posts in proprietary business communication platforms such as Microsoft Teams, and any other messaging content not covered by an existing record schedule.

Not included are electronic messages generated by an operational system that creates records, email that is covered by the Capstone policy, and social media content that is covered by an existing approved schedule.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
2	1	1	0

GAO Approval

Outline of Records Schedule Items for DAA-0568-2022-0005

Sequence Number	
1	Electronic Messaging Records of Designated Capstone Officials Disposition Authority Number: DAA-0568-2022-0005-0001
2	Other Electronic Messaging Records Disposition Authority Number: DAA-0568-2022-0005-0002

Records Schedule Items

Sequence Number	
1	<p data-bbox="349 367 1242 409">Electronic Messaging Records of Designated Capstone Officials</p> <p data-bbox="349 420 1144 462">Disposition Authority Number DAA-0568-2022-0005-0001</p> <p data-bbox="349 472 1421 598">This schedule covers electronic messaging records sent and received by Designated Capstone Officials as identified in GRS 6.1-0568-2018-0001 and successor Capstone schedules in the course of CBP business.</p> <p data-bbox="349 609 917 651">Final Disposition Permanent</p> <p data-bbox="349 661 876 703">Item Status Pending</p> <p data-bbox="349 714 803 756">Is this item media neutral? No</p> <p data-bbox="349 766 1274 808">Explanation of limitation These are electronic messages only.</p> <p data-bbox="349 819 820 945">Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes</p> <p data-bbox="349 955 803 1060">Do any of the records covered by this item exist as structured electronic data? No</p> <p data-bbox="349 1081 657 1123">Disposition Instruction</p> <p data-bbox="349 1134 1469 1228">Cutoff Instruction Cutoff at end of employee's tenure in the Capstone Official role.</p> <p data-bbox="349 1239 1445 1323">Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after cutoff.</p> <p data-bbox="349 1344 657 1386">Additional Information</p> <p data-bbox="349 1396 1429 1522">What will be the date span of the initial transfer of records to the National Archives? Unknown CBP will determine date span before submitting schedule to NARA.</p> <p data-bbox="349 1533 966 1627">How frequently will your agency transfer these records to the National Archives? Every 5 Years</p>
2	<p data-bbox="349 1711 868 1753">Other Electronic Messaging Records</p> <p data-bbox="349 1764 1144 1806">Disposition Authority Number DAA-0568-2022-0005-0002</p> <p data-bbox="349 1816 1437 1902">Electronic messaging records created and received by all other non-Capstone Official CBP employees.</p>

Final Disposition	Temporary
Item Status	Pending
Is this item media neutral?	No
Explanation of limitation	Electronic messages only.
Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes
Do any of the records covered by this item exist as structured electronic data?	No
Disposition Instruction	
Cutoff Instruction	Cutoff upon receipt or submission of message.
Retention Period	Destroy 10 year(s) after cutoff
Additional Information	
GAO Approval	Not Required

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
------	--------	----	-------	--------------

Executive Summary

Summary

Permanent Item Numbers **0001**

Federal Register Notice

Publication Date

Copies Requested **0**

Comments Received **0**

Message

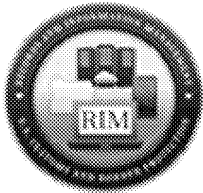
From: CBPRECORDSMANAGEMENT (b)(6), (b)(7)(C)
Sent: (b)(6), (b)(7)(C)
To:
CC: (b)(6), (b)(7)(C)
Subject: FW: OCC APPROVAL NEEDED: Emessaging Record Retention Schedule 234
Attachments: cbp_0234 eMessaging2, DDsigned.pdf; DAA-0568-2022-0005 v3.pdf

Good Afternoon,

I am following up regarding our request to obtain your signature on the Emessaging 234. I have attached the schedule and the 234 for your convenience.

(b)(6), (b)(7)(C)
Senior Records Information Management Advisor
Capitol Advisors on Technology, LLC
Records and Information Management
OIT | CBP | DHS
Cell (b)(6), (b)(7)(C)
TEAMS: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: CBPRECORDSMANAGEMENT (b)(6), (b)(7)(C)
Sent: Wednesday, March 9, 2022 12:24 PM
To: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: OCC APPROVAL NEEDED: Emessaging Record Retention Schedule 234



3/9/2022

CBP RIM has developed the Electronic Messaging Schedule. Please see the below analysis with attachments. If you approve, please sign the 234 Form. We will follow-up with you by 3/15/22 if a response is not received.

Result Options:

Schedule Developed (Non-IT System)

- 234 Signatures: CRO, Privacy, OCC, Business Owner, LRIM

Title: Electronic Messaging Records

Approvals Required for Retention:

- Chief Records Officer: (b)(6), (b)(7)(C) signed
- Privacy: (b)(6), (b)(7)(C) signed
- Chief Counsel: (b)(6), (b)(7)(C)
- Business Owner: (b)(6), (b)(7)(C)
- LRIM: (b)(6), (b)(7)(C)

CBP RIM Team Analysis:

CBP RIM developed an electronic messaging records schedule as a part of the ERM Program Plan and in response to the NARA Unauthorized Disposal Letter regarding Wickr and WhatsApp. The scope includes any electronic messaging not covered by other schedules or integrated into IT system functions. The retention was based on Capstone email roles and retentions.

Analysis Outcome:

CBP RIM drafted a schedule DAA-0568-2022-0005. The schedule contains a permanent schedule item for messages of Capstone Officials (60 top roles within the agency) and a temporary item for all other messages (10 year retention).

(b)(6), (b)(7)(C)

Senior Records Information Management Advisor

Capitol Advisors on Technology, LLC

Records and Information Management

OIT | CBP | DHS

Cell (b)(6), (b)(7)(C)



DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

RECORDS AND SYSTEMS RETENTION SCHEDULE APPROVAL

CBP Record Series or Electronic Information System Name:

Electronic Messaging Records

SECTION TO BE FILLED OUT BY CBP RIM PROGRAM

Name of CBP RIM Scheduler (Last, First, Middle Initial):

(b)(6), (b)(7)(C)

Select One:

- A) The CBP RIM Program reviewed this system with System Subject Matter Experts and has determined that the system is covered by existing NARA-approved schedules (list provided separately).
- B) The CBP RIM Program reviewed this system with System Subject Matter Experts and has developed a retention schedule for all unscheduled records held within the system (draft schedule provided separately).
- C) The CBP RIM Program reviewed the provided records series with Subject Matter Experts and has determined that the records are covered by existing NARA-approved schedules (list provided separately)
- D) The CBP RIM Program developed these record series with Subject Matter Experts and has drafted a retention schedule for NARA submission (draft schedule provided separately)

DAA-0568-2022-0005 v3

(b)(6), (b)(7)(C)

Chief Records Officer Signature:

SECTION TO BE FILLED OUT BY STAKEHOLDERS

I have reviewed the provided draft retention schedule and approve of the description(s) and retention period(s). I support submitting this retention schedule to the National Archives and Records Administration for approval. By providing my signature, I understand that these records cannot be dispositioned until NARA has approved this schedule.

Business Owner Signature

LRIM Signature

Chief Counsel Representative Signature

LRIM Signature
(Optional- if more than one office is involved)

(b)(6), (b)(7)(C)

Privacy Representative Signature

LRIM Signature
(Optional- if more than one office is involved)

Request for Records Disposition Authority

Records Schedule Number DAA-0568-2022-0005
Schedule Status Draft

Agency or Establishment Bureau of Customs and Border Protection
Record Group / Scheduling Group Records of the Bureau of Customs and Border Protection
Records Schedule applies to Agency-wide
Schedule Subject Electronic Messaging Records
Internal agency concurrences will be provided Yes

Background Information This schedule covers electronic messaging records sent and received in the course of CBP business and includes electronic messaging such as text messages, chat/instant messages, chats and posts in proprietary business communication platforms such as Microsoft Teams, and any other messaging content not covered by an existing record schedule.

Not included are electronic messages generated by an operational system that creates records, email that is covered by the Capstone policy, and social media content that is covered by an existing approved schedule.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
2	1	1	0

GAO Approval

Outline of Records Schedule Items for DAA-0568-2022-0005

Sequence Number	
1	Electronic Messaging Records of Designated Capstone Officials Disposition Authority Number: DAA-0568-2022-0005-0001
2	Other Electronic Messaging Records Disposition Authority Number: DAA-0568-2022-0005-0002

Records Schedule Items

Sequence Number	
1	<p data-bbox="354 373 1243 401">Electronic Messaging Records of Designated Capstone Officials</p> <p data-bbox="354 428 1146 455">Disposition Authority Number DAA-0568-2022-0005-0001</p> <p data-bbox="354 483 1438 621">Electronic messaging records in scope of this schedule's background sent and received by Designated Capstone Officials as identified in GRS 6.1-0568-2018-0001 and successor Capstone schedules in the course of CBP business.</p> <p data-bbox="354 648 919 676">Final Disposition Permanent</p> <p data-bbox="354 703 878 730">Item Status Pending</p> <p data-bbox="354 758 805 785">Is this item media neutral? No</p> <p data-bbox="354 812 1276 840">Explanation of limitation These are electronic messages only.</p> <p data-bbox="354 867 821 978">Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes</p> <p data-bbox="354 1005 805 1087">Do any of the records covered by this item exist as structured electronic data? No</p> <p data-bbox="354 1129 659 1157">Disposition Instruction</p> <p data-bbox="354 1184 1471 1253">Cutoff Instruction Cutoff at end of employee's tenure in the Capstone Official role.</p> <p data-bbox="354 1281 1438 1350">Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after cutoff.</p> <p data-bbox="354 1392 659 1419">Additional Information</p> <p data-bbox="354 1446 1422 1558">What will be the date span of the initial transfer of records to the National Archives? Unknown CBP will determine date span before submitting schedule to NARA.</p> <p data-bbox="354 1585 959 1667">How frequently will your agency transfer these records to the National Archives? Every 5 Years</p>
2	<p data-bbox="354 1759 862 1787">Other Electronic Messaging Records</p> <p data-bbox="354 1814 1146 1841">Disposition Authority Number DAA-0568-2022-0005-0002</p>

Electronic messaging records in scope of this schedule's background created and received by all other non-Capstone Official CBP employees.

Final Disposition Temporary

Item Status Pending

Is this item media neutral? No

Explanation of limitation Electronic messages only.

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? No

Disposition Instruction

Cutoff Instruction Cutoff upon receipt or submission of message.

Retention Period Destroy 10 year(s) after cutoff

Additional Information

GAO Approval Not Required

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
------	--------	----	-------	--------------

Executive Summary

Summary

Permanent Item Numbers **0001**

Federal Register Notice

Publication Date

Copies Requested **0**

Comments Received **0**

Message

From: CBPRECORDSMANAGEMENT (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Sent: 2/28/2022 6:58:36 PM
To: (b)(6), (b)(7)(C)
CC: (b)(6), (b)(7)(C)
Subject: Checking on Privacy questions - FW: FOR PRIVACY SIGNATURE: Electronic Messaging Schedule
Attachments: DWSIG_cbp_0234.eMessaging-cro.pdf
Importance: High

Hi (b)(6), (b)(7)(C)

I hope you are doing well.

Circling back with you based on discussion in the Messaging App IPT last week . You indicated that Privacy had some questions regarding the language in the attached Electronic Messaging Records schedule.

*** CBP RIM is trying to get the schedule 'at least' into the NARA review cycle so that forward progress can be accurately reported to OIG and to NARA.

Will you send your comments to CBP RIM via email so we can answer any questions you may have?

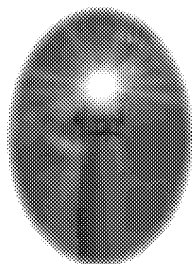
Thanks!

Dawn

(b)(6), (b)(7)(C) CBP Chief Records Officer
CBP Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM
(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

[RIM Website](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline
800-273-8255

CBP Employee Assistance Program
800-755-7002



From: (b)(6), (b)(7)(C)
Sent: Tuesday, February 22, 2022 4:54 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: FOR PRIVACY SIGNATURE: Electronic Messaging Schedule

Good afternoon (b)(6), (b)(7)(C)

Do you have any concerns or questions regarding the Electronic Messaging Schedule?

If not please sign the 234.

Thank you

(b)(6), (b)(7)(C)

Senior Records Information Management Advisor

Capitol Advisors on Technology, LLC

Records and Information Management

OIT | CBP | DHS

Cell (b)(6), (b)(7)(C)

TEAMS (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Friday, February 18, 2022 10:45 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: RE: FOR PRIVACY SIGNATURE: Electronic Messaging Schedule

Yes you are correct

(b)(6), (b)(7)(C)

Senior Records Information Management Advisor

Capitol Advisors on Technology, LLC

Records and Information Management

OIT | CBP | DHS

Cell (b)(6), (b)(7)(C)

TEAMS (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Thursday, February 17, 2022 9:34 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: RE: FOR PRIVACY SIGNATURE: Electronic Messaging Schedule

Good morning, is this intended to cover the secure messaging apps?

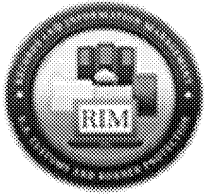
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Thursday, February 17, 2022 9:31 AM

To: (b)(6), (b)(7)(C)

Subject: FOR PRIVACY SIGNATURE: Electronic Messaging Schedule



2/17/2022

CBP RIM has developed the Electronic Messaging Schedule. Please see the below analysis with attachments. If you approve, please sign the 234 Form. We will follow-up with you by 2/22/2022 if a response is not received.

Result Options:

Schedule Developed (Non-IT System)

- 234 Signatures: CRO, Privacy, OCC, Business Owner, LRIM

Title: Electronic Messaging Records

Approvals Required for Retention:

- Chief Records Officer: (b)(6), (b)(7)(C) signed
- Privacy: (b)(6), (b)(7)(C)
- Chief Counsel: (b)(6), (b)(7)(C)
- Business Owner: (b)(6), (b)(7)(C)
- LRIM: (b)(6), (b)(7)(C)

CBP RIM Team Analysis:

CBP RIM developed an electronic messaging records schedule as a part of the ERM Program Plan and in response to the NARA Unauthorized Disposal Letter regarding Wickr and WhatsApp. The scope includes any electronic messaging not covered by other schedules or integrated into IT system functions. The retention was based on Capstone email roles and retentions.

Analysis Outcome:

CBP RIM drafted a schedule DAA-0568-2022-0005. The schedule contains a permanent schedule item for messages of Capstone Officials (60 top roles within the agency) and a temporary item for all other messages (10 year retention).

(b)(6), (b)(7)(C)

Senior Records Information Management Advisor

Capitol Advisors on Technology, LLC

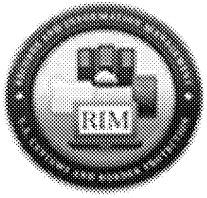
Records and Information Management

OIT | CBP | DHS

Cell (b)(6), (b)(7)(C)

TEAMS (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)





DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

RECORDS AND SYSTEMS RETENTION SCHEDULE APPROVAL

CBP Record Series or Electronic Information System Name:

Electronic Messaging Records

SECTION TO BE FILLED OUT BY CBP RIM PROGRAM

Name of CBP RIM Scheduler (Last, First, Middle Initial):

(b)(6), (b)(7)(C)

Select One:

- A) The CBP RIM Program reviewed this system with System Subject Matter Experts and has determined that the system is covered by existing NARA-approved schedules (list provided separately).
- B) The CBP RIM Program reviewed this system with System Subject Matter Experts and has developed a retention schedule for all unscheduled records held within the system (draft schedule provided separately).
- C) The CBP RIM Program reviewed the provided records series with Subject Matter Experts and has determined that the records are covered by existing NARA-approved schedules (list provided separately)
- D) The CBP RIM Program developed these record series with Subject Matter Experts and has drafted a retention schedule for NARA submission (draft schedule provided separately)

DAA-0568-2022-0005 v2

(b)(6), (b)(7)(C)

Chief Records Officer Signature:

SECTION TO BE FILLED OUT BY STAKEHOLDERS

I have reviewed the provided draft retention schedule and approve of the description(s) and retention period(s). I support submitting this retention schedule to the National Archives and Records Administration for approval. By providing my signature, I understand that these records cannot be dispositioned until NARA has approved this schedule.

Business Owner Signature	LRIM Signature
Chief Counsel Representative Signature	LRIM Signature <i>(Optional- if more than one office is involved)</i>
Privacy Representative Signature	LRIM Signature <i>(Optional- if more than one office is involved)</i>

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/2/2021 1:07:52 PM

To:

(b)(6), (b)(7)(C)

CC:

Subject:

Response to NARA Questions about WhatsApp/Wickr

Location:

Microsoft Teams Meeting

Start:

11/2/2021 4:00:00 PM

End:

11/2/2021 5:00:00 PM

Show Time As: Tentative

Required

Attendees:

(b)(6), (b)(7)(C)

Optional

Attendees:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From: (b)(6), (b)(7)(C)
Sent: 4/4/2022 2:43:10 PM
To: CBPRECORDSMANAGEMENT; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: LRIM APPROVAL NEEDED: Emessaging Record Retention Schedule 234
Attachments: cbp_0234 eMessaging2 Dsigned Bisness owner signed 032322.pdf

I have signed the attached form. Let me know if you need anything further.

(b)(6), (b)(7)(C)
IT Specialist – Policy and Planning
U.S. Customs & Border Protection
Chief Technology Officer
Program Control

(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) Mobile
Teams Phone
(b)(6), (b)(7)(C)

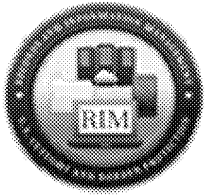
Stay safe, stay sane, stay hopeful.

From: CBPRECORDSMANAGEMENT; (b)(6), (b)(7)(C)
Sent: Monday, April 4, 2022 8:06 AM
To: (b)(6), (b)(7)(C)
Subject: FW: LRIM APPROVAL NEEDED: Emessaging Record Retention Schedule 234

Good morning (b)(6), (b)(7)(C)
I am following up regarding the CBP RIM request that you add your signature to the Electronic Messaging Schedule. Please see the below analysis with attachments. If you approve, please sign the 234 Form. We will follow-up with you by 4/8/22 if a response is not received. The schedule and the 234 Form are attached.

(b)(6), (b)(7)(C)
Senior Records Information Management Advisor
Capitol Advisors on Technology, LLC
Records and Information Management
OIT | CBP | DHS
Cell: (b)(6), (b)(7)(C)
TEAMS: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: CBPRECORDSMANAGEMENT
Sent: Thursday, March 24, 2022 2:38 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: LRIM APPROVAL NEEDED: Emessaging Record Retention Schedule 234



3/24/2022

CBP RIM has developed the Electronic Messaging Schedule. Please see the below analysis with attachments. If you approve, please sign the 234 Form. We will follow-up with you by 3/31/22 if a response is not received.

Result Options:

Schedule Developed (Non-IT System)

- 234 Signatures: CRO, Privacy, OCC, Business Owner, LRIM

Title: Electronic Messaging Records

Approvals Required for Retention:

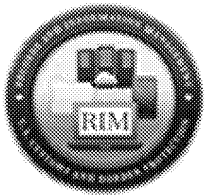
- Chief Records Officer: (b)(6), (b)(7)(C) signed
- Privacy: (b)(6), (b)(7)(C) signed
- Chief Counsel: (b)(6), (b)(7)(C) signed
- Business Owner: (b)(6), (b)(7)(C) signed
- LRIM: (b)(6), (b)(7)(C)

CBP RIM Team Analysis:

CBP RIM developed an electronic messaging records schedule as a part of the ERM Program Plan and in response to the NARA Unauthorized Disposal Letter regarding Wickr and WhatsApp. The scope includes any electronic messaging not covered by other schedules or integrated into IT system functions. The retention was based on Capstone email roles and retentions.

Analysis Outcome:

CBP RIM drafted a schedule DAA-0568-2022-0005. The schedule contains a permanent schedule item for messages of Capstone Officials (60 top roles within the agency) and a temporary item for all other messages (10 year retention).



(b)(6), (b)(7)(C)

Senior Records Information Management Advisor
Capitol Advisors on Technology, LLC
Records and Information Management
OIT | CBP | DHS
Cell (b)(6), (b)(7)(C)



DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

RECORDS AND SYSTEMS RETENTION SCHEDULE APPROVAL

CBP Record Series or Electronic Information System Name:

Electronic Messaging Records

SECTION TO BE FILLED OUT BY CBP RIM PROGRAM

Name of CBP RIM Scheduler (Last, First, Middle Initial):

(b)(6), (b)(7)(C)

Select One:

- A) The CBP RIM Program reviewed this system with System Subject Matter Experts and has determined that the system is covered by existing NARA-approved schedules (list provided separately).
- B) The CBP RIM Program reviewed this system with System Subject Matter Experts and has developed a retention schedule for all unscheduled records held within the system (draft schedule provided separately).
- C) The CBP RIM Program reviewed the provided records series with Subject Matter Experts and has determined that the records are covered by existing NARA-approved schedules (list provided separately)
- D) The CBP RIM Program developed these record series with Subject Matter Experts and has drafted a retention schedule for NARA submission (draft schedule provided separately)

DAA-0568-2022-0005 v3

(b)(6), (b)(7)(C)

Chief Records Officer Signature:

SECTION TO BE FILLED OUT BY STAKEHOLDERS

I have reviewed the provided draft retention schedule and approve of the description(s) and retention period(s). I support submitting this retention schedule to the National Archives and Records Administration for approval. By providing my signature, I understand that these records cannot be dispositioned until NARA has approved this schedule.

(b)(6), (b)(7)(C)

Business Owner Signature

(b)(6), (b)(7)(C)

LRIM Signature

(b)(6), (b)(7)(C)

Chief Counsel Representative Signature

LRIM Signature
(Optional- if more than one office is involved)

(b)(6), (b)(7)(C)

Privacy Representative Signature

LRIM Signature
(Optional- if more than one office is involved)

Appointment

From:

(b)(6), (b)(7)(C)

Sent:

11/30/2021 2:08:12 PM

To:

(b)(6), (b)(7)(C)

Subject:

Review (b)(5) on NARA Letter response

Attachments:

RE: Extremely short suspense - RE: (b)(5) - NARA letter of unauthorized disposition

Location:

Microsoft Teams Meeting

Start:

11/30/2021 3:30:00 PM

End:

11/30/2021 4:00:00 PM

Show Time As:

Busy

Required

Attendees:

(b)(6), (b)(7)(C)

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

(b)(6), (b)(7)(C)

United States, Arlington

Phone Conference ID: (b)(6), (b)(7)(C)

[Find a local number](#) | [Reset PIN](#)

This Teams Meeting is hosted on a U.S. Government information system and is provided for U.S. Government-authorized use only. Unauthorized or improper use or access of this system may result in disciplinary action as well as civil and criminal penalties.

[Learn More](#) | [Meeting options](#)

Message

From:

(b)(6), (b)(7)(C)

Sent:

11/29/2021 9:37:33 PM

To:

(b)(6), (b)(7)(C)

CC:

Subject:

RE: Extremely short suspense - RE: For OCC review - NARA letter of unauthorized disposition

Attachments:

NARA Unauth Disp Report Mockup 211128draft (OCC Consolidated Review).docx

(b)(6), (b)(7)(C)

OCC's comments and edits are attached. We're happy to make time to discuss tomorrow if needed.

Thanks,

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Senior Attorney (Enforcement and Operations), Office of Chief Counsel
U.S. Customs and Border Protection

(b)(6), (b)(7)(C) cell)

PRIVILEGED AND CONFIDENTIAL- CIRCULATION RESTRICTED

This electronic communication, along with any attachment(s), contains confidential U.S. Government information intended for internal government use only. This electronic communication and its attachment(s) also contain information that is privileged as well as exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. §552, including attorney work product, material that is part of the agency's deliberative process, and communications between attorney and client concerning legal matters for which the client has sought professional advice. The contents of this electronic communication and its attachment(s) are solely intended for the use by the addressee(s) designated herein, and must be controlled, stored, handled, transmitted, distributed, and disposed of in a manner that restricts access to only the designated addressee(s) and to those within U.S. Customs and Border Protection (CBP) who have an official "need-to-know."

If you are not a designated addressee of the electronic communication or a CBP official with a "need-to-know," you are prohibited from reviewing, using, copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the communication or its attachments within or outside CBP without prior, written approval from the Commissioner of CBP and the Office of the Associate Chief Counsel, Enforcement and Operations. Please notify the sender immediately and permanently delete this electronic communication, and any copies or printouts of the communication and its attachments.

From:

(b)(6), (b)(7)(C)

Sent: Sunday, November 28, 2021 2:09 PM

To:

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: Extremely short suspense - RE: For OCC review - NARA letter of unauthorized disposition

Hi all,

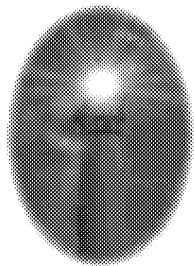
Per the email below, attached is the 'final draft' of CBP's response to a NARA letter of Unauthorized Disposition which stems from multiple media reports and the OIG report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan" (see attached).

This has gone through initial review with DHS RIM, USBP-Audit, OFO-Audit, and OIT XDs and SMEs. It will be reviewed with AC (b)(6), (b)(7)(C) and aDAC (b)(6), (b)(7)(C) tomorrow then be provided to DHS RIM on 11/30 for submission to NARA.

Will you please expedite a review and return OCC approval via email by COB 11/29/21?

Thank you,

(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM
(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline
800-273-8255

CBP Employee Assistance Program
800-755-7002



From: (b)(6), (b)(7)(C)

Sent: Monday, November 1, 2021 11:01 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: RE: For your awareness - NARA letter of unauthorized disposition

You got it—just one thing. We see that the response is DUE on 11/12. Can we get it to OCC a day or two ahead of that? Will you be putting the draft response on Teams? If so, we can start to watch the responses in real time and weigh in that way.

(b)(6), (b)(7)(C)

Special Counsel
Office of Chief Counsel
U.S. Customs and Border Protection
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

PRIVILEGED AND CONFIDENTIAL- CIRCULATION RESTRICTED

This electronic communication, along with any attachment(s), contains confidential U.S. Government information intended for internal government use only. This electronic communication and its attachment(s) also contain information that is privileged as well as exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. §552, including attorney work product, material that is part of the agency's deliberative process, and communications between attorney and client concerning legal matters for which the client has sought professional advice. The contents of this electronic communication and its attachment(s) are solely intended for the use by the addressee(s) designated herein, and must be controlled, stored, handled, transmitted, distributed, and disposed of in a manner that restricts access to only the designated addressee(s) and to those within U.S. Customs and Border Protection (CBP) who have an official "need-to-know."

If you are not a designated addressee of the electronic communication or a CBP official with a "need-to-know," you are prohibited from reviewing, using, copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the communication or its attachments within or outside CBP without prior, written approval from the Commissioner of CBP and the Office of Chief Counsel. Please notify the sender immediately and permanently delete this electronic communication, and any copies or printouts of the communication and its attachments.

From: (b)(6), (b)(7)(C)

Sent: Monday, November 1, 2021 10:59 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: RE: For your awareness - NARA letter of unauthorized disposition

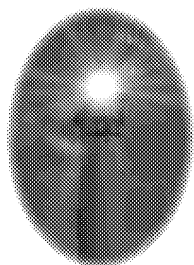
(b)(6), (b)(7)(C) et al,

CBP RIM will provide the draft response to this distro. We welcome having OCC weigh-in. our timeline is tight so it will be coming to OCC around 11/12/21.

Thanks!

(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM
(C) (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline
800-273-8255

CBP Employee Assistance Program
800-755-7002



From: (b)(6), (b)(7)(C)

Sent: Monday, November 1, 2021 10:14 AM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: RE: For your awareness - NARA letter of unauthorized disposition

Hi (b)(6), (b)(7)(C)

I hope you enjoyed Halloween weekend! I'm writing on behalf of OCC to let you know that we'd like to review the response before it goes out so that we can determine whether there are any issues concerning litigation in which this issue arose. You can send the draft response to this distro list for OCC when you're ready. Talk to you soon!

(b)(6), (b)(7)(C)

Special Counsel

Office of Chief Counsel

U.S. Customs and Border Protection

Cell: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

PRIVILEGED AND CONFIDENTIAL- CIRCULATION RESTRICTED

This electronic communication, along with any attachment(s), contains confidential U.S. Government information intended for internal government use only. This electronic communication and its attachment(s) also contain information that is privileged as well as exempt from public disclosure under the Freedom of Information Act, 5 U.S.C. §552, including attorney work product, material that is part of the agency's deliberative process, and communications between attorney and client concerning legal matters for which the client has sought professional advice. The contents of this electronic communication and its attachment(s) are solely intended for the use by the addressee(s) designated herein, and must be controlled, stored, handled, transmitted, distributed, and disposed of in a manner that restricts access to only the designated addressee(s) and to those within U.S. Customs and Border Protection (CBP) who have an official "need-to-know."

If you are not a designated addressee of the electronic communication or a CBP official with a "need-to-know," you are prohibited from reviewing, using, copying, releasing, retransmitting, disseminating, disclosing, or otherwise sharing the communication or its attachments within or outside CBP without prior, written approval from the Commissioner of CBP and the Office of Chief Counsel. Please notify the sender immediately and permanently delete this electronic communication, and any copies or printouts of the communication and its attachments.

From: (b)(6), (b)(7)(C)

Sent: Friday, October 29, 2021 5:02:18 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: For your awareness - NARA letter of unauthorized disposition

Good afternoon,
I wanted to loop OCC in for awareness – please see attached.

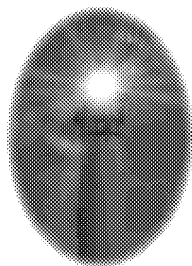
Laurence Brewer Chief Records Officer for the US Government sent a letter to (b)(6), (b)(7)(C) CBP CRO and (b)(6), (b)(7)(C) Chief Information Officer (CIO), DHS Senior Agency Official for Records Management (SAORM),

regarding CBP's planned deployment of *WICKR* and the information that NARA received in the OIG report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan" regarding the use of *WhatsApp*. **With input from OIT Offices, CBP RIM is the lead for compiling the DHS/CBP response** (due 11/12/21) that will go from CIO (b)(6), (b)(7)(C) to the Laurence Brewer Chief Records Officer for the US Government.

Please let me know what level (if any) of information or involvement OCC would need regarding this action.

Thank you,

(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
DHS/CBP/OIT/RIM
(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
[RIM Website](#) | [Request RIM Service!](#) | [Email Us](#)



Shine a Light

Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



Message

From:

(b)(6), (b)(7)(C)

Sent:

5/26/2021 6:11:32 PM

To:

(b)(6), (b)(7)(C)

Subject: FYI s Wickr notes and what I started and did not finish for the Presentation

Attachments: Wickr Presentation.pptx

Just an FYI for all. I do have more notes I can type quickly if you want me to?

[Monday 12:41 PM] (b)(6), (b)(7)(C) (CTR)

SLIDE DECK for Thursday 5/27

Actual requirements

Capabilities

Is it good for CBP

Accepted Known Risk

Limitation

How to isolate target group or chat room

*do not allow outside users to search for CBP SSO network

Can you bring a SSO user into a NON SSO network

How will WICKR isolate the public access to CBP

User management - what tools does CBP have/leverage

How will WICKR solve the problem?

Outcome what are our options

How does WICKR validate a user

How do you decommission a user

Risk

[Monday 12:58 PM] (b)(6), (b)(7)(C) (CTR)

my notes

[Monday 12:58 PM] RUIZ, ROJELIO R (CTR)

Using Wickr Platform - How does CBP to communicate with an external users

Friday, May 21, 2021

2:01 PM

- How can WICKR validate non CBP users and provide secure confirmation that a user is who they said they are?
- If an outside device (NON CBP GFE) using WICKR ME or WICKR Enterprise where is the data reside.
- How is WICKR ME preventing data leaks. When CBP users are transmitting text/files/images the comms need to be configured to burn on read not allow screen shots.
- If Wickr Me federation is enabled and has been established by Wickr Support, your local Enterprise users can be found by Wickr Me users. The full email address must be known by the Wickr Me user to be discovered. **Do not enable Wickr Me federation unless your team is comfortable with potentially being found by Wickr Me users.**

SLIDE DECK for Thursday 5/27

Actual requirements

Capabilities

Is it good for CBP

Accepted Known Risk

Limitation

How to isolate target group or chat room

*do not allow outside users to search for CBP SSO network

Can you bring a SSO user into a NON SSO network

How will WICKR isolate the public access to CBP

User management - what tools does CBP have/leverage

When you Federate are you opening up the entire directory?

How do you address users that are government

How do you address users that are private sector

How will WICKR solve the problem?

Outcome what are our options

How does WICKR validate a user

How do you decommission a user

Risk

Why not WICKR PRO

(b)(6), (b)(7)(C)

Senior Business Analyst/Documentation Specialist



Enterprise Networks & Technology Support Directorate (ENTSD)

Network Architecture & Engineering Division (NAED)

OIT/CBP/DHS

Mobile (b)(6), (b)(7)(C)