

Message

From: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Sent: 11/5/2021 12:12:39 PM
To: CBPRECORDSMANAGEMENT (b)(6), (b)(7)(C)

CC:

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

Subject: 19-SRG-003--Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

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

Thank you so much for the e-mail and this certainly helps organize the RFI. USBP is confirming receipt.

Other than USBP, there may be other operational components using Whats App that this may impact. Has CBP RM looped in any other operational components?

Secondly, USBP defers the OIT POCs, request below, to the OIT Audit Team copied here. OIT owns recommendation 6 of the DHS OIG report and may be better suited to provide OIT POCs.

Is it possible to have more time than 11/5/21? One of our SMEs is out of office.

Standing by to assist and let us know if you have further questions. Do have a fantastic Friday.

(b)(6), (b)(7)(C), MPA
USBP/SPAD/Policy & Compliance Division
(b)(6), (b)(7)(C) Washington, D.C. 20229
Office (b)(6), (b)(7)(C) Mobile (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

Sent: Thursday, November 4, 2021 4:20 PM

To: (b)(6), (b)(7)(C); USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

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

Subject: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Hello,

Thank you for the information you provided to CBP RIM as a result of our meeting to discuss CBP's response to the NARA Letter (attached) regarding Unscheduled Destruction of CBP Records. The NARA Letter was in response to information documented in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan" (9-20-21).

CBP must respond to this letter with a **report documenting the unauthorized disposition** of the federal records that were identified in the OIG report.

- Ensure that Records Management regulations are being adhered to
- Ensure that the CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies
- 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
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- 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.

Below are the actions CBP RIM captured from our discussions. Please let us know if there are any errors or if you need any clarification. CBP RIM has a due date of 11/12/21 and welcome your responses by **COB 11/5/21** or as soon as possible.

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

- Send the information requests with due dates to the invitees on the call to include the USBP Audit team mailbox and (b)(6), (b)(7)(C) the USBP OIG Report Audit Lead
 - Completed with this email
- Arrange for CBP wide call to review response to NARA Letter

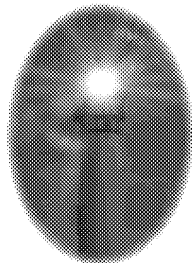
USBP to provide:

1. USBP specific policies, guidance, and training for WhatsApp use and other messaging applications – if any are available in addition to what CBP sent out

2. Any applicable USBP training such as Foreign Disclosure class
3. Information on the status of the OIG Report Recommendation actions
4. OIT names/POCs from the 8/21/21 OIG Report Recommendation meeting – USBP defers to OIT
5. Suggestions for other POCs
6. Responses to the 5 points listed in NARA Letter: (Please provide as much information as you can to help CBP RIM craft a response to each of these points. If you do not have any information to support the point, please response "no information to provide".)
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 - v. details of the actions taken to salvage, retrieve, or reconstruct the records

Thank you again for your help. If you have any questions, please let us know.

(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)
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Shine a Light

Suicide Prevention and Awareness

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



Message

From: CBPRECORDSMANAGEMENT; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Sent: 11/5/2021 12:27:09 PM
To: USBP-AUDIT-TEAM; (b)(6), (b)(7)(C)

CC:

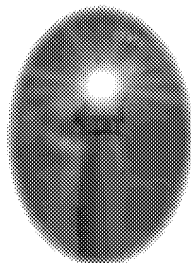
(b)(6), (b)(7)(C)

Subject: RE: 19-SRG-003--Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Good morning all,
With regard to the deadline we certainly understand the response time is tight – CBP RIM has to present our draft response to the NARA Letter to CIO (b)(6), (b)(7)(C) office the week of 11/15/21. To help mitigate the tight deadlines we ask that your office provide the information as it becomes available rather than waiting until all requested information has been gathered. CBP RIM will leave placeholders in the draft response as fill in as the materials are provided. We are working with other operational components and will be collating all information into a response that answers the NARA Letter at the DHS/CBP level.

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)
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Suicide Prevention and Awareness

National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



From: USBP-AUDIT-TEAM <(b)(6), (b)(7)(C)>

Sent: Friday, November 5, 2021 8:13 AM

To: CBPRECORDSMANAGEMENT <(b)(6), (b)(7)(C)>

<(b)(6), (b)(7)(C)> USBP-AUDIT-TEAM <(b)(6), (b)(7)(C)>

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

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

<(b)(6), (b)(7)(C)> OIT

Audit Liaison <(b)(6), (b)(7)(C)>

Subject: 19-SRG-003--Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Good morning <(b)(6), (b)(7)(C)>

Thank you so much for the e-mail and this certainly helps organize the RFI. USBP is confirming receipt.

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Secondly, USBP defers the OIT POCs, request below, to the OIT Audit Team copied here. OIT owns recommendation 6 of the DHS OIG report and may be better suited to provide OIT POCs.

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<(b)(6), (b)(7)(C)> MPA
USBP/SPAD/Policy & Compliance Division
<(b)(6), (b)(7)(C)> Washington, D.C. 20229
Office <(b)(6), (b)(7)(C)> Mobile <(b)(6), (b)(7)(C)>
<(b)(6), (b)(7)(C)>

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

Sent: Thursday, November 4, 2021 4:20 PM

To: (b)(6), (b)(7)(C) USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

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

Subject: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Hello,

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- Ensure that Records Management regulations are being adhered to
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CBP, (b)(6), (b)(7)(C)

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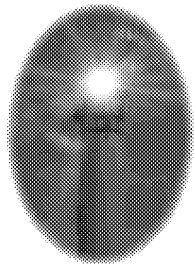
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Thank you again for your help. If you have any questions, please let us know.

(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:

11/10/2021 7:59:00 PM

To:

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

Subject:

FW: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

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

CBP Chief Records Officer

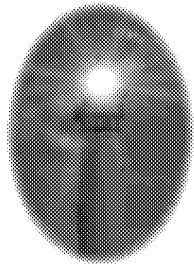
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

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



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National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



From: USBP-AUDIT-TEAM

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

Sent: Tuesday, November 9, 2021 1:36 PM

To:

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

; USBP-AUDIT-TEAM

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

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

Cc:

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

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

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

The USBP getbacks below, in yellow I highlighted. Does USBP have any responses for those getbacks? Has anything been provided to CBP RM, (b)(6), (b)(7)(C). We had a deadline of 11/5/21.

Feel free to call with any questions. Thank you so much & do have a terrific Tuesday.

(b)(6), (b)(7)(C) MPA
USBP/SPAD/Policy & Compliance Division
(b)(6), (b)(7)(C) Washington, D.C. 20229
Office (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 9, 2021 12:49 PM
To: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

So far we don't have any additional BP guidance on those apps, just CBP and DHS level.

Thank you,

(b)(6), (b)(7)(C)
ASSISTANT CHIEF
LAW ENFORCEMENT OPERATIONS DIRECTORATE
U.S. BORDER PATROL HQ
(b)(6), (b)(7)(C)

From: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
Sent: Tuesday, November 9, 2021 9:54 AM
To: (b)(6), (b)(7)(C) USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Good morning:

Checking status on the CBP RM RFI sent last week. Could the audit team please have a status update.

Thank you and do have a terrific Tuesday.

(b)(6), (b)(7)(C) MPA
USBP/SPAD/Policy & Compliance Division
(b)(6), (b)(7)(C) Washington, D.C. 20229
Office (b)(6), (b)(7)(C) Mobile (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: CBPRECORDSMANAGEMENT (b)(6), (b)(7)(C)
Sent: Thursday, November 4, 2021 4:20 PM
To: (b)(6), (b)(7)(C); USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

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

Subject: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

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CBP / (b)(6), (b)(7)(C)

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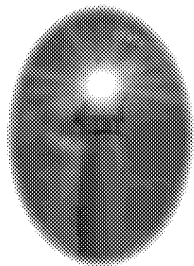
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2. Any applicable USBP training such as Foreign Disclosure class
3. Information on the status of the OIG Report Recommendation actions
4. OIT names/POCs from the 8/21/21 OIG Report Recommendation meeting USBP NOT providing OIT POCs, defers to OIT.
5. Suggestions for other POCs
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(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)
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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:

11/18/2021 2:29:19 PM

To:

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

Subject:

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

TIMELINE:

- a. Initial draft review [USBP and OFO, PDO, you, (b)(6), (b)(7)(C) DHS RIM] (2 days) 11/18-11/22
Compilation (2 days) 11/23-11/24
- b. Compiled comments review (b)(6), (b)(7)(C) aDAC, and AC](3-4 days) 11/26-12/1
- c. DHS pre-review (2 days) 12/2-12/3
- d. CIO (b)(6), (b)(7)(C) review (4 days) 12/6-12/10
- e. NARA Deadline: 12/10

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

Project Manager

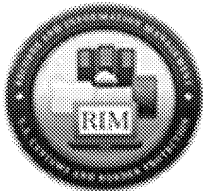
Contact Info: Teams (b)(6), (b)(7)(C)

Capital Advisors on Technology, LLC

Records and Information Management

OIT | CBP | DHS

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



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

Sent: Thursday, November 18, 2021 8:19 AM

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

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

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

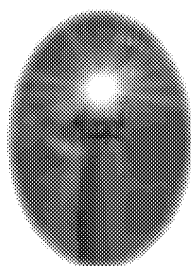
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DHS/CBP/OIT/RIM

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

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

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CBP Employee Assistance Program
800-755-7002



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

Sent: Wednesday, November 17, 2021 5:15 PM

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

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

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

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

Thanks for presenting the NARA Letter requirements to the WG today!

Just a quick status update for your awareness:

1. RIM will have the initial DRAFT CBP response to the NARA letter ready tomorrow, 11/18/21.
 - a. The plan is to send the initial DRAFT to the individuals RIM talked with from USBP and OFO, PDO, you, (b)(6), (b)(7)(C) DHS RIM. This will be a quick 2 day turn-around. *?any others you think need to review?*
 - b. RIM will compile the review inputs, put it in the proper format, and distribute it to you, (b)(6), (b)(7)(C) DHS RIM, aDAC, and AC. This will be a quick 3-4 day turnaround.
 - c. The semi-final version then needs to go back to DHS for pre-review before it goes to CIO (b)(6), (b)(7)(C) as a final. 2 day turnaround.
 - d. 'final' will go to CIO (b)(6), (b)(7)(C) - he will have 4 days to review.
 - e. All of these reviews need to occur to meet the NARA deadline of 12/10/21
2. RIM can create initial language for the C1 instruction memo and work with ENTSD on the draft before it gets distributed for review.
 - a. Chris: are you planning to pull a group together to work on the C1 memo? (b)(6), (b)(7)(C) OCC, RIM?

Thanks,

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

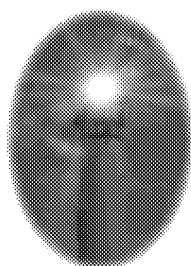
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From: (b)(6), (b)(7)(C)

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:

AI – (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) would review the **NTC WhatsApp Training draft** (attached) to make needed updates and use the deck to ‘communicate’ ‘WhatsApp Record-Keeping’ Training

ENTSD:: 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, RIM or Airwatch team as needed.

- a. **CBP RIM would like to provide language to Slide 5** (b)(5)
(b)(5)

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

- b. There is language on **Slides 15 and 27** about the records being ‘searchable’. (b)(5)
(b)(5)

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

- c. ??? Can we make this happen or have the plans to utilize the NTC deck changed?

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

It was suggested that **CBP RIM present the CBP RIM slide deck** (attached) during the Wednesday, 11/17/21 Messaging Apps Policy Working Group because CBP’s response to the NARA Open Case will reference the Policy and Proposed solution

- a. AI (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) indicated they will **provide CBP RIM with an additional slide** to describe CBP’s / ENTSD’s proposed response (b)(5)
(b)(5)

ENTSD:: Suggestion for the SOC, AC, or C1 to send (b)(5)

(b)(5)

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

ENTSD:: Correction... the CBP SOC approves WhatsApp messages and will be managing the Active Directory Security Group used to add/remove users (by 11/30/21).

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?**

ENTSD:: (b)(6), (b)(7)(C) is the POC for how this is working. The process is:

- As of 11/16/21: request from end user to install WhatsApp is created at TSD and sent to CBP SOC for approval. CBP SOC sends to Airwatch team to have user added to Active Directory Security Group. WhatsApp is automatically added to end user device.
- As of 11/30/21 (and in the OIG Audit response): request from end user to install WhatsApp is created at TSD and sent to CBP SOC for approval. CBP SOC adds user to Active Directory Security Group. WhatsApp is automatically added to end user device. End user would also need to get copy of manual archive training materials.

a. **CBP RIM would like to provide language into the instructions** (b)(5)

(b)(5)

ENTSD:: RIM, please edit the attached draft guides to include the desired language.

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. AI (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) would **review the NTC WhatsApp Training draft** (attached) to make needed updates and use the deck to 'communicate' 'WhatsApp Record-Keeping' Training

a. **CBP RIM would like to provide language to Slide 5** (b)(5)

(b)(5)

- b. There is language on **Slides 15 and 27** about the records being 'searchable'. (b)(5)

(b)(5)

- c. ??? Can we make this happen or have the plans to utilize the NTC deck changed?

2. It was suggested that **CBP RIM present the CBP RIM slide deck** (attached) during the Wednesday, 11/17/21 Messaging Apps Policy Working Group because CBP's response to the NARA Open Case will reference the Policy and Proposed solution

- a. AI (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) indicated they will **provide CBP RIM with an additional slide** to describe CBP's / ENTSD's proposed response including (b)(5)

(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. **CBP RIM would like to provide language** (b)(5)

(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?

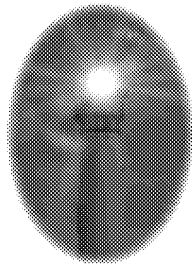
Thanks,

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

(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)

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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)'s 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)

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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:

11/18/2021 5:31:49 PM

To:

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

CC:

Subject:

FYI - FW: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

See below. Nothing provided will modify our initial draft response.

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

CBP Chief Records Officer

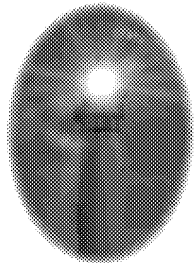
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(C) (b)(6), (b)(7)(C)

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

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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: Thursday, November 18, 2021 12:28 PM

To:

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

USBP-AUDIT-TEAM

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

CC:

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

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

Subject: RE: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Good afternoon,

I have added answers to the email below in the highlighted portion. Most of the queries fall outside of USBP purview. I have annotated to whom they fall for reference.

Thank you,

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

ASSISTANT CHIEF
LAW ENFORCEMENT OPERATIONS DIRECTORATE
US BORDER PATROL HQ

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

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

Sent: Thursday, November 18, 2021 9:46 AM

To: USBP-AUDIT-TEAM <(b)(6), (b)(7)(C)>

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

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

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

Subject: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr
Importance: High

Hi all,

If I missed an email, my apologies. I cannot find a response coming from USBP-Audit.

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

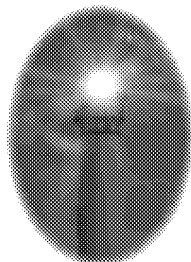
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(C) (b)(6), (b)(7)(C)

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

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800-273-8255

CBP Employee Assistance Program

800-755-7002



From: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

Sent: Tuesday, November 9, 2021 1:36 PM

To: (b)(6), (b)(7)(C); USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

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

The USBP getbacks below, in yellow I highlighted. Does USBP have any responses for those getbacks? Has anything been provided to CBP RM, (b)(6), (b)(7)(C) We had a deadline of 11/5/21.

Feel free to call with any questions. Thank you so much & do have a terrific Tuesday.

(b)(6), (b)(7)(C) MPA
USBP/SPAD/Policy & Compliance Division
(b)(6), (b)(7)(C) Washington, D.C. 20229
Office (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 9, 2021 12:49 PM

To: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

So far we don't have any additional BP guidance on those apps, just CBP and DHS level.

Thank you,

(b)(6), (b)(7)(C)
ASSISTANT CHIEF
LAW ENFORCEMENT OPERATIONS DIRECTORATE
US BORDER PATROL HQ
(b)(6), (b)(7)(C)

From: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

Sent: Tuesday, November 9, 2021 9:54 AM

To: (b)(6), (b)(7)(C); USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Good morning:

Checking status on the CBP RM RFI sent last week. Could the audit team please have a status update.

Thank you and do have a terrific Tuesday.

(b)(6), (b)(7)(C) MPA
USBP/SPAD/Policy & Compliance Division
(b)(6), (b)(7)(C) Washington, D.C. 20229
Office: (b)(6), (b)(7)(C) Mobile: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: CBPRECORDSMANAGEMENT <(b)(6), (b)(7)(C)>
Sent: Thursday, November 4, 2021 4:20 PM
To: (b)(6), (b)(7)(C) USBP-AUDIT-TEAM (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)(6), (b)(7)(C)
Subject: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Hello,

Thank you for the information you provided to CBP RIM as a result of our meeting to discuss CBP's response to the NARA Letter (attached) regarding Unscheduled Destruction of CBP Records. The NARA Letter was in response to information documented in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan" (9-20-21).

CBP must respond to this letter with a **report documenting the unauthorized disposition** of the federal records that were identified in the OIG report.

- Ensure that Records Management regulations are being adhered to
- Ensure that the CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies
- 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
- 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
- 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.

Below are the actions CBP RIM captured from our discussions. Please let us know if there are any errors or if you need any clarification. CBP RIM has a due date of 11/12/21 and welcome your responses by **COB 11/5/21** or as soon as possible.

CBP/Dawn Watts

- Send the information requests with due dates to the invitees on the call to include the USBP Audit team mailbox and (b)(6), (b)(7)(C) the USBP OIG Report Audit Lead
 - Completed with this email
- Arrange for CBP wide call to review response to NARA Letter

USBP to provide:

1. USBP specific policies, guidance, and training for WhatsApp use and other messaging applications – if any are available in addition to what CBP sent out USBP Response – Nothing further than what our parent agency sent out.
2. Any applicable USBP training such as Foreign Disclosure class. USBP follows the training set forth by OCC who is the owner of said training, we defer to OCC for this.
3. Information on the status of the OIG Report Recommendation actions: the recommended actions all fall to OIT, as such USBP defers to OIT.
4. OIT names/POCs from the 8/21/21 OIG Report Recommendation meeting USBP NOT providing OIT POCs, defers to OIT.
5. Suggestions for other POCs: OIT for OIG recommendations, OTD for training, OCC for training
6. Responses to the 5 points listed in NARA Letter: (Please provide as much information as you can to help CBP RIM craft a response to each of these points. If you do not have any information to support the point, please response "no information to provide".) This must come from our parent agency such as CBP or DHS.
 - a. The final response from CBP must include:
 - i. a complete description of the records with volume and dates if known
 - ii. a description of the office maintaining the records
 - iii. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records
 - iv. a statement of the safeguards established to prevent further loss of documentation
 - v. details of the actions taken to salvage, retrieve, or reconstruct the records

Thank you again for your help. If you have any questions, please let us know.

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

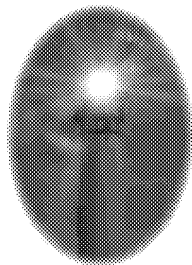
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DHS/CBP/OIT/RIM

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

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

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National Suicide Prevention Lifeline

800-273-8255

CBP Employee Assistance Program

800-755-7002



Message

From:

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

Sent:

11/18/2021 5:39:04 PM

To:

OFO.AUDITS;

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

CC:

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

Subject:

SHORT SUSPENSE Due noon 12/22/21 - OFO input to the official DHS/CBP response NARA Unauthorized Destruction Letter

Attachments:

RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr - CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan (OIG-21-62); NARA-Letter-Response-Tasker_211118.docx

Hi OFO,

As promised, attached is the initial DHS/CBP input for the official DHS/CBP response NARA Unauthorized Destruction Letter.

Please use track changes per instructions and return to me and CBPRECORDSMANAGEMENT

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

Please forward this as appropriate. Also, attached for reference is associated communication.

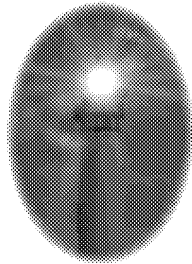
Due to tight deadlines, responses are due by NOON 12/22/21. No Response / no suggested updates will be tracked as concurrence from OFO.

If there are any questions with the request or associated instructions for submitting comments please let me know.

Thank you,

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

Records and Information Management Program (RIM)



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800-273-8255

CBP Employee Assistance Program

800-755-7002



Message

From:

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

Sent:

11/18/2021 5:55:41 PM

To:

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

USBP-AUDIT-TEAM

CC:

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

Subject:

SHORT SUSPENSE Due noon 12/22/21 - USBP input to the official DHS/CBP response NARA Unauthorized Destruction Letter

Attachments:

RE: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr; NARA-Letter-Response-Tasker_211118.docx

Hi USBP,

As promised, attached is the initial DHS/CBP input for the official DHS/CBP response NARA Unauthorized Destruction Letter.

Please use track changes per instructions and return to me and CBPRECORDSMANAGEMENT

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

Please forward this as appropriate. Also, attached for reference is associated communication.

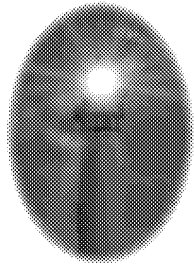
Due to tight deadlines, responses are due by NOON 12/22/21. No Response / no suggested updates will be tracked as concurrence from USBP.

If there are any questions with the request or associated instructions for submitting comments please let me know.

Thank you,

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

Records and Information Management Program (RIM)



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Message

From:

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

Sent:

11/18/2021 6:19:51 PM

To:

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

USBP-AUDIT-TEAM

CC:

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

Subject:

RE: !!! SHORT SUSPENSE DUE NOON 11/22/21 - USBP input to the official DHS/CBP response NARA Unauthorized Destruction Letter

Attachments:

RE: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr; NARA-Letter-Response-Tasker_211118.docx

The correct due date is **11/22/21**.

Thank You,

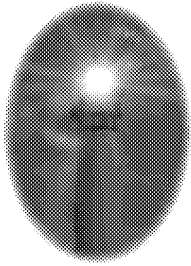
(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

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CBP Employee Assistance Program
800-755-7002



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

Sent: Thursday, November 18, 2021 12:56 PM

To: (b)(6), (b)(7)(C) USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

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

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

Subject: SHORT SUSPENSE Due noon 11/22/21 - USBP input to the official DHS/CBP response NARA Unauthorized Destruction Letter

Hi USBP,

As promised, attached is the initial DHS/CBP input for the official DHS/CBP response NARA Unauthorized Destruction Letter.

Please use track changes per instructions and return to me and CBPRECORDSMANAGEMENT

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

Please forward this as appropriate. Also, attached for reference is associated communication.

Due to tight deadlines, responses are due by NOON 11/22/21. No Response / no suggested updates will be tracked as concurrence from USBP.

If there are any questions with the request or associated instructions for submitting comments please let me know.

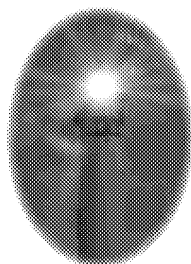
Thank you,

(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)

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CBP Employee Assistance Program
800-755-7002



Message

From:

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

Sent:

11/18/2021 6:24:43 PM

To:

OFO AUDITS:

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

CC:

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

Subject:

!!! Corrected due date - RE: SHORT SUSPENSE Due noon 11/22/21 - OFO input to the official DHS/CBP response
NARA Unauthorized Destruction Letter

Attachments:

RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr - CBP Targeted
Americans Associated with the 2018-2019 Migrant Caravan (OIG-21-62); NARA-Letter-Response-
Tasker_211118.docx

My apologies – the correct due date is 11/22/21.

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

CBP Chief Records Officer

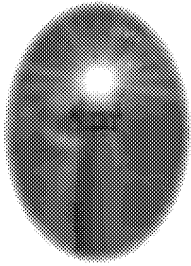
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(C) (b)(6), (b)(7)(C)

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

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CBP Employee Assistance Program
800-755-7002



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

Sent: Thursday, November 18, 2021 12:39 PM

To: OFO AUDITS; (b)(6), (b)(7)(C)

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

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

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

Subject: SHORT SUSPENSE Due noon 11/22/21 - OFO input to the official DHS/CBP response NARA Unauthorized Destruction Letter

Hi OFO,

As promised, attached is the initial DHS/CBP input for the official DHS/CBP response NARA Unauthorized Destruction Letter.

Please use track changes per instructions and return to me and CBPRECORDSMANAGEMENT

<(b)(6), (b)(7)(C)>

Please forward this as appropriate. Also, attached for reference is associated communication.

Due to tight deadlines, responses are due by NOON 11/22/21. No Response / no suggested updates will be tracked as concurrence from OFO.

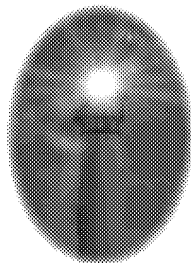
If there are any questions with the request or associated instructions for submitting comments please let me know.

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)

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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:

11/18/2021 5:20:43 PM

To:

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

CBPRECORDSMANAGEMENT

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

CC:

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

Subject:

RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr - CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan (OIG-21-62)

Flag:

Follow up

Thank you for your response.

Is your team able to provide input to the following from the perspective of OFO's use of the messaging apps during the time indicated?

4. OUT STANDING - Responses to the 5 points listed in NARA Letter: (Please provide as much information as you can to help CBP RIM craft a response to each of these points. If you do not have any information to support the point, please response "no information to provide".)
 - a. The final response from CBP must include:
 - i. a complete description of the records with volume and dates if known
 - ii. a description of the office maintaining the records
 - iii. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records
 - iv. a statement of the safeguards established to prevent further loss of documentation
 - v. details of the actions taken to salvage, retrieve, or reconstruct the records

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

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

CBP Chief Records Officer

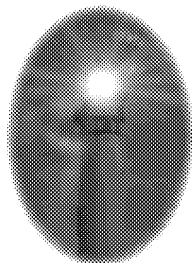
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

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CBP Employee Assistance Program
800-755-7002



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

Sent: Thursday, November 18, 2021 11:45 AM

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

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

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

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

(b)(6), (b)(7)(C) OFO AUDITS <OFOAUDITS@cbp.dhs.gov>

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr - CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan (OIG-21-62)

Good morning Chief (b)(6), (b)(7)(C)

OFO Audits has begun routing OFO's portion of the 90-Day update for the Final Report entitled: *CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan* (OIG-21-62) through the appropriate OFO chain of command for review and approval. Once the EAC has approved OFO's portion, the document will be delivered to CBP Management Inspection Division (MID) for inclusion in CBP's response to DHS OIG. OFO is assigned the first two recommendations, which both deal solely with TECS. Recommendation 6, which deals with WhatsApp, belongs to the Office of Information and Technology. OFO Audits will not have visibility into the OIT 90-Day Update of that recommendation until after MID consolidates the responses from all of the involved components. OFO Audits will also not have visibility into any guidance provided, unless it pertains specifically to one of the recommendation (1 and 2) that we manage.

As always, I am available to discuss.

Regards,

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

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

Branch Chief, Audit Program Management
Quality Assurance Enterprise Division
Planning, Program Analysis & Evaluation
Office of Field Operations
U.S. Customs & Border Protection

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

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

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



U.S. Customs and
Border Protection

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

Sent: Thursday, November 18, 2021 10:07 AM

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

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

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

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Importance: High

Hi all,

If I missed an email, my apologies. I cannot find a response coming from OFO Audit. See below for what is outstanding according to our email records.

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

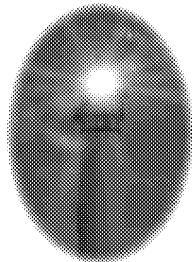
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

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800-273-8255

CBP Employee Assistance Program

800-755-7002



From: CBPRECORDSMANAGEMENT <(b)(6), (b)(7)(C)>
Sent: Thursday, November 4, 2021 2:59 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)

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

Subject: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Hello,

Thank you for the information you provided to CBP RIM as a result of our meeting to discuss CBP's response to the NARA Letter (attached) regarding Unscheduled Destruction of CBP Records. The NARA Letter was in response to information documented in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan"(9-20-21).

CBP must respond to this letter with a **report documenting the unauthorized disposition** of the federal records that were identified in the OIG report.

- Ensure that Records Management regulations are being adhered to
- Ensure that the CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies
- 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
- 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
- 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.

Below are the actions CBP RIM captured from our discussions. Please let us know if there are any errors or if you need any clarification. CBP RIM has a **due date of 11/12/21** and welcome your responses as soon as they are available.

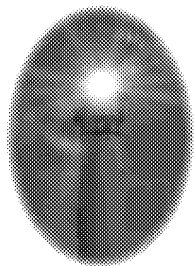
OFO to provide:

1. OUT STANDING - OFO 90-day updates to the OIG Report Recommendations and include the consolidated response that MID compiles

2. OPR communications sent out "a couple of years" ago concerning use of messaging applications
 - a. This was completed on 11/3/21
3. OUT STANDING - Any documentation or messages concerning use of personal phones and unknown platforms for government information (such as WhatsApp and translation applications) that CBP RIM can share with NARA
 - a. This was partially completed on 11/3/21 for phones and social media; **Is there any guidance to the field on use of messaging applications such as WhatsApp?**
4. OUT STANDING - Responses to the 5 points listed in NARA Letter: (Please provide as much information as you can to help CBP RIM craft a response to each of these points. If you do not have any information to support the point, please response "no information to provide".)
 - a. The final response from CBP must include:
 - i. a complete description of the records with volume and dates if known
 - ii. a description of the office maintaining the records
 - iii. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records
 - iv. a statement of the safeguards established to prevent further loss of documentation
 - v. details of the actions taken to salvage, retrieve, or reconstruct the records
5. ~~Suggestions for other POCs~~

Thank you again for your help.

(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)
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CBP Employee Assistance Program
 800-755-7002



Message

From:

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

on behalf of

OIT TASKINGS

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

Sent:

To:

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

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

CC:

Subject: DHS/CBP Response to NARA Letter linked to OIG Audit Report

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

Good Afternoon_XD's and Directors,

Attached for review and action is a letter from (b)(6), (b)(7)(C) Chief Records Officer for the US Government sent 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 Hysen to the Laurence Brewer Chief Records Officer for the US Government.

To ensure a full and accurate response CBP RIM will reach out to OIT Offices that are addressing the OIG audit findings (ENTDS) and others within CBP that can provide information for inclusion in the DHS/CBP response. Per NARA's letter, the response will include records management corrective actions being taken to address the OIG investigation. CBP RIM will be required to provide NARA periodic status of those corrective actions.

The NARA letter cites the following specific OIG Audit Report **Recommendation** within their audit report:

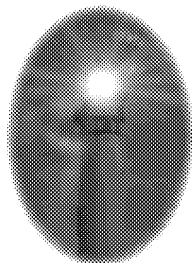
Recommendation 6: Take immediate action to end the use of WhatsApp for operational purposes or to ensure that WhatsApp messages are retained in compliance with legal and policy requirements including records retention schedules.

Please send all replies and questions to (b)(6), (b)(7)(C)

Tasker Name	Review NARA Letter to CIO Hysen and provide CBP Records and Information Management (RIM) with POCs from involved OIT offices.
Lead Office	CBP Records and Information Management (RIM)
Assigned Office(s)	OIT XDs, CTO and Division Directors
Background	<p>The Federal Records Act requires all federal agencies retain records for periods of time authorized by NARA-Approved records retention schedules. Because WhatsApp and Wickr do not retain messages consistent with NARA-approved retention schedules, their use violates the Federal Records ACT and CBP and DHS policy. This resulted in illegal and <i>Unauthorized Destruction</i> of important federal records..</p> <p>The National Archives and Records Administration (NARA) indicated in their letter to the DHS CIO that they became aware, through multiple media reports and the recent <u>Office of Inspector General (OIG)</u> report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan," that the Customs and Border Protection (CBP) has been using the messaging software <i>WhatsApp</i> and is deploying the encrypted messaging application <i>Wickr</i> across all components of the agency.</p> <p>NARA cites in their letter the OIG report which states: 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 <i>WhatsApp</i> messages likely violated DHS and CBP records retention policies because the messages were information that CBP created or received in carrying out its</p>

	<p>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 <i>unauthorized destruction</i> of records caused by use of WhatsApp and Wickr.</p>
<p>Additional Instruction contained within NARA’s letter:</p>	<p>*** NARA instructed DHS/CBP to provide a response that addresses the following (as contained in the attached letter):</p> <ol style="list-style-type: none"> 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. <p>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.</p>
<p>REQUEST:</p>	<ol style="list-style-type: none"> 1. Please review the attached letter from Laurence Brewer Chief Records Officer for the US Government to Eric Hysen 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. 2. Respond directly to Dawn Watts, CBP RIM CRO with questions, comments, and POC names within your OIT office that CBP RIM can coordinate with to compile the DHS/CBP response.
<p>POC for Questions / Response</p>	<p>Please contact: (b)(6), (b)(7)(C) DUE COB 11/01/21</p>

(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)
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800-273-8255

CBP Employee Assistance Program
800-755-7002



Message

From:

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

Sent:

11/23/2021 9:41:52 PM

To:

CC:

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

Subject:

Wed meeting? RE: 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 -

Importance: High

Hi all,

I'm getting in (b)(6), (b)(7)(C) territory here but checking to see if there is a time that works for everyone tomorrow morning to discuss. CBP RIM will need to update the response and create a corrective action plan as part of the response to NARA.

Suggested times thus far:

8:30 – 9:00

10:30 – 11:00

1:00 – 1:30

Thanks,

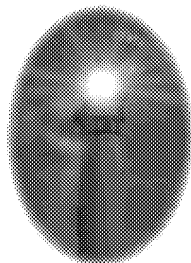
(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

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800-755-7002



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

Sent: Tuesday, November 23, 2021 2:49 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: 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 -

Hello again,

It appears schedules are tight this afternoon and we're looking at options tomorrow morning. Will any of the following align with your schedules:

- 8:30 – 9:00
- 10:30 – 11:00
- 1:00 – 1:30

(b)(6), (b)(7)(C)
 Special Assistant
 Supporting Sunil Madhugiri, Chief Technology Officer
 Office of Information Technology
 U.S. Customs and Border Protection
 (b)(6), (b)(7)(C) (m); (b)(6), (b)(7)(C) (o)

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

Sent: Tuesday, November 23, 2021 2:30 PM

To: (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)

Subject: RE: 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 -
Importance: High

Hello all,

Will any of the following align with your schedules today:

3:00 – 3:30
3:15 – 3:45
4:00 – 4:30

Thank you,

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

Special Assistant
Supporting Sunil Madhugiri, Chief Technology Officer
Office of Information Technology
U.S. Customs and Border Protection

(b)(6), (b)(7)(C) (m) **(b)(6), (b)(7)(C)** (o)

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

Sent: Tuesday, November 23, 2021 2:04 PM

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

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

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

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

Subject: RE: 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 -

Who can I work with to coordinate all of your schedules?

I will shuffle CBP RIM schedules to be available.

Thanks,

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

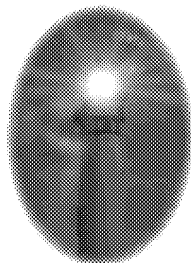
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

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800-755-7002



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

Sent: Tuesday, November 23, 2021 1:54 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: 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 -

We should setup a call.

{ name : (b)(6), (b)(7)(C)

title : "Chief Technology Officer ",

office : "Customs & Border Protection",

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

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

message of the day : "01001001 01110100 00100000 01101001 01110011 00100000 01100001 01101100 01101100 00100000 01100001 01100010 01101111 01110101 01110100 00100000 01100011 01101111 01100100 01100101" }

To schedule an calendar appointment, please contact:

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

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

Date: Tuesday, November 23, 2021 at 1:31 PM

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

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

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

(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 -

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?

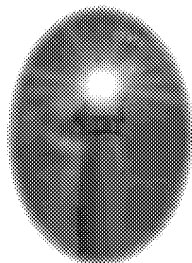
The response will be reviewed with the **aDAC on 11/26/21 Friday**, and the **AC on 11/29/21 Monday**. It will then go to **CIO Hysen** for review before being submitted to NARA. The response will be considered publicly available information and several citizen action groups such as CREW will be looking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

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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)

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. Some comments reflect disagreement with areas of responsibility and recommend formalizing those roles and responsibilities. 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) & (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. 111821.1406 (b)(6), (b)(7)(C) edits NARA-Letter-Response

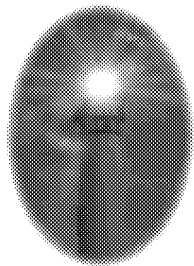
Due by COB 11/30/21 – Attached for SOC review, comment, or concurrence are:

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)

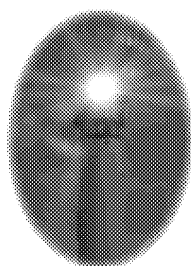
Subject: Draft C1 Memo & Training slides - RE: After Actions & Questions - RE: CBP RIM's response to the NARA Unauthorized Disposition Letter

Good morning,
CBP RIM made edits to the attached WhatsApp training slides – added language in the top box: *Unauthorized disposition of WhatsApp messages can result in criminal prosecution with consequences that include fines and prison. In order to adequately protect these federal records, you must archive them according to the steps outlined below.* Please let us know if you have questions or concerns with the language that CBPRIM added to the training slides.

Also attached is an initial cut at the C1 memo. The team lifted some of the language from the DHS Directive 141-03 – attached for reference.

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)
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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)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) would review the NTC WhatsApp Training draft (attached) to make needed updates and use the deck to 'communicate' 'WhatsApp Record-Keeping' Training

ENTSD:: 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, RIM or Airwatch team as needed.

- a. **CBP RIM would like to provide language to Slide 5** (b)(5)
(b)(5)

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

- b. There is language on Slides 15 and 27 about the records being 'searchable'. (b)(5)
(b)(5)

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

- c. ??? Can we make this happen or have the plans to utilize the NTC deck changed?

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

It was suggested that **CBP RIM present the CBP RIM slide deck** (attached) during the Wednesday, 11/17/21 Messaging Apps Policy Working Group because CBP's response to the NARA Open Case will reference the Policy and Proposed solution

- a. (b)(6), (b)(7)(C) indicated they will provide CBP RIM with an additional slide to describe CBP's / ENTSD's proposed response including (b)(5)
(b)(5)

ENTSD:: Suggestion (b)(5)

(b)(5)

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

ENTSD:: Correction... the CBP SOC approves WhatsApp messages and will be managing the Active Directory Security Group used to add/remove users (by 11/30/21).

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?**

ENTSD:: (b)(6), (b)(7)(C) is the POC for how this is working. The process is:

- As of 11/16/21: request from end user to install WhatsApp is created at TSD and sent to CBP SOC for approval. CBP SOC sends to Airwatch team to have user added to Active Directory Security Group. WhatsApp is automatically added to end user device.
- As of 11/30/21 (and in the OIG Audit response): request from end user to install WhatsApp is created at TSD and sent to CBP SOC for approval. CBP SOC adds user to Active Directory Security Group. WhatsApp is automatically added to end user device. End user would also need to get copy of manual archive training materials.

a. **CBP RIM would like to provide language** (b)(5)

(b)(5)

ENTSD:: RIM, please edit the attached draft guides to include the desired language.

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. (b)(6), (b)(7)(C) would **review the NTC WhatsApp Training draft** (attached) to make needed updates and use the deck to 'communicate' 'WhatsApp Record-Keeping' Training

a. **CBP RIM would like to provide language to Slide 5** (b)(5)

(b)(5)

- b. There is language on **Slides 15 and 27** about the records being 'searchable'. (b)(5)

(b)(5)

- c. ??? Can we make this happen or have the plans to utilize the NTC deck changed?

2. It was suggested that **CBP RIM present the CBP RIM slide deck** (attached) during the Wednesday, 11/17/21 Messaging Apps Policy Working Group because CBP's response to the NARA Open Case will reference the Policy and Proposed solution

- a. (b)(6), (b)(7)(C) indicated they will **provide CBP RIM with an additional slide** to describe CBP's / ENTSD's proposed response including (b)(5)

(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. **CBP RIM would like to provide language:** (b)(5)

(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)

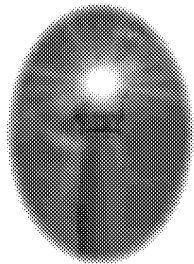
(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

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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 (b)(6), (b)(7)(C) 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 (b)(6), (b)(7)(C) 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)
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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](#)

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Message

From:

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

Sent:

11/23/2021 7:48:44 PM

To:

CC:

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

Subject:

RE: 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 -

Hello again,

It appears schedules are tight this afternoon and we're looking at options tomorrow morning. Will any of the following align with your schedules:

8:30 – 9:00

10:30 – 11:00

1:00 – 1:30

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

Special Assistant

Supporting Sunil Madhugiri, Chief Technology Officer

Office of Information Technology

U.S. Customs and Border Protection

(b)(6), (b)(7)(C) (m); (b)(6), (b)(7)(C) (o)

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

Sent: Tuesday, November 23, 2021 2:30 PM

To:

(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)

Subject: RE: 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 -
Importance: High

Hello all,

Will any of the following align with your schedules today:

3:00 – 3:30

3:15 – 3:45

4:00 – 4:30

Thank you,

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

Special Assistant

Supporting Sunil Madhugiri, Chief Technology Officer

Office of Information Technology

U.S. Customs and Border Protection

(b)(6), (b)(7)(C) (m), (b)(6), (b)(7)(C) (o)

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

Sent: Tuesday, November 23, 2021 2:04 PM

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

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

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

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

Subject: RE: 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 -

Who can I work with to coordinate all of your schedules?

I will shuffle CBP RIM schedules to be available.

Thanks,

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

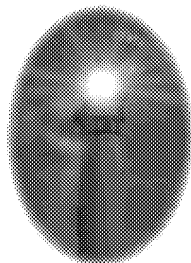
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

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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 1:54 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: 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 -

We should setup a call.

{ name : (b)(6), (b)(7)(C)

title : "Chief Technology Officer ",

office : "Customs & Border Protection",

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

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

message of the day : "01001001 01110100 00100000 01101001 01110011 00100000 01100001 01101100 01101100 00100000 01100001 01100010 01101111 01110101 01110100 00100000 01100011 01101111 01100100 01100101" }

To schedule an calendar appointment, please contact:

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

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

Date: Tuesday, November 23, 2021 at 1:31 PM

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

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

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

(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 -

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?

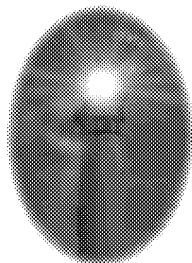
The response will be reviewed with the **aDAC on 11/26/21 Friday**, and the **AC on 11/29/21 Monday**. It will then go to **CIO (b)(6), (b)(7)(C)** for review before being submitted to NARA. The response will be considered publicly available information and several citizen action groups such as CREW 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)

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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)

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. Some comments reflect disagreement with areas of responsibility and recommend formalizing those roles and responsibilities. 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) & (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. 111821.1406 (b)(6), (b)(7)(C) edits NARA-Letter-Response

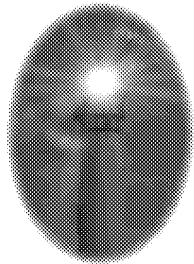
Due by COB 11/30/21 – Attached for SOC review, comment, or concurrence are:

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)
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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)

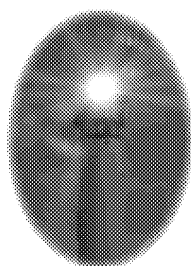
Subject: Draft C1 Memo & Training slides - RE: After Actions & Questions - RE: CBP RIM's response to the NARA Unauthorized Disposition Letter

Good morning,
CBP RIM made edits to the attached WhatsApp training slides – added language in the top box: *Unauthorized disposition of WhatsApp messages can result in criminal prosecution with consequences that include fines and prison. In order to adequately protect these federal records, you must archive them according to the steps outlined below.* Please let us know if you have questions or concerns with the language that CBPRIM added to the training slides.

Also attached is an initial cut at the C1 memo. The team lifted some of the language from the DHS Directive 141-03 – attached for reference.

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)
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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)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) would review the NTC WhatsApp Training draft (attached) to make needed updates and use the deck to 'communicate' 'WhatsApp Record-Keeping' Training

ENTSD:: 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, RIM or Airwatch team as needed.

- a. CBP RIM would like to provide language to Slide 5: (b)(5)

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

- b. There is language on Slides 15 and 27 about the records being 'searchable'. (b)(5)

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

- c. ??? Can we make this happen or have the plans to utilize the NTC deck changed?

ENTSD:: RIM, please edits the attached draft guides to include the desired language.

It was suggested that CBP RIM present the CBP RIM slide deck (attached) during the Wednesday, 11/17/21 Messaging Apps Policy Working Group because CBP's response to the NARA Open Case will reference the Policy and Proposed solution

- a. (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) indicated they will provide CBP RIM with an additional slide to describe CBP's / ENTSD's proposed response (b)(5)

ENTSD:: Suggestion (b)(5)

(b)(5)

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

ENTSD:: Correction... the CBP SOC approves WhatsApp messages and will be managing the Active Directory Security Group used to add/remove users (by 11/30/21).

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?**

ENTSD:: (b)(6), (b)(7)(C) is the POC for how this is working. The process is:

- As of 11/16/21: request from end user to install WhatsApp is created at TSD and sent to CBP SOC for approval. CBP SOC sends to Airwatch team to have user added to Active Directory Security Group. WhatsApp is automatically added to end user device.
- As of 11/30/21 (and in the OIG Audit response): request from end user to install WhatsApp is created at TSD and sent to CBP SOC for approval. CBP SOC adds user to Active Directory Security Group. WhatsApp is automatically added to end user device. End user would also need to get copy of manual archive training materials.

a. **CBP RIM would like to provide language**

(b)(5)

(b)(5)

ENTSD:: RIM, please edit the attached draft guides to include the desired language.

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. (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) would **review the NTC WhatsApp Training draft** (attached) to make needed updates and use the deck to 'communicate' 'WhatsApp Record-Keeping' Training

a. **CBP RIM would like to provide language to Slide 5**

(b)(5)

(b)(5)

- b. There is language on **Slides 15 and 27** about the records being 'searchable'.

(b)(5)

(b)(5)

- c. ??? Can we make this happen or have the plans to utilize the NTC deck changed?

2. It was suggested that **CBP RIM present the CBP RIM slide deck** (attached) during the Wednesday, 11/17/21 Messaging Apps Policy Working Group because CBP's response to the NARA Open Case will reference the Policy and Proposed solution

- a. (b)(6), (b)(7)(C) and/or (b)(6), (b)(7)(C) indicated they will **provide CBP RIM with an additional slide** to describe CBP's / ENTSD's proposed response

(b)(5)

(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. **CBP RIM would like to provide language** [redacted] (b)(5)

[redacted] **(b)(5)** [redacted]

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,

[redacted]

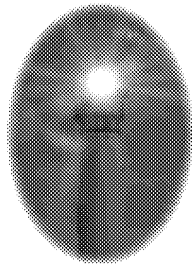
[redacted], (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

(C) [redacted] (b)(6), (b)(7)(C)

[redacted] (b)(6), (b)(7)(C)

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Suicide Prevention and Awareness

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



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

From: [redacted] (b)(6), (b)(7)(C)

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

To: [redacted] (b)(6), (b)(7)(C)

Cc: [redacted] (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 [redacted] (b)(6), (b)(7)(C) just emailed.

Hi [redacted] (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 (b)(6), (b)(7)(C) 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)
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Message

From:

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

Sent:

11/29/2021 2:04:29 PM

To:

CC:

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

Subject:

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

Good morning,

The Acting Deputy Chief of Operations is (b)(6), (b)(7)(C). His division has oversight of the Border Patrol Sectors and USBP Intel. They may be able to assist with operational questions.

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

Acting Deputy Chief of Staff
Office of the Chief
U.S. Border Patrol Headquarters

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

Integrity | Excellence

From:

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

Sent: Friday, November 26, 2021 11:57 AM

To:

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

Cc:

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

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

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

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

I wanted to bring you into the conversation as the USBP Records Accountable Executive (RAE) for your awareness and any additional information you can provide. I have cc'd (b)(6), (b)(7)(C) (RIM LRIM).

Per the original email below, CBP Records and Information Management (RIM) is seeking assistance from USBP in responding to a NARA Letter (open case) 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 (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.

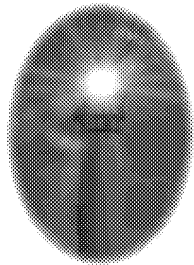
The USBP Audit team responded that they consider it to be a Records Management action.

QUESTION: to your knowledge, are there other USBP members you recommend that CBP RIM contact who can provide additional information from an operational perspective on the use of messaging apps such as WhatsApp and Wickr within USBP?

Any additional information or stakeholder POCs you can provide would be greatly appreciated. Please don't hesitate to contact me directly if you have any questions or wish 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)
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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 2:29 PM

To: USBP-AUDIT-TEAM

(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 (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 \(dhs.gov\)](https://oig.dhs.gov/reports-and-publications/reports-and-publications-released/2021-06-21-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)*, (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 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.

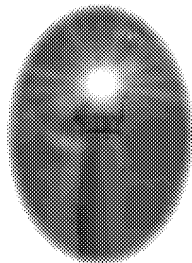
Thank you,

(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)

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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:

11/26/2021 4:56:56 PM

To:

CC:

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

Subject:

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

Attachments:

2021-10-26_UD-2022-0001_DHS-CBP_Open Letter-1301-1b.pdf; RE: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr; SHORT SUSPENSE Due noon 12/22/21 - USBP input to the official DHS/CBP response NARA Unauthorized Destruction Letter

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

I wanted to bring you into the conversation as the USBP Records Accountable Executive (RAE) for your awareness and any additional information you can provide. I have cc'd (b)(6), (b)(7)(C) (RIM LRIM).

Per the original email below, CBP Records and Information Management (RIM) is seeking assistance from USBP in responding to a NARA Letter (open case) 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 (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 \(dhs.gov\)](https://oig.dhs.gov/reports-and-publications/reports-and-publications-released/2021-10-26-UD-2022-0001-DHS-CBP-Open-Letter-1301-1b.pdf)) regarding the use of WhatsApp and possible unauthorized destruction of records.

The USBP Audit team responded that they consider it to be a Records Management action.

QUESTION: to your knowledge, are there other USBP members you recommend that CBP RIM contact who can provide additional information from an operational perspective on the use of messaging apps such as WhatsApp and Wickr within USBP?

Any additional information or stakeholder POCs you can provide would be greatly appreciated. Please don't hesitate to contact me directly if you have any questions or wish to discuss.

Thank you,

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

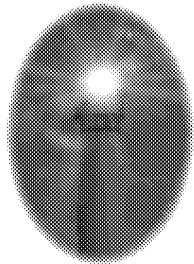
Records and Information Management Program (RIM)

DHS/CBP/OIT/RIM

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

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

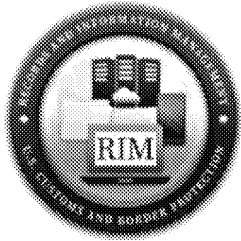
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800-755-7002



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

Sent: Monday, November 1, 2021 2:29 PM

To: USBP-AUDIT-TEAM |

(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)(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 (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 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)*, (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 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.

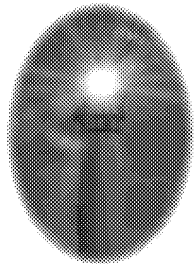
CBP Response to Recommendation 5: Concur. CBP's Privacy and Diversity Office, in coordination with various CBP components, will identify individuals and work units that regularly disclose PII to foreign partners, and will provide virtual training regarding all applicable policies and procedures by March 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)
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CBP Employee Assistance Program
800-755-7002



Message

From: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

Sent: 11/18/2021 6:02:04 PM

To:

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

(b)(6), (b)(7)(C) USBP-AUDIT-TEAM
(b)(6), (b)(7)(C)

Subject: RE: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Thank you (b)(6), (b)(7)(C). Also, USBP defers to USBP Records Management team for anything further.

Do have a tremendous Thursday.

(b)(6), (b)(7)(C) MPA
USBP/SPAD/Policy & Compliance Division
(b)(6), (b)(7)(C)
Office (b)(6), (b)(7)(C) Mobile (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

Sent: Thursday, November 18, 2021 12:28 PM

To: (b)(6), (b)(7)(C); USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

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

Subject: RE: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Good afternoon,

I have added answers to the email below in the highlighted portion. Most of the queries fall outside of USBP purview. I have annotated to whom they fall for reference.

Thank you,

(b)(6), (b)(7)(C)
ASSISTANT CHIEF
LAW ENFORCEMENT OPERATIONS DIRECTORATE
US BORDER PATROL HQ

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

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

Sent: Thursday, November 18, 2021 9:46 AM

To: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

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

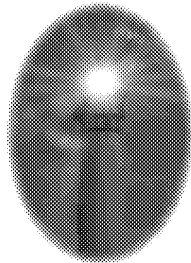
Subject: URGENT - RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr
Importance: High

Hi all,

If I missed an email, my apologies. I cannot find a response coming from USBP-Audit.

(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)
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From: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

Sent: Tuesday, November 9, 2021 1:36 PM

To: (b)(6), (b)(7)(C); USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

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

The USBP getbacks below, in yellow I highlighted. Does USBP have any responses for those getbacks? Has anything been provided to CBP RM, (b)(6), (b)(7)(C) We had a deadline of 11/5/21.

Feel free to call with any questions. Thank you so much & do have a terrific Tuesday.

(b)(6), (b)(7)(C) MPA
USBP/SPAD/Policy & Compliance Division
(b)(6), (b)(7)(C)
Office (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 9, 2021 12:49 PM
To: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

So far we don't have any additional BP guidance on those apps, just CBP and DHS level.

Thank you,

(b)(6), (b)(7)(C)
ASSISTANT CHIEF
LAW ENFORCEMENT OPERATIONS DIRECTORATE
US BORDER PATROL HQ
(b)(6), (b)(7)(C)

From: USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
Sent: Tuesday, November 9, 2021 9:54 AM
To: (b)(6), (b)(7)(C); USBP-AUDIT-TEAM (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)

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

Subject: RE: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Good morning:

Checking status on the CBP RM RFI sent last week. Could the audit team please have a status update.

Thank you and do have a terrific Tuesday.

(b)(6), (b)(7)(C) MPA
USBP/SPAD/Policy & Compliance Division
(b)(6), (b)(7)(C)
Office (b)(6), (b)(7)(C) Mobile (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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

Sent: Thursday, November 4, 2021 4:20 PM

To: (b)(6), (b)(7)(C) USBP-AUDIT-TEAM (b)(6), (b)(7)(C)

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

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

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

Subject: Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Hello,

Thank you for the information you provided to CBP RIM as a result of our meeting to discuss CBP's response to the NARA Letter (attached) regarding Unscheduled Destruction of CBP Records. The NARA Letter was in response to information documented in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan"(9-20-21).

CBP must respond to this letter with a **report documenting the unauthorized disposition** of the federal records that were identified in the OIG report.

- Ensure that Records Management regulations are being adhered to
- Ensure that the CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies
- 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
- 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
- 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.

Below are the actions CBP RIM captured from our discussions. Please let us know if there are any errors or if you need any clarification. CBP RIM has a due date of 11/12/21 and welcome your responses by **COB 11/5/21** or as soon as possible.

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

- Send the information requests with due dates to the invitees on the call to include the USBP Audit team mailbox and (b)(6), (b)(7)(C) the USBP OIG Report Audit Lead
 - Completed with this email
- Arrange for CBP wide call to review response to NARA Letter

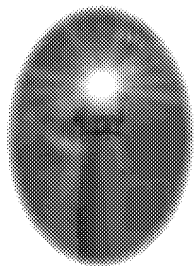
USBP to provide:

1. USBP specific policies, guidance, and training for WhatsApp use and other messaging applications – if any are available in addition to what CBP sent out **USBP Response – Nothing further than what our parent agency sent out.**

2. Any applicable USBP training such as Foreign Disclosure class. USBP follows the training set forth by OCC who is the owner of said training, we defer to OCC for this.
3. Information on the status of the OIG Report Recommendation actions: the recommended actions all fall to OIT, as such USBP defers to OIT.
4. OIT names/POCs from the 8/21/21 OIG Report Recommendation meeting USBP NOT providing OIT POCs, defers to OIT.
5. Suggestions for other POCs: OIT for OIG recommendations, OTD for training, OCC for training
6. Responses to the 5 points listed in NARA Letter: (Please provide as much information as you can to help CBP RIM craft a response to each of these points. If you do not have any information to support the point, please response "no information to provide".) This must come from our parent agency such as CBP or DHS.
 - a. The final response from CBP must include:
 - i. a complete description of the records with volume and dates if known
 - ii. a description of the office maintaining the records
 - iii. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records
 - iv. a statement of the safeguards established to prevent further loss of documentation
 - v. details of the actions taken to salvage, retrieve, or reconstruct the records

Thank you again for your help. If you have any questions, please let us know.

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

From:

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

Sent:

11/15/2021 6:45:19 PM

To:

CC:

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

Subject:

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

Attachments:

WhatsApp Training - DRAFT v2.pptx; XD NARA Letter 211110 0906.pptx

(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. (b)(6), (b)(7)(C) would **review the NTC WhatsApp Training draft** (attached) to make needed updates and use the deck to 'communicate' 'WhatsApp Record-Keeping' Training
 - a. **CBP RIM would like to provide language to Slide 5;** (b)(5)
 - b. There is language on **Slides 15 and 27** about the records being 'searchable' (b)(5)
(b)(5)
 - c. ??? Can we make this happen or have the plans to utilize the NTC deck changed?
2. It was suggested that **CBP RIM present the CBP RIM slide deck** (attached) during the Wednesday, 11/17/21 Messaging Apps Policy Working Group because CBP's response to the NARA Open Case will reference the Policy and Proposed solution
 - a. (b)(6), (b)(7)(C) indicated they will **provide CBP RIM with an additional slide** to describe CBP's / ENTSD's proposed response including (b)(5)
(b)(5)

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

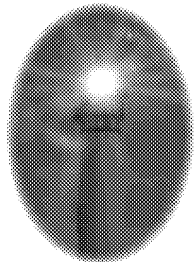
Question:

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. **CBP RIM would like to provide language** (b)(5)
(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,

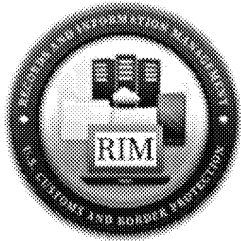
(b)(6), (b)(7)(C) CBP Chief Records Officer
Records and Information Management Program (RIM)
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(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
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-----Original Appointment-----

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 (b)(6), (b)(7)(C) 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 (b)(6), (b)(7)(C) 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](#)

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

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Appointment

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

Sent: 11/2/2021 1:09:44 PM

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

Subject: Declined: 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: Busy

Message

From:

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

Sent:

11/4/2021 5:26:02 PM

To:

CC:

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

Subject:

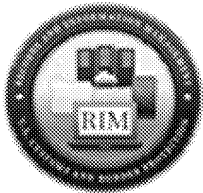
RE: Request confirmation - Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

No updates from me.

Thanks

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

Records Manager
CBP Records Information Management Program (RIM)
MSLIS



From:

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

Sent: Thursday, November 4, 2021 11:20 AM

To:

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

Cc:

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

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

Subject: Request confirmation - Actions from 11/2/21 Meeting RE: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Hi All,

This the draft email to send to OFO participants from the meeting on Tuesday. Could you respond with concur or corrections today so we can send it out to OFO for action.

I will send the USBP separately later today. I do not plan to send an OIT action list since (b)(6), (b)(7)(C) has completed his actions during the meeting.

Thank you,

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

TO:

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

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

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

Hello,

Thank you for the information you provided to CBP RIM as a result of our meeting to discuss the path forward to address CBP's response to the NARA Letter (attached) regarding Unscheduled Destruction of CBP Records. The NARA Letter was in response to information documented in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 Migrant Caravan"(9-20-21).

Below are the actions CBP RIM captured from our discussions. Please let us know if there are any errors or if you need any clarification. CBP RIM has a **due date of 11/12/21** and welcome your responses as soon as they are available.

OFO to provide:

1. OFO 90-day updates to the OIG Report Recommendations and include the consolidated response that MID compiles
2. OPR communications sent out "a couple of years" ago concerning use of messaging applications
 - a. This was completed on 11/3/21
3. Any documentation or messages concerning use of personal phones and unknown platforms for government information (such as WhatsApp and translation applications) that CBP RIM can share with NARA
4. Responses to the NARA Letter 7 points below:
 - a. CBP must respond to this letter with a **report documenting the unauthorized disposition** of the federal records that were identified in the OIG report.
 - b. Ensure that Records Management regulations are being adhered to
 - c. Ensure that the CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies
 - d. 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
 - e. The final response from CBP must include:
 - i. a complete description of the records with volume and dates if known
 - ii. a description of the office maintaining the records
 - iii. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records
 - iv. a statement of the safeguards established to prevent further loss of documentation
 - v. details of the actions taken to salvage, retrieve, or reconstruct the records
 - f. 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
 - g. 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.
5. Provide suggestions for other POCs

Thank you again for your help.

[signature block]

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

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

Sent: Tuesday, November 2, 2021 7:26 AM

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

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

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

Subject: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

When: Tuesday, November 2, 2021 9:15 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Microsoft Teams Meeting

Importance: High

Please see attachments

Meeting Purpose:

*** Review NARA Letter and obtain responses and/or identify additional OFO POCs based on instruction from NARA: 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.

*** Identify which OIG Audit recommendations OFO is responding to and information from CAP that is relevant for inclusion in DHS/CBP response to NARA Letter

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.

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

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Appointment

From:

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

Sent:

10/27/2021 11:37:23 AM

To:

CC:

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

Subject: w/attachments - PRIORITY - discuss OIG report on use of WhatsApp and Wickr

Attachments: Info on NARA request for response

Location: Microsoft Teams Meeting

Start: 10/27/2021 1:30:00 PM

End: 10/27/2021 2:30:00 PM

Show Time As: Tentative

Importance: High

Required

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

Attendees:

Optional

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

Attendees:

NARA sent letter to (b)(6), (b)(7)(C) regarding an OIG report about CBP's use of WhatsApp and Wickr, possible illegal destruction of records, existing policies, and communication to the workforce about the use of such applications. CBP has 30 days to respond. I will provide the memo at time of our discussion. I have let the AC, aDAC, and (b)(6), (b)(7)(C) know that CBP RIM is taking the lead (for now) to generate a response to NARA.

I will have to break away at 10am to attend today's CBP Audit meeting since this might come up...

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

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.....

Appointment

From:

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

Sent:

11/3/2021 1:58:07 PM

To:

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

CC:

Subject: NARA Unauthorized Destruction Letter: WhatsApp / Wickr

Attachments: RE: CBP Response due Re: NARA Unauthorized Destruction Letter tied to OIG Audit - short suspense; 2021-10-26_UD-2022-0001_DHS-CBP_Open Letter-1301-1b.pdf; RIM Intro Deck 211103.pptx

Location: Microsoft Teams Meeting

Start: 11/3/2021 2:00:00 PM

End: 11/3/2021 3:00:00 PM

Show Time As: Tentative

Required Attendees:
Optional Attendees:

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

Please see attachments

Meeting Purpose:

*** Review NARA Letter and obtain responses and/or identify additional USBP POCs based on instruction from NARA: NARA instructed DHS/CBP to provide a response that addresses the following (as contained in the attached letter):

1. CBP must respond to this letter with a **report documenting the unauthorized disposition** of the federal records that were identified in the OIG report.
2. Ensure that Records Management regulations are being adhered to
3. Ensure that the CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies
4. 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
5. The final response from CBP must include:

- a. a complete description of the records with volume and dates if known
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 - 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
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 7. 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.

*** Identify which OIG Audit recommendations USBP is responding to and information from CAP that is relevant for inclusion in DHS/CBP response to NARA Letter

Recommendation 1 - OFO: 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 - OFO: 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 - Office International Affairs: 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 - Privacy and Diversity Office : 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 - Privacy and Diversity Office : 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 - Office of Information and Technology: 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.

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From:
To:

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

Cc:

Subject: Questions due noon 12/3/21 - RE: Messaging Apps Policy Working Group
Date: Wednesday, December 1, 2021 5:22:58 PM
Attachments: [NARA Unauth Disp Report Mockup 211130abi.docx](#)
[2021-10-26 UD-2022-0001 DHS-CBP Open Letter-1301-1b.pdf](#)
[image001.png](#)
[image002.png](#)

Hi All,

Per discussion in today's WG session for your awareness I have attached DHS/CBP's draft response to a NARA Letter of Unauthorized Disposal (attached for reference).

BACKGROUND:

(b)(6), (b)(7)(C) 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), with a cc to (b)(6), (b)(7)(C) DHS Agency Records Officer, 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.

The response will be finalized and submitted to NARA from the DHS CIO / DHS RIM office next week. **If you have any questions please let me know by Noon, 12/3/21.**

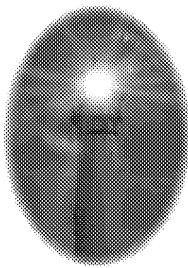
Thank you,

(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)

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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: Wednesday, October 20, 2021 3:12 PM

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

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

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

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

Subject: Messaging Apps Policy Working Group

When: Wednesday, December 1, 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,



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[11/5/21 10:53 AM] (b)(6), (b)(7)(C)

Just a quick heads up. I have a hard stop at 12N EDT.

[11/5/21 11:00 AM]

11/5/21 11:00 AM Meeting ended: 1h 2m 48s

[11/8/21 9:59 AM]

11/8/21 9:59 AM Meeting started

[11/8/21 10:21 AM] (b)(6), (b)(7)(C)

"Short Message Service (SMS) and Multimedia Messaging Service (MMS) are not used to process, store, or transmit sensitive information, unless they are protected by appropriate FIPS 140-2 validated encryption mechanisms and approved by the appropriate AO."

[11/8/21 10:23 AM] (b)(6), (b)(7)(C)

I'll add the 1400 to the TEAMS site, it does have my markups, so pardon the mess

[11/8/21 11:11 AM]

11/8/21 11:11 AM Meeting ended: 1h 12m 3s

[11/8/21 11:59 AM] (b)(6), (b)(7)(C)

technically I don't believe Whatsapp and Wickr are SMS or MMS services, so not sure this specifically applies to them

[11/8/21 11:09 AM]

(b)(6), (b)(7)(C) and 3 others were invited to the meeting.

[11/8/21 12:58 PM]

11/8/21 12:58 PM Meeting started

[11/8/21 1:26 PM] (b)(6), (b)(7)(C)

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

[11/8/21 2:10 PM] (b)(6), (b)(7)(C)

OIG 21-62

[11/8/21 2:28 PM]

11/8/21 2:28 PM Meeting ended: 1h 30m 14s

[10/27/21 8:28 AM]

10/27/21 8:28 AM Meeting started

[10/27/21 8:56 AM] (b)(6), (b)(7)(C)

I have to drop off

[10/27/21 8:56 AM] (b)(6), (b)(7)(C)

ok

[10/27/21 10:02 AM] (b)(6), (b)(7)(C)

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]

[10/27/21 10:03 AM] (b)(6), (b)(7)(C)
???

[10/27/21 10:04 AM] (b)(6), (b)(7)(C)

Part of our planning. We're still on the meeting.

[10/27/21 10:05 AM] (b)(6), (b)(7)(C)
sorry...

[10/27/21 10:15 AM] (b)(6), (b)(7)(C)
FYI (b)(6), (b)(7)(C) is also the ISO for CAVSS, he's the one who weighed in on the need to have separate schedules. Unrelated but may be of interest.

[10/27/21 10:27 AM]
10/27/21 10:27 AM Meeting ended: 1h 59m 1s
[10/28/21 8:29 AM] (b)(6), (b)(7)(C)

K- think I got it (b)(6), (b)(7)(C) all yours again

[10/28/21 8:32 AM] (b)(6), (b)(7)(C)

BRB

[10/28/21 8:38 AM] (b)(6), (b)(7)(C)

Back

[10/28/21 9:07 AM] (b)(6), (b)(7)(C)

be right back

[10/28/21 9:11 AM] (b)(6), (b)(7)(C)

back

[10/28/21 9:14 AM] (b)(6), (b)(7)(C)

Sorry, I have to jump.

[10/28/21 9:47 AM] (b)(6), (b)(7)(C)

I'm back.

[10/28/21 10:08 AM] (b)(6), (b)(7)(C)

I have to drop

[10/28/21 10:31 AM] (b)(6), (b)(7)(C)

Wickr

[10/28/21 10:37 AM] (b)(6), (b)(7)(C)

back

[10/28/21 10:37 AM] (b)(6), (b)(7)(C)

The Federal Records Act requires all Federal Agencies retain records for a period of time authorized by the NARA-approved records retention schedules. Use of WhatsApp and Wickr have resulted in the unauthorized destruction of Federal records before the approved retention period.

[10/28/21 10:39 AM] (b)(6), (b)(7)(C)

The Federal Records Act requires all federal agencies retain records for periods of time authorized by NARA-Approved records retention schedules. Because WhatsApp and Wickr do not retain messages consistent with NARA-approved retention schedules, their use violated this the Federal Records ACT and CBP and DHS policy. This resulted in illegal and Unauthorized Destruction of important federal records.

[10/28/21 10:41 AM]

10/28/21 10:41 AM Meeting ended: 2h 44m 22s



**U.S. Customs and
Border Protection**

December 10, 2021

VIA ELECTRONIC MAIL ONLY

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

U.S. Chief Records Officer
National Archives and Records Administration

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

Re: NARA Case ID UD-2022-0001

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

U.S. Customs and Border Protection (CBP) is in receipt of your letter, dated October 26, 2021, regarding CBP's planned deployment of Wickr, the use of WhatsApp, and unauthorized disposition of records as documented in the Office of Inspector General (OIG) Report 21-62, "CBP Targeted Americans with the 2018-2019 Migrant Caravan".

CBP has taken steps to address NARA's concerns with respect to the use of Wickr and WhatsApp messaging applications and the records management risk associated with the improper use of Wickr, WhatsApp, or similar messaging applications.

The attached Unauthorized Disposition Report (Attachment 1) addresses the concerns cited in NARA's Unauthorized Disposition Letter (NARA Case ID UD-2022-0001) as follows:

1. Unauthorized Disposition Report documenting the unauthorized disposition of the federal records that were identified in the OIG report to include:
 - a. Complete description of the records with volume and dates if known.
 - b. 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.
2. Records management corrective actions that must be implemented as a result of the OIG report are detailed in the attached Unauthorized Disposition Report. Corrective actions will include steps CBP has and will take to address NARA's concerns as stated in the letter to ensure that:

- a. Records management regulations are being adhered to.
 - b. CBP is regulating the use of these messaging applications consistent with NARA's and the Department's records management policies.
 - c. CBP is communicating to all employees that they cannot use these applications to circumvent their records management responsibilities.
 - d. 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.
3. Documentation CBP has established to mitigate the records management risks associated with improper use of messaging applications, and supplemental training, and policy regarding electronic messaging records management.

If you have questions on the information CBP has provided, please feel free to contact me at

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

Regards,

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

Chief Records Officer
Customs and Border Protection

Attachment

(b)(6), (b)(7)(C) on WIKR FOIA Response

19 May 2022

Teams Chat Messages

(b)(6), (b)(7)(C) CTR
In conversation with you

(b)(6), (b)(7)(C) CTR 2/9 4:14 PM
Sue is taking Mary to dance. I'm hanging on. Nothing new here yet.

(b)(6), (b)(7)(C) CTR in chat 2/9 4:15 PM [Go to message](#)
cool. Sounds like we shouldn't be using **Wickr**. Just put the money into Telemesssage and not bother with the Enterprise version of **Wickr**
[See Less](#)

(b)(6), (b)(7)(C) 2/9 4:16 PM
(b)(6), (b)(7)(C) the sage RM pro I spoke to you about is interested in working with us. Would you be willing to have a conversation with her to explore how we might use her?

(b)(6), (b)(7)(C)
In conversation with JAMES, AMY B. (CTR)

(b)(6), (b)(7)(C) 2/9 4:25 PM
I don't recall this being what **James** said. I thought everyone had to be on our instance to talk with us?

(b)(6), (b)(7)(C) in chat 2/9 4:45 PM [Go to message](#)
Sounds like **Wickr** folks are expanding the possibilities. Makes sense actually, but the security implications sa significant seem to be barrier
[See Less](#)

(b)(6), (b)(7)(C) 2/9 4:45 PM
agree

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

WIKR FOIA Response

19 May 2022

Discuss CBP RIM Action Plan to address NARA letter-part 2

Meeting chat



(b)(6), (b)(7)(C) 10/26/21 11:37 AM

The Federal Records Act requires all Federal Agencies retain records for a period of time authorized by the NARA-approved records retention schedules. Use of WhatsApp and Wickr have resulted in th...



CAHOON, LYSLE R (CTR) in chat 10/29/21 11:39 AM

[Go to message](#)

The Federal Records Act requires all federal agencies retain records for periods of time authorized by NARA-Approved records retention schedules. Because WhatsApp and **Wickr** do not retain messages consistent with NARA-approved retention schedules, their use violated this the Federal Records ACT and CBP and DHS policy. This resulted in illegal and Unauthorized Destruction of important federal records.

[See Less](#)

NARA Letter Check-in

Meeting chat



(b)(6), (b)(7)(C) 11/8/21 11:23 AM

I'll add the 1400 to the TEAMS site, it does have my markups, so pardon the mess



(b)(6), (b)(7)(C) in chat 11/8/21 12:59 PM

[Go to message](#)

technically I don't believe Whatsapp and **Wickr** are SMS or MMS services, so not sure this specifically applies to them

[See Less](#)

NARA Letter Check-in

Meeting chat



(b)(6), (b)(7)(C) in chat 11/3/21 2:26 PM

[Go to message](#)

...deployment of **Wickr** and information that NARA received in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 ...

[See More](#)



(b)(6), (b)(7)(C) 11/8/21 3:10 PM

OIG 21-62

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

WIKR FOIA Response

19 May 2022



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

in meeting chat 11/8/21 12:59 PM

NARA Letter Check-in | Meeting chat

...Whatsapp and **Wickr** are SMS or MMS services, so not sure this specifically applies to them



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

in meeting chat 11/8/21 2:26 PM

Go to message

NARA Letter Check-in | Meeting chat

...deployment of **Wickr** and information that NARA received in the Office of Inspector General (OIG) report, "CBP Targeted Americans with the 2018-2019 . .

NARA Letter Check-in

Meeting chat



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

in chat 11/8/21 2:26 PM

Go to message

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

See Less



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

11/8/21 3:10 PM

OIG 21-62

w/attachments - PRIORITY - discuss OIG report on use of WhatsApp and Wickr

Meeting chat



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

10/27/21 9:56 AM

ok



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

in chat 10/27/21 11:02 AM

Go to message

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]

See Less



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

10/27/21 11:03 AM

???

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

WIKR FOIA Response

19 May 2022

OneNote Notes that include Wickr

OIG report on use of WhatsApp and Wickr

Wednesday, October 27, 2021

9:15 AM

Response Strategy:

(b)(5)

(b)(5)

Architect
Carpenter
Judge

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

WIKR FOIA Response

19 May 2022

Tasker Language

Wednesday, October 27, 2021

9:46 AM

The Federal Records Act requires all federal agencies retain records for periods of time authorized by NARA-Approved records retention schedules. Because WhatsApp and Wickr do not retain messages consistent with NARA-approved retention schedules, their use violated this the Federal Records ACT and CBP and DHS policy. This resulted in illegal and Unauthorized Destruction of important federal records.

211102 OFO Meeting

Tuesday, November 2, 2021

9:02 AM

Meeting Purpose:

*** Review NARA Letter and obtain responses and/or identify additional USBP POCs based on instruction from NARA:

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
 - a. OFO Response:
 - a. Cannot save records on What'sApp. Misunderstanding of what are records?
 - b. Chat is not on government phones?
 - c. Wicker is CBP only
 - d. Does OFO staff use WA?
 - e. OFO who else
 1. Operations Directorate
 2. OFO Tactical operations - Director Kendall
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

(b)(6), (b)(7)(C) WIKR FOIA Response

19 May 2022

- 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.

***Identify which OIG Audit recommendations USBP is responding to and information from CAP that is relevant for inclusion in DHS/CBP response to NARA Letter

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

(b)(6), (b)(7)(C) WIKR FOIA Response

19 May 2022

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.

(b)(6), (b)(7)(C) 10/28/21 11:39 AM

The Federal Records Act requires all federal agencies retain records for periods of time authorized by NARA-Approved records retention schedules. Because WhatsApp and Wickr do not retain messages consistent with NARA-approved retention schedules, their use violated this the Federal Records ACT and CBP and DHS policy. This resulted in illegal and Unauthorized Destruction of important federal records.

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(b)(6), (b)(7)(C) 10/27/21 11:02 AM

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]

21-11-2_Notes-OIT-NARA Letter-unedited-ekc

Tuesday, November 2, 2021

12:00 PM

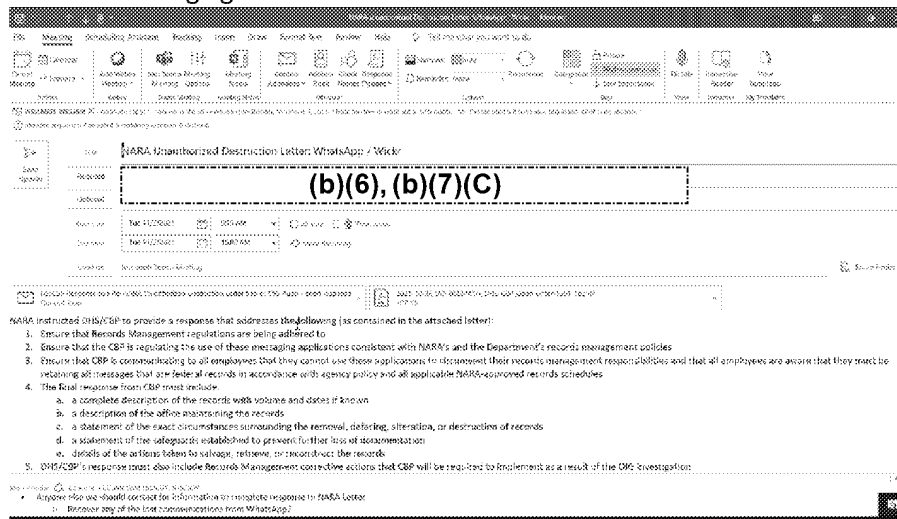
Unedited Notes from meeting with OIT concerning NARA Letter.

Attendees:

- [REDACTED]
- [REDACTED]
- (b)(6), (b)(7)(C)
- [REDACTED]
- [REDACTED]

[REDACTED] - Opens meeting

- XD [REDACTED] will not be attending? Confirmed.
- Not auditors or inspectors, not OIG report recommendations
- Focus - NARA Letter only
- Talking with OFO, OBP, OCC, DHS RIM, DHS CIO, CBP CIO/AC (in addition to OIT)
- Response scheduled to be ready for review 11/12/21 for the review cycle
- 1st step - respond to NARA letter, then put together a CAP and periodically report on progress.
- Will be visible activity to leadership.
- Screen share of meeting agenda



- Review of the 6 actions from NARA letter
- [REDACTED] - What did you share? Has it been sent? This specific set of words.
 - [REDACTED] yes, as part of the tasker. Is a pull from the letter.
 - [REDACTED] the words are in the letter, but were reformatted to have numbers in the email shown by [REDACTED]
- [REDACTED] - wish to gather info from you on the part concerning WhatsApp/Wickr.
 - Information we need in order to properly respond to NARA includes:
 - i. The details about the interim action of "manual archiving" of WhatsApp messages until the final solution is put in place and how that is to be communicated to the users

1. [REDACTED] - re-enforce that manual archiving must be done; Targeting Center also doing a training and SOP to save off to one drive. The SOC [I think] has end of November date. Will send Targeting Center document. SOC may not have bought into do this. Might be better as a training class.
2. [REDACTED] - [sharing suggestions] Do we want to review this comms from RIM POV?
3. [REDACTED] - yes. Need to see if SOC is doing this. Need to address the RIM requirements in the Targeting Center training.
4. [REDACTED] - Was his suggestion. Not accepted by SOC yet.
5. [REDACTED] - Need to follow up with the SOC POC for this audit.
6. [REDACTED] - this training and change in procedure is not being tracked or monitored within CBP. No validation that it is being done. No records management.
7. [REDACTED] - who is the owner of the appl? Is part of the TRM?
8. [REDACTED] - TRM lists it as restricted for Android and prohibited for IOS. [This is a mistake in TRM.]
 - a. Should both be the same thing. If wanted, managed though Act Dir security group. Android last 2 months, IOS since weekend.
9. SOC has not yet taken this task/process over from AD Security Group but will soon. SOC receives ticket to approve appl. And soon will start to add to AD Security Group. The Operation Afghan ... needs the appl.
10. [REDACTED] - Airwatch is controlling. It can take over an app. And manage it. Control versions. Happening with WhatsApp.
 - a. SOC owns WhatsApp now that it is locked down. This new process has not been fully tested by SOC.
 - b. 2010 people have WhatsApp from downloading prior to change in control.
 - c. No documentation on this process yet. The training is the initial information available.
 - d. [REDACTED] will send to distro now.
11. [REDACTED] - what is guidance to how long to keep records, etc.
 - a. [REDACTED] - No guidance on records management at all. The training from Targeting Center is closest:

b.



12. What done 2 years ago but died before release.

13. No way to confirm amount and frequency of doing this records management procedure. It is all there is until a compliance piece is implemented and this is done automatically. Only in use at the targeting center, initiated by an individual at the targeting center
14. [REDACTED] who else to contact? [REDACTED] at SOC; someone at Targeting Center
 - a. [REDACTED] - Meeting number 2 tomorrow 1:30 pm - working group for messaging applications. 1st meeting 10/27/21 - run by [REDACTED] (b)(6), (b)(7)(C); Privacy Division. AC, XDs, Innovation Office.
 - i. This group will be putting the answer together to address the issue of messaging apps in CBP.
- ii. The long term solution for WhatsApp.
 1. [REDACTED] - is CBP going to research technologies to capture WhatsApp?
 2. [REDACTED] - yes - munity otherwise.
- iii. Updates on the Wickr Enterprise deployment
 1. [REDACTED] - [not a good idea - better to use the money to address capturing WhatsApp messages and usage]
 2. [REDACTED] - 4000 licenses. Only 30 people are using Wickr. Not as popular as WhatsApp. CBP has on-prem version. \$210 per license. And all your friends need to have CBP version too. A year. No validation for external people. Also, need to address the federalization of this implementation.
 3. [REDACTED] - also need to look into Signal. A new app now on TRM as permitted. [REDACTED] (b)(7)(E) Same functionality as WhatsApp.
 - a. Same issue as what was found for WhatsApp.
 - b. [REDACTED] - SolarWinds - comms on this event was done only in Signal.
 - i. AMO asked to have it pushed to all AMO...
 - c. Telemessage and SMARSH can capture Signal app messages.
 - d. Telemessage can also do WeChat and standard txt message (but not imsg or Wickr). E3 has a compliance module right now. Can put the messages into O365 today. Significantly cheaper.
 - e. Everyone must agree to transfer the message to CBP. Will be sitting on non CBP non-fedRamp servers for a moment before the transfer.
 4. [REDACTED] - who is in charge of addressing this issue?
 - a. [REDACTED] the working group that will meet tomorrow.[just cancelled during discussion].
 - b. Shared a chart of Draft data on the messaging apps. Work in progress, not available for distribution
 - i. Can turn off apple imsg if something else is implemented
 - ii. Shared a second chart - Not ready for Distribution: Discussion of costs
 - c. [REDACTED] discusses the available functionality (or not) and the cost impacts
 - i. *Did he say... DHS uses WhatsApp?*
 5. [REDACTED] - who are the decision makers in the working group?
 - a. [REDACTED] will be a very long discussion (months); meeting purpose:

Following DEP's completion of access messaging, through the award of a contract with the Privacy Division and the completion of the Privacy Impact Assessment (PIA) & Privacy Impact Assessment (PIA) and a Secure Messaging Platform Policy, I will provide an outline of the PIA 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 it with the group members should be prepared to provide their thoughts about potential getting towards that stage the necessary award the usage of the messaging apps.

i.

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

Regards,

[REDACTED]

6. [REDACTED] - lots to consider.
 7. [REDACTED] - more details on the available messaging apps; discussion on that the NARA and O365 E3 compliance pieces were not addressed in original award.
- iv. Any documentation, policies, and training material that exists for WhatsApp, Wickr, or other communication apps under your control.
1. [REDACTED] - covered in above discussions. We plan to address only what was asked.
 2. [REDACTED] - will send docs for Wickr - instructions and templates, etc. [they makes it sound better than it is] Action - mark it with pre-decisional.
 - a. No documentation on WhatsApp.
 3. [REDACTED] - if you can send any other available stuff.
- v. [REDACTED] - what is driver for all this?
1. [REDACTED] - OIG audit - Wickr stood up in last 2 years. CBP instance is blocked to outside. No technical support for it in the current contract. No way to manage the licenses outside CBP.
- vi. [REDACTED] the acquisition - how did this happen?
1. [REDACTED] - name is on contract. Office of Innovation (paid for) had OIT (retired AC [REDACTED]) go stand up Wickr. AS time permitted over 2 years, with compliance piece. And start to federate the users . But can't do with State and Local. All the setup of uses done manually. Right now Airwatch is doing this stuff. Will need a team dedicated to this (5-7 people) plus TSD - no automation. Will be giving access to CBP network... Wickr was renewed in September.
 2. [REDACTED] - FOIA request reference. [lol - used by drug dealers and CBP]
 3. Wickr is 100% secure. Not like others.
 - a. Will be compliant when procurement of the message capturing app is finalized.
 4. Only WhatsApp is used outside US. How does CBP deal with that using Wickr?
 5. Wickr is a solution no one will use.
 6. SMARSH or Telemessage are the more useful solutions.
 7. (b)(6), (b)(7)(C) .. ??? Who is this - reports to ???
- vii. [REDACTED] - Recommendation 6 words refer to "immediate action to end the use of WhatsApp"
1. [REDACTED] this was done. Met with various liaisons. Mutiny on phone. It is an absolute requirements. Led to let's look at what ways to make it compliant. NARA compliant even. Back to interim solution - manually archive messages. Would it have happened? No. Would it be in telemessage? Yes.
- viii. [REDACTED] - OIG comms? How and when did that happen?

1. [REDACTED] - Update coming tomorrow. Is a word doc. AI 7737 - the corrective action plan? In [REDACTED] tool.

2. [REDACTED] - will send an update to the doc Reviewed the milestones with us.

3.

(b)(5)

4. The working group thing and the NARA letter will probably change the due dates for the CAP milestones.

5. Action - revisit CAITS to find the presentation that [REDACTED] showed us.

ix. [REDACTED] - anything else?

1. Please forward the information mentioned during conversation

2. [REDACTED] - looks like we have what we need to craft a response

3. [REDACTED] - agree. Will re-validate with you and others.

4.

(b)(5)

5. [REDACTED] - Noted the following from letter:

With respect to Wickr, NARA is concerned about the use of this messaging application as it has the capability to auto-delete messages after a specified period of time has passed. In light of the information in the OIG report, NARA is concerned about agency-wide deployment of a messaging application that has this functionality without appropriate policies and procedures governing its use.

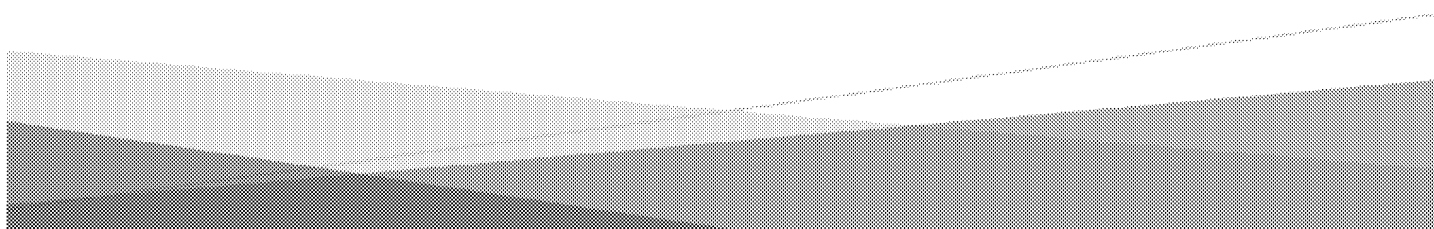
- a.
 - b. This still is in compliance. Even though the information disappears, the message is captured.
- Notes are not complete - [redacted] left before end of meeting.

RECORDS INFORMATION MANAGEMENT SUPPORT SERVICES

DHS LETTER RESPONSE PLAN

CUSTOMS AND BORDER PROTECTION

October 27, 2021



**RECORDS INFORMATION MANAGEMENT SUPPORT SERVICES
DHS LETTER RESPONSE PLAN**

CONTACTS

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5. RESPONSIBILITY ASSIGNMENT MATRIX 6

6. DOCUMENT ACCEPTANCE..... 7

RECORDS INFORMATION MANAGEMENT SUPPORT SERVICES DHS LETTER RESPONSE PLAN

1. Response Requirements

Findings

- ability to determine whether proper processes and procedures were followed was hampered by a failure to retain communication records, including records in *WhatsApp* (page 4).
- 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)
- “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”
- it is not even clear if CBP policies permit the use of *WhatsApp*
- With respect to *Wickr*, NARA is concerned about the use of this messaging application as it has the capability to auto-delete messages after a specified period of time has passed.
- NARA is concerned about agency-wide deployment of a messaging application that has this functionality without appropriate policies and procedures governing its use.
- As a reminder, all actual or impending instances of unauthorized disposition must be reported to NARA per the requirements in 36 CFR Part 1230

Report Requirements:

- Document the unauthorized disposition of the federal records that were identified in the OIG report.
- 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;
 - details of the actions taken to salvage, retrieve, or reconstruct the records.
- Records management corrective actions that CBP will be required to implement as a result of the OIG investigation.
- 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.
- Report within 30 days of the date of this letter.

2. Definition of Done

- CBP will define the Records management corrective actions that CBP will be required to implement because of the OIG investigation.
- CBP develops a fully vetted report that fulfills the requirements of the U.S. governments chief records officer.

3. Response Approach

RECORDS INFORMATION MANAGEMENT SUPPORT SERVICES DHS LETTER RESPONSE PLAN

1. Gather information
 - a. How do we interact with DHS on this response
 - i. Level of (b)(6), (b)(7)(C) involvement
 - b. Review OIG Report
 - c. Corrective Actions and Milestone report - understand how CBP is already responding to audit
 - d. Gather info from OFO and Border Patrol on WhatsApp and deleted records
 - i. Execute the Unauthorized Destruction SOP
 - ii. volume and dates if known;
 - iii. description of the office maintaining the records;
 - iv. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records;
 - v. details of the actions taken to salvage, retrieve, or reconstruct the records.
 - e. Who else needs to be involved in this effort
 - i. OFO
 - ii. USBP
 - iii. OCC – understand if any policy discussions were held about WhatsApp
 - iv. (b)(6), (b)(7)(C) and Team, ENTSD – future direction for WhatsApp and Wickr
 - v. XDs
 - vi. ENTSD
 - f. Find out if there are any other messaging apps in use
 - i. Who are the platform owners
 - ii. What are policies
 - iii. What training or SOPs were developed and followed
 - g. Gather documentation, policies, training for WhatsApp and Wickr
 - h. Identify corrective actions
 - i. a statement of the safeguards established to prevent further loss of documentation;

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]

2. Develop the response – Madman, Architect, Carpenter, Judge
3. Develop tasker for vetting of response
4. Revise response based on tasker feedback
5. Submit to DHS for response back to NARA

4. Tasks

4	Title	Description	Definition of Done	LOE	Start Date	Target Complete

**RECORDS INFORMATION MANAGEMENT SUPPORT SERVICES
DHS LETTER RESPONSE PLAN**

#	Title	Description	Definition of Done	LOE	Start Date	Target Complete

RECORDS INFORMATION MANAGEMENT SUPPORT SERVICES

DHS LETTER RESPONSE PLAN

5. Responsibility Assignment Matrix

Responsibility Assignment Matrix													
Task													

S-	Support	Provides support to the work
A-	AGK	Action Gate Keeper- lets action move to next step
V-	Verifier	Checks that product meets stated criteria/focus
O-	Out of the Loop	Specifically NOT a part of the action
R-	Responsible	Responsible for the action, and ensures completion
I-	Inform	Kept in the loop on a specific action

6. Document Acceptance

I accept this Electronic Records Management FY22 Project Plan as a deliverable under the Records Information Management Support Services Contract SOW 2021-20126196-RAT

Signature: _____ Date: _____

Teams Chat Messages & Notes with 'wickr' – (b)(6), (b)(7)(C) as of 5/20/22

[Wednesday 2:52 PM] (b)(6), (b)(7)(C)
I removed a comma and made WICKR Wickr

[Wednesday 2:53 PM] (b)(6), (b)(7)(C)

ok. 😊 thanks

yes! FYI - we will still meet with AC on Wednesday and (b)(6), (b)(7)(C) will be there to answer questions on the technical solution for WhatsApp & Wickr. I'm gonna go feed my horses... I will be contacting (b)(6), (b)(7)(C) later via email.

(b)(6), (b)(7)(C) 4/4 9:59 AM

(b)(6), (b)(7)(C) said that Customs and Border Protection's contracts are for use of the Enterprise version of Wickr, which is designed for business communications, and allows for organizations to appoint administrators who can control messaging settings on the platform, including those regarding deletion. Theoretically, this feature could give CBP more control over how individual employees use Wickr, and prevent records from being scrapped, but the details of how the agency is using Wickr remain unclear, and (b)(6), (b)(7)(C) declined to specify them."

[5/5 1:30 PM] (b)(6), (b)(7)(C)

I know you are extremely busy! But I owe NARA a status on the Whats App / Wickr actions. is there someone I can contact to get an update?

[5/5 1:50 PM] (b)(6), (b)(7)(C)

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

[5/5 1:50 PM] (b)(6), (b)(7)(C)

thank you.

[5/9 2:41 PM] (b)(6), (b)(7)(C)

okay. we are meeting with AC on Wednesday 5/11/22 to review the NARA response. are you available to join us at 3:30? I will have Lori extend the invite to you

11/2/21 1:15 PM

apparently no one. we just procured Wickr

(b)(6), (b)(7)(C) 11/8/21 2:26 PM

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

(b)(6), (b)(7)(C) 11/8/21 12:59 PM

technically I don't believe Whatsapp and Wickr are SMS or MMS services, so not sure this specifically applies to them

NOTES:

NARA Lttr - Wickr & WhatsApp

Wednesday, October 27, 2021

12:28 PM

Will meet with (b)(6), (b)(7)(C) each Wednesday to discuss status: she owes status to (b)(6), (b)(7)(C) on Thursday and (b)(6), (b)(7)(C) on Monday

Unauthorized disposition process

Document remediation being done within CBP

Need RIM to be involved in the TRM discussions. - for instance > WhatsApp interim solution being

Meet with (b)(6), (b)(7)(C)

Tuesday, November 2, 2021

12:11 PM

1 solution is manually capture whatsapp message as an interim manual solution - SOC has action to address this in the audit CAP.

(b)(6), (b)(7)(C) - RIM needs a copy of this BUT (b)(6), (b)(7)(C) says (b)(6), (b)(7)(C) he is not planning to send it out.

Maybe a training class instead... as a solution

?? Sounds like we need to talk with the SOC - (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) - we need that training - Training done by Targeting Center?

(b)(6), (b)(7)(C) not being done right now. Nothing is being tracked / confirmed...

TRM lists as restricted for android and prohibited for IOS

AD security group manages wahtsApp

Fpr andoid last 2 months but for AD Security group can put people into and out of using whatsapp - ticket goes to SOC and then put person in the **AD Security group**. Air Watch

iOS now... under SOC

Via approval request - SOC approves use or no. If approve they get added into AD Security group.

*** Nothing to stop users from using their own phones

OAW - increased volume of use. Cannot operate.

SOC is owning WhatsApp now that it is locked down via the AD Security Group. Has NOT been tested...

Need training to go along with use

*** Targeting Center Dec 2020 - created Training -

??? Who owns the Training deck? Who can we coordinate with?

Flows in with mtg tomorrow - messaging applications mtg (b)(6), (b)(7)(C) With Privacy

Compliance requires use CBP Wickr. Not 'regular' Wickr. Yearly license. No way to validate external users...

*** Office of Innovation has asked for non-government emails. Wickr tells user it is being recorded.

What about 'signal'? High level users to include AC. AMO asked it be pushed to all AMO users. Tele message can capture and so can Smarsh.

Also: we Chat. It is blocked. Also standard text messges.

All can be fed back into E3 compliance module CBP could purchase. Would take all tele message (not Wickr) and put into one tool - O365 retrievals.

But tele message is not Fed Ramp. If cannot reach CBP message will be deleted. Sits on tele message server for a brief period of time.

(b)(6), (b)(7)(C) - **Wickr is NOT NOT going to replace all of this.**

Meeting tomorrow - what is being done around messaging (b)(6), (b)(7)(C) will be there.

Need to make WhatsApp work. Some are capturing text messages.

No guidance on WhatsApp

Support of Wickr is not - AC wants to use wickr to replace whatsapp. **AC wants pilot...**

OIT to come up with list of the other communication platforms

OIT standup Wickr - AC (b)(6), (b)(7)(C) added compliance piece to Wickr - Office of Innovation paid for licenses. Cannot federate Wickr - cannot tell who is using.

Airwatch team has to configure the Wickr accts and act as help desk.

(b)(6), (b)(7)(C) **description about non gov users escapes me.**

*** Wickr - 2 way conversation means both parties must be using CBP instance of Wickr

Chris perterszak. ????

OCONUS users do not use ??? Phones... ??? They want **WhatsApp** that is all they use.

??? Who met with the CBP owners of the Recommendation 6?

Future access to the messages will yield more inquiries...

Tele messaging feeds into O365 so it supports compliance searches. Similar to emails.

FOLLOW UP - (b)(6), (b)(7)(C)

1. Identify safeguards

Teams Chat Messages & Notes with 'wickr' – (b)(6), (b)(7)(C) as of 5/20/22

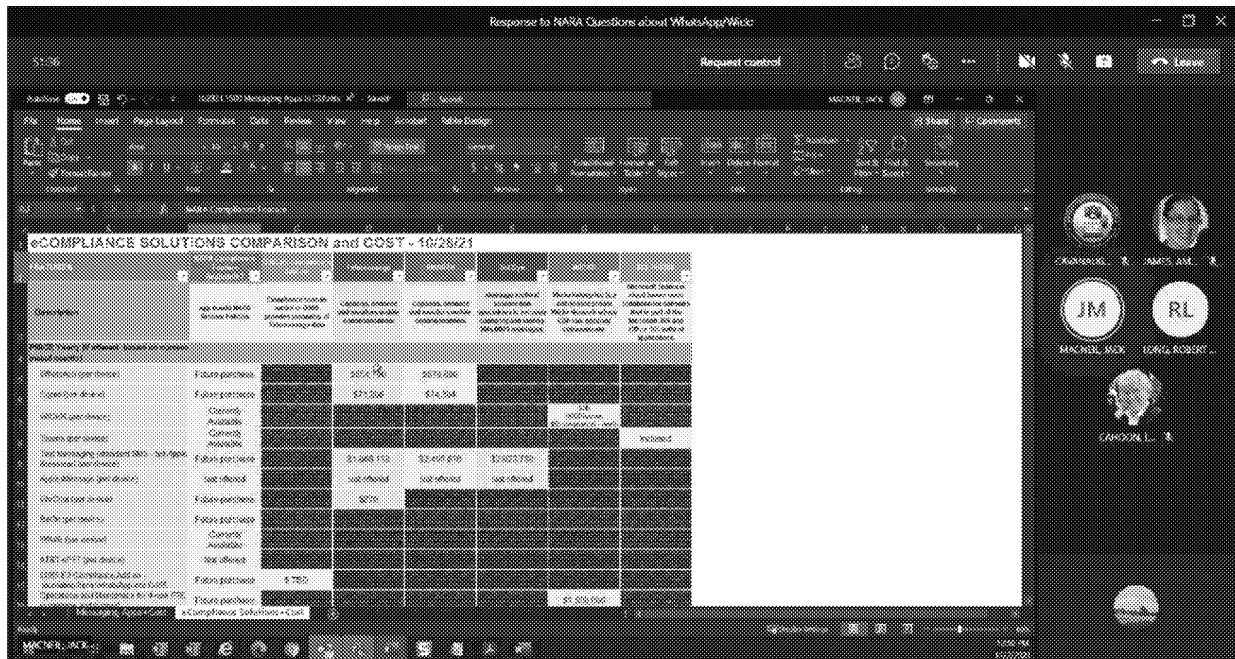
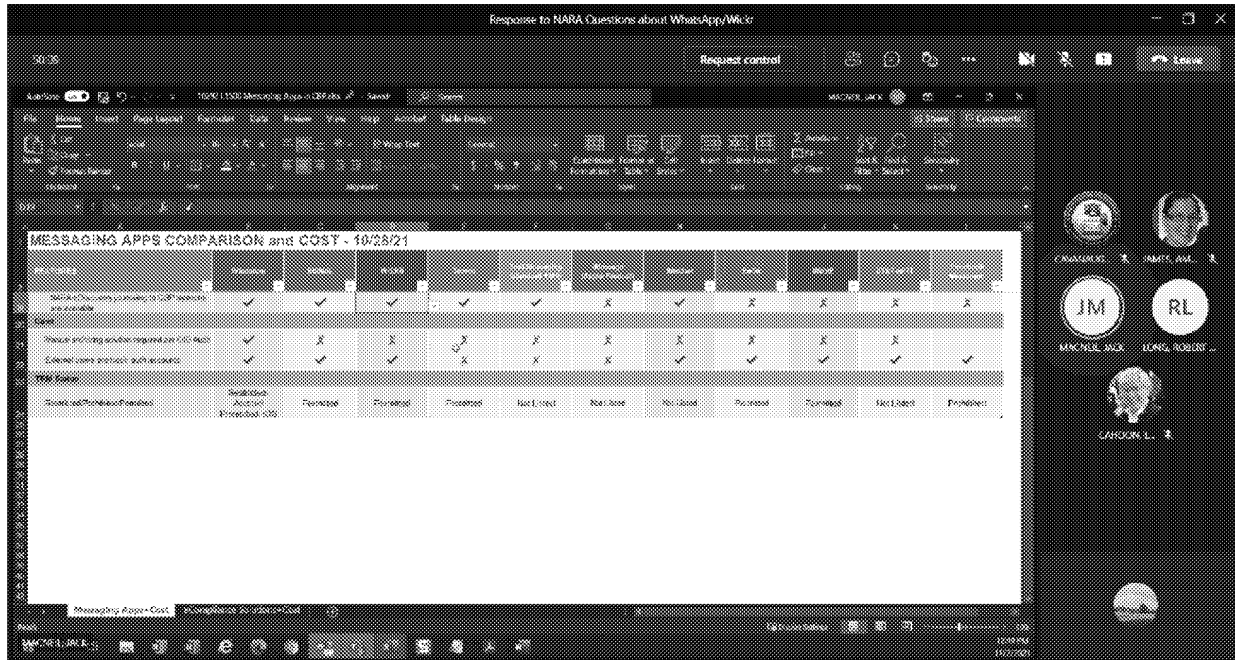
2. Intended technical solution - wickr, whatsApp
3. No approved records schedules - in-progress
4. No training or policy in place
5. Timeline from time of audit - and what is happening today
6. How to contain today's use...
7. Heard today that folks are using their personnel phones. How can we stop that...
8. Only way is if folks are pro-actively doing an export with their email acct using WhatsApp
9. Need to reenforce policy around use of the Apps

OFO follow-up with (b)(6), (b)(7)(C)

1. Indicated much responsibility falls to USBP, OPR,,,
2. What kind of guidance - direction for usage of the Apps
3. We need to respond directly to the points in NARAs letter
4. How far do we take the unauthorized destruction point
5. Reminder guidance about unauthorize destruction.

The screenshot shows a Teams chat window with a document shared. The document title is "MESSAGING APPS COMPARISON and COST - 10/29/21". The document content includes a table with columns for various messaging apps and rows for different comparison metrics.

APP	WhatsApp	Signal	Wickr	Other	Other	Other	Other	Other	Other	Other	Other
Description	WhatsApp is a messaging app that lets people text, call, and share media. It's available on Android and iOS.	Signal is a secure messaging app that is open source and has end-to-end encryption.	Wickr is a secure messaging app that is open source and has end-to-end encryption.	Other	Other	Other	Other	Other	Other	Other	Other
Features	Text, Voice, Video, Status, Payments	Text, Voice, Video, Payments	Text, Voice, Video, Payments	Other	Other	Other	Other	Other	Other	Other	Other
Cost	Free	Free	Free	Other	Other	Other	Other	Other	Other	Other	Other
Availability	Android, iOS	Android, iOS	Android, iOS	Other	Other	Other	Other	Other	Other	Other	Other
Security	End-to-end encryption	End-to-end encryption	End-to-end encryption	Other	Other	Other	Other	Other	Other	Other	Other



Topics for this morning's check-in:

- **Status of USBP response** – what has CBP RIM received that can help populate the response to NARA?
 - No emails
 - Info from discussion: No useable information - just agreed to work Ais send via email from CBP RIM

- **Status of OFO response** – what has CBP RIM received that can help populate the response to NARA?
 - Received social media communications from 2018
 - Use of personal cell phones - Seattle field office: >>> is use of personal phones within scope of NARA letter?
 - No information related to use of WhatsApp
- Status of information from (b)(6), (b)(7)(C):
 - Notes from discussion (b)(6), (b)(7)(C) has incorporated usable info into draft response
 - Unasked / unanswered questions for ENTDS:
 - **CBP RIM needs visibility into technical solution:** How does RIM ensure that the technical solutions will support records retention / disposition based on a NARA approved schedule?
 - Who on the AirWatch team is managing access to the messaging apps
 - RIM needs to know how, who, when is monitoring the records created when using the WhatsApp - **this is the information that will be covered by the schedule**
 - Do the records get attached to their email? >> teletmessage <<. Is this automatic or manual - this would be an interim solution? This will be solutioned in A360?
 - RIM does not have the manpower and authority and leadership support to spot check the manual preservation of emails.
 - Will the records live on the user's email, phone, etc? A separate server?
 - What is the 'interim solution', when is it going to be implemented, how will it be enforced, how will it be communicated, until this occurs CBP is doing unauthorized dispositions every day.
 - Who will craft, disseminate, and 'monitor' a communication to all of CBP? This should articulate the consequences. RIM craft but C1 distribute.
 - To-date the milestones identified for Rec6 do NOT address loss of the records.
 - Artifacts received via email – what has CBP RIM received that can help populate the response to NARA?
- Status of research into policies, training, memos, oversight
- Status of corrective actions within CBP (ENTSD)
 - Replacing WhatsApp
 - Monitoring use – AirWatch
 - Communication to staff
 - Addressing use of 'similar messaging apps'
- CBP RIM improvements needed – what are they?
- Review updates to Rob's draft for the response

Stated milestone due date is too far in the future.

1/12/22 Messaging IPT

(b)(6), (b)(7)(C) - update on the NARA response - we are waiting on NARA acknowledgement then will provide to the IPT

RIM - message from C1 on broader RIM requirements with blurb included on Whats App

RIM - creating schedule

(b)(6), (b)(7)(C) - wickr update - log4j impacted wickr so OIT has turned down use of our instance of wickr.

(b)(6), (b)(7)(C) - telemesssage pilot - how to bring into records retention compliance. Will be working this moving forward

Describe telemesssage: creates a copy text messages -

RIM AI: how to ensure this is RIM compliance with telemesssage solution?

? (b)(6), (b)(7)(C) Asked: what apps are on the list for telemesssage solution?

(b)(6), (b)(7)(C) , OCC asked: (b)(5)

RIM AI: share the C1 message with the IPT.

(b)(6), (b)(7)(C) - expecting draft RIM schedule, RIM C1 message, and PDO policy draft

Meeting with (b)(6), (b)(7)(C)

- (b)(6), (b)(7)(C) is interested in the technology of it and reporting to his XD
- **whatsApp** - - telemesssage tool - sits on top of app on our phone...
- Telemesssage will capture the conversation then sends to our designation for storage. Then available for record keeping purposes. This is a proof of concept.
- Can we capture 2-way communication if call is started outside of CBP... Proof of concept *****
- **Wickr** - it requires CBP to have our own server we control... but there is no telemesssage type solution. So,,, proof of concept is e can capture if originates with CBP but not the response back. And if initiated outside of cbp then we cannot see the conversation...
- 30 days at least to get analysis completed
- Current process for WhatsApp - user thru supervisor and get Whats app pushed to their device. What about laptop???
- Current approval process is manual - goes to (b)(6), (b)(7)(C) for approval... Airwatch team then schedules for app to be pushed to the phone and user gets email with the instructions. 2 versions android and one for apple
- Doe the users get the instruction for manual retention?
- To retain the messages - they remain on the user's phone
- Vick is assuming it is backed up to apple's cloud... back-end stuff
- Action - (b)(6), (b)(7)(C) will take as action on the back-end
- **Wickr** - enterprise instance that would federate with instances on the outside such as DOJ DOS CHIP, or be on Wickr Pro (corporate) - we are testing this.
- (b)(6), (b)(7)(C) **Wickr** for us doesn't help our customers - WhatsApp should be standard
- CBP is working with Wickr who does not have same security in place as CBP
- Vick touched on the text messages we send routinely on our phone.
- WhatsApp for laptop?
- Vick owes us a more detailed description on where the messages are currently stored
- **We should hold off on the C1 memo**
- What about the schedule?

2/14/22 -

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

1. C1 memo – concern is that everyday that goes by... enforcement to do it manually. No way of knowing if the manual process is being followed.
No way to audit - need message from authority...
Can we fill in the blanks over the next month?
Furthermore - regardless there may be some cases this may require a manual retention... even hand written notes, some electronic messages are not saved.
Provide examples
Even social media, facebook - twitter,
Does OPA have a means to capture those messages? (b)(6), (b)(7)(C) - there is a schedule...
Balance - Interim - wait until mature more then C1. first AC or COO
List of users - download messages -
Urgency current focus is can we even 'capture' the messages. THEN quick homework -
We don't have a test paper that is ensuring the criteria is being addressed.
2. Schedule – email solution?
3. Solution –
 - a. Must be able to support any retention policy – Capstone id'd to archive to NARA
 - b. POC to discuss capability and timing
 - c. what, when, who
 - d. Pilot – what's going on – documented plan – any docs
 - a. Wickr - CBP will administrate the server.
 - b. Whats App - everything stored on phone...
 - c. Telemessage - EDMED for Active Directory side.
 - d. Everything else – such as Signal
 - a. Reporting to OIG
4. Policy -

Policy IPT

Wednesday, April 6, 2022

1:35 PM

Meeting

- XD (b)(6), (b)(7)(C) update on Wickr
 - OCCs letter?
-

21-11-3_Notes-USBP-Interview_NARA Letter

Wednesday, November 3, 2021

8:57 AM

Attendees:

1. (b)(6), (b)(7)(C) - Head of USBP OCONUS and Foreign Operations Branch
2. (b)(6), (b)(7)(C) - USBP Audit Team
3. (b)(6), (b)(7)(C) - USBP Audit Team
4. (b)(6), (b)(7)(C) - CBP Chief Records Officer
5. (b)(6), (b)(7)(C) - CBP Records and Information Management Team
6. (b)(6), (b)(7)(C) - CBP Records and Information Management Team
7. (b)(6), (b)(7)(C) - CBP Records and Information Management Team

(b)(6), (b)(7)(C) - Introductions

- Provided summary of NARA Letter that was sent to participants
- Clarification to focus on only Records Management Program
- Coordination with OFO and OIT
- Draft due to review cycle 11/12/21

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

- what is USBP role in Audit and coordination to respond to audit (for background only - is not part of RIM action to NARA Letter).
- What is USBP use of WhatsApp and Wickr in USBP?
- (b)(6), (b)(7)(C) Tasked with R6 - and sat in on phone calls and meetings for entire response
 - Is responsible for the OCONUS and Foreign Operations Branch - use WhatsApp for operational need - used extensively outside US.
 - Communicated to OIG during audit - Is a necessity for USBP
 - Open to replacement if foreign partners are in agreement
 - Outside that - we will support RIM
- (b)(6), (b)(7)(C) - shows specific NARA Letter questions 1-7; How can we work with USBP to address these items?
 - (b)(6), (b)(7)(C) - not aware of any USBP specific policies (will check) - only CBP wide policies
 - Training - will also look into training (foreign disclosure class is one example)
 - Currently standing by for OIT guidance on WhatsApp or other apps.
 - (b)(6), (b)(7)(C) - who in OIT do you comm with?
 - (b)(6), (b)(7)(C) - not working with anyone - last comms was exit interview call.
 - (b)(6), (b)(7)(C) is lead for foreign operations - may not be part of comms
 - (b)(6), (b)(7)(C) - others on call?
 - (b)(6), (b)(7)(C) - yes - will look at status updates typically 90 day updates; will look for other updates - get to you?
 - Ask to RIM - please send request to the audit team via email - -
 - (b)(6), (b)(7)(C) - will also ask to Please include the foreign disclosure training
 - (b)(6), (b)(7)(C) please respond quickly -
 - (b)(6), (b)(7)(C) - emphasizing the visibility of the NARA letter and the need
- Open to others to ask questions:
 - (b)(6), (b)(7)(C) - won't be able to meet 11/12/21 deadline but will to work to it
 - (b)(6), (b)(7)(C) - don't wait - send as you get it.
 - (b)(6), (b)(7)(C) Will you have CBP wide call to plan steps or go over response?

- [REDACTED] - not plan to have a meeting but to use email to coordinate.
 - Might use the ITGCE meeting forum to communicate
 - Will add a meeting to go over draft response
 - [REDACTED] - please send request with due dates to audit team mailbox
 - [REDACTED] will send reply to the invitees on this call?
 - [REDACTED] - yes it covers it.
 - [REDACTED] - conversations with OIT on requirements?
 - [REDACTED] - no - only discussion with OIT - would be on foreign appl need. Communications need.
 - [REDACTED] - there was a meeting (his personal notes) for R6 with OIT on requirements for comms app. He quickly summarizes his notes. 8/21/21.
 - [REDACTED] - any OIT names or actions from that meeting?
 - [REDACTED] - yes please add to the email -
 - [REDACTED] Question - request for WhatsApp documentation and messaging
 - [REDACTED] will check again for USBP but believes it is all CBP level.
- [REDACTED] - Summary of meeting
 - Any other stakeholders we should reach out to?
 - [REDACTED] do not think so. [REDACTED] will reach out locally if identified and will share if needed.
 - [REDACTED] - Is there any way RIM can be more pro-active when these events come up to help address records management topics?
 - [REDACTED] - yes, please let us know if there are specific topics. USBP audit team works with CBP level. Typically audits come from OIG or GAO - USBP then will communicate to CBP to coordinate.
 - Will add the Records Management view when they evaluate each audit and reach out to CBP RIM as needed.
 - ODIO - a new audit organization coming
 - [provides summary of audit process]
 - USBP audit Lead POC - [REDACTED]

After meeting

- Seems OIT is not engaging the business owners? Does ITGCE need to get engaged? Next meeting is 11/17/21?
- [REDACTED] - Write up actions to team ASAP
- Action - [REDACTED] - create something on NARA letter to present to ITGCE

Appointment

From:

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

on behalf of

Sent:

11/10/2021 4:03:55 PM

To:

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

CC:

Subject:

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

Attachments:

2021-10-26_UD-2022-0001_DHS-CBP_Open Letter-1301-1b.pdf; XD NARA Letter 211110 0906.pptx

Location:

Microsoft Teams Meeting

Start:

11/10/2021 4:00:00 PM

End:

11/10/2021 4:30:00 PM

Show Time As:

Tentative

Required

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

Attendees:

Optional

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

Attendees:

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: (b)(6), (b)(7)(C) 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 (b)(6), (b)(7)(C) Chief Records Officer for the US Government.

Purpose of the meeting with XD: (b)(6), (b)(7)(C) 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
[\(C\)](#) [\(b\)\(6\), \(b\)\(7\)\(C\)](#)
[\(b\)\(6\), \(b\)\(7\)\(C\)](#)
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Office of the Chief
Records Officer for the
U.S. Government

Sent Via Email. No Hard Copy to Follow.

October 26, 2021

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

Chief Information Officer
Senior Agency Official for Records Management
Customs and Border Protection

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

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

The National Archives and Records Administration (NARA) has become aware, through multiple media reports and the recent Office of Inspector General (OIG) report, “CBP Targeted Americans with the 2018-2019 Migrant Caravan,” that the Customs and Border Protection (CBP) has been using the messaging software *WhatsApp* and is deploying the encrypted messaging application *Wickr* across all components of the agency. Accordingly, I wanted to reach out to ensure that records management regulations are being adhered to and to ensure that the CBP is regulating the use of these messaging applications consistent with NARA’s and the Department’s records management policies. I also wanted to 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.

With respect to *WhatsApp*, the OIG report notes that their ability to determine whether proper processes and procedures were followed was hampered by a failure to retain communication records, including records in *WhatsApp* (page 4). 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).

Additionally, the OIG report found that during this operation, it is not even clear if CBP policies permit the use of *WhatsApp*.

With respect to *Wickr*, NARA is concerned about the use of this messaging application as it has the capability to auto-delete messages after a specified period of time has passed. In light of the information in the OIG report, NARA is concerned about agency-wide deployment of a messaging application that has this functionality without appropriate policies and procedures governing its use.

DHS employees using these applications without complying with established recordkeeping requirements expose the Department to the risk of potential unauthorized destruction of records. As a reminder, all actual or impending instances of unauthorized disposition must be reported to NARA per the requirements in 36 CFR Part 1230.

In accordance with 36 CFR Part 1230.14, CBP must respond to this letter with a report documenting the unauthorized disposition of the federal records that were identified in the OIG report. At a minimum, this report must 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. This report must also include any records management corrective actions that CBP will be required to implement as a result of the OIG investigation.

Additionally, please include in your report 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.

Please provide your report within 30 days of the date of this letter. I appreciate your attention to this important matter. If you have any questions or wish to discuss further, please contact me at (b)(6), (b)(7)(C)

Sincerely,

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

Chief Records Officer
for the U.S. Government

cc: **(b)(6), (b)(7)(C)** Department Records Officer, Department of Homeland Security
(b)(6), (b)(7)(C) Agency Records Officer, Customs and Border Protection