



H.R. 1387: Electronic Message Preservation Act Overview

Passed by the House of Representatives on March 17, 2010, the Electronic Message Preservation Act (H.R. 1387) mandates the implementation of strict records management practices for the largely unmanaged electronic sphere. Originally introduced in 2008, the Electronic Message Preservation Act amends Title 44 of the United States code to strengthen the Federal Records Act and the Presidential Records Act by increasing accountability and oversight of Federal agencies with regards to electronic records retention and accessibility.

Who is affected by the Electronic Message Preservation Act?

The Electronic Message Preservation Act applies to all Federal agencies and the Office of the President. In total, these organizations account for over 3 million government employees.

What are the requirements of the Electronic Message Preservation Act?

The Electronic Message Preservation Act requires that organizations invest in a system that facilitates the following:

Organizations must capture, manage and preserve all electronic records in line with the current obligations for physical records.

1. Electronic records must be readily accessible for retrieval using electronic searches.
2. Federal agencies and the Office of the President are required to present the Archivist of the United States with periodic reports illustrating compliance with the new regulations. The Archivist will then report to the Committee of Homeland Security and Government Affairs in the Senate, and the Committee of Oversight and Government Reform in the House of Representatives, within 90 days of their receipt.

How do government organizations comply with the Electronic Message Preservation Act?

The Electronic Message Preservation Act defines electronic messages as "any electronic mail and other electronic messaging system used for the purposes of communicating between individuals." An adequate electronic records management system is required to "categorize and locate records; ensure records are retained as long as necessary; allow for identification of records for disposition; and ensure the storage, retrieval, and disposition of records."

As such, organizations should deploy an electronic records management system. This solution should support archiving and retention for a variety of data types, including email and files. Records should be easily accessible for internal use, outside records requests and e-Discovery.

The most important need is for the system to possess the scalability and overall robustness necessary to manage the enormous data volumes in large government organizations. For example, an organization of 10,000 employees with a five year retention period and average mail volume would have approximately 1.25 billion records in their repository by the end of the period. Viable solutions should boast well-established customers with similarly sized deployments and requirements.

How does ZL Unified Archive address the Electronic Message Preservation Act?

ZL Unified Archive (UA) is a full-spectrum, enterprise-class information management solution that equips government organizations with the tools to successfully comply with Congressional requirements by providing:

- Guaranteed, auditable capture from a wide range of electronic content sources

- The scalability and flexibility of deployment necessary for large government volumes of data
- Sophisticated manual and automatic classification technologies
- Granular and configurable retention policies
- The ability to quickly find and access any and all records relevant to a particular query. (This is a critical requirement as the ability to find data is as important as the ability to store and manage data.)
- Comprehensive auditing and reporting capability

ZL UA allows organizations to comprehensively meet the requirements of the Electronic Message Preservation Act by automating most of the menial and tedious tasks associated with records management. This includes application of retention, classification, and legal holds. Furthermore, the fast, massively scalable search engine facilitates timely and efficient discovery and retrieval. ZL UA provides complete, granular audit trails for systematic reporting and defensibility. With ZL Unified Archive, government organizations get a full-fledged electronic content management solution that fulfills the obligations of the Electronic Message Preservation Act for the long-term.

About ZL Technologies

Established in 1999, ZL Technologies, Inc. (ZL) provides cutting-edge enterprise software solutions for e-mail archiving, regulatory compliance, litigation support, corporate governance, content management, file archiving, and secure e-mail. ZL's flagship product, the Unified Archive, offers comprehensive e-mail and file archiving and management for companies using Lotus Notes/Domino, Microsoft Exchange, Bloomberg, and others. The suite provides a highly flexible framework that is fully scalable, enabling organizations of all sizes to meet legal discovery, compliance, and storage management requirements. With a proven track record and an impressive list of clients, including a top 5 global bank, a top 5 US bank, Walgreens, Bank of New York Mellon, and Morgan Keegan, among other top global institutions, ZL has proven to be the premier provider of e-mail archiving and compliance solutions in large, complex deployments.

For more information about ZL Technologies, Inc. or ZL Unified Archive, please contact us at:

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