FROM	SOS Public Records
TO	Robert Samuel White
DATE	November 24, 2026, 3:18 PM PT
SUBJECT	**[Records Center] Public Records Request :: R000687-102726**

--- Please respond above this line ---

RE: Public Records Request of October 27, 2026, Reference # R000687-102726
Dear Robert Samuel White,
This email is in reference to a public records request you submitted to the Oregon Secretary of State on October 27, 2026 for the following:
To the Public Records Officer, Oregon Secretary of State:

Under ORS 192.314, I request the following public records of the Secretary of State, including the Archives Division and its Records Management Unit. **This request excludes any record concerning me.** It concerns how the State Archivist has told agencies to keep and find their email, and what the Archives knew about the state's move of every executive branch mailbox to one system.

Background. The State Archivist approves every state agency's records policy under ORS 192.018 and sets the retention schedules in OAR chapter 166.[^1] The Archives authorized agencies to apply role-based retention to electronic communications, including email.[^2] The Oregon Records Management Solution, offered through the Archives, has been described by its vendor as fulfilling "a three-year email request" in "90 seconds with only ~250 messages needing manual review."[^3] Enterprise Information Services decommissioned the state's on-premises email on November 21, 2024, after moving 46 agencies to one Microsoft 365 platform.[^4]

Records requested. For the period January 1, 2023, to the date of search, unless stated otherwise:

1. Every guidance document, bulletin, FAQ, training material, or communication the Archives Division has issued to state agencies since January 1, 2023 on retaining, managing, or searching email as a public record, including the role-based retention authorization and any guidance on locating email responsive to a public records request.
2. Every communication since January 1, 2023 between the Archives Division and the Department of Administrative Services, Enterprise Information Services, or the Office of the State Chief Information Officer concerning the Microsoft 365 migration, the retention of email on the enterprise tenant, the application of retention schedules to Exchange Online mailboxes, or the use of Microsoft 365 eDiscovery, content search, or retention policies.
3. The list of public bodies using the Oregon Records Management Solution as of the date of search, and every record describing the Solution's capture, indexing, or search of email, including any

statement of how long an email search takes.
4. Every record showing which state agencies' email is captured into the Oregon Records Management Solution or another Archives-managed system, and which is held only in the agency's mailboxes on the enterprise Microsoft 365 tenant.
5. The Archives Division's own written procedure for searching its email in response to a public records request: who performs the search, what tool is used, and how the time is recorded and charged.

If any of these records is kept in a system, an export or report from that system is acceptable.

The search. Please state in writing the accounts, systems, and archives searched; the exact terms and date range used; the date of the search and the title of the person who conducted it; and the number of responsive records found. The statute does not require you to describe your search. I am asking because the search is the answer, and I would rather publish yours than my guess at it. If there are no responsive records for any item, please say so in writing, item by item, with the search described above.

Format and correspondence. Under ORS 192.324(3), please provide records in their native electronic format with metadata intact, by email or secure link. Please conduct all correspondence about this request by email, including acknowledgments, estimates, waiver decisions, and payment instructions. Under ORS 192.324(1), this letter is a complete written request, and it includes a complete fee waiver request. It does not need to be resubmitted on a form.

Redaction. Please redact the names, home addresses, personal phone numbers, and personal email addresses of private individuals. No other redaction is requested for privacy. In any fee estimate, please list redaction time separately from search and production time, with the hours and the hourly rate of the employee performing it. Under ORS 192.324(4)(b), a fee may not include attorney time spent determining the application of the public records law.

Exemptions. For any record or portion withheld, please identify the record, the specific exemption claimed, and how it applies to that record (ORS 192.329, 192.338). Please segregate and release nonexempt portions. A fee estimate is not an exemption assertion. Guidance, training material, and advice to agencies on how to search for public records are not attorney-client communications by virtue of having been written by a lawyer; if you claim privilege for any record, please identify the client, the attorney, and the legal advice sought.

Fee waiver. I request a waiver of all fees under ORS 192.324(5). Disclosure primarily benefits the general public:

1. *Requester's identity.* I maintain oprdvolunteerabuse.org, a public archive of Oregon state government records. It has published complete public records productions from the Oregon State

Police, Department of Administrative Services, Oregon Parks and Recreation Department, and the Office of the Public Records Advocate.[^A] This request excludes any record concerning me.
2. *Purpose.* To publish, in full and without charge, the guidance Oregon's public bodies are given on searching email when the public asks for it, next to what they tell the public it costs.
3. *Character of the information.* I am asking every state agency in Oregon the same question about its email: what did it write to the State Police press office, and about whom. The first of those requests went out on October 22 and October 27, 2026. Before the day was out, one agency had its twelve staff searching their own inboxes,[^B] and another was drawing up an invoice for "many hours of staff labor"[^C] for a search the state can run in minutes on a system it already owns.[^D] The Archives set the rules every agency keeps its email under, and its own records system is sold on a ninety-second email search. The records I am asking for show what the Archives told the agencies, and which agencies have the tool. That is the administration of ORS 192.311 to 192.478, and it is the fee the public is charged under ORS 192.324(4).
4. *Public domain.* The retention schedules and the role-based authorization are published. What the Archives told agencies about finding email, what it said to EIS about the migration, and which agencies capture email into a searchable system are not.
5. *Ability to disseminate.* The archive has published every production it has received, with original files and metadata, at no charge. Records from this request will be published the same way. I have no commercial interest in them.

If a full waiver is denied, I request a reduction of fees under the same provision. If the waiver is denied or a reduction is granted in part, please give the reasons in writing for each factor, state the amount or percentage of any reduction and its basis, and provide an itemized estimate before any work begins, showing the tasks, the hours for each, and the hourly rate of the employee performing each.

Timeline. Please acknowledge this request within five business days and give an estimated completion date as required by ORS 192.324 and 192.329.

Preservation. Please preserve all records responsive to this request while it and any petition for review are pending.

[^1]: ORS 192.018; OAR 166-030-0026, Public Records Retention and Disposition Authorization (State Agencies). https://www.law.cornell.edu/regulations/oregon/Or-Admin-Code-SS-166-030-0026
[^2]: Oregon State Archives, "Role Based Retention Authorization." https://sos.oregon.gov/archives/Documents/Role-Based-Retention-Authorization.pdf
[^3]: Carahsoft, "State of Oregon achieves fast, cost-effective public records management," case study naming the Director of the State Archives Division. https://www.casestudies.com/company/carahsoft/case-study/state-of-oregon-customer-case-study
[^4]: EIS Digest, December 2024. https://content.govdelivery.com/accounts/ORDAS/bulletins/3c6649e
[^A]: Oregon State Police, PR27478, https://oprdvolunteerabuse.org/records/osp/; Department of

Administrative Services, https://oprdvolunteerabuse.org/records/das/; Oregon Parks and Recreation Department, https://oprdvolunteerabuse.org/records/oprd/; Office of the Public Records Advocate, October 27, 2026, https://oprdvolunteerabuse.org/record/governor/01M5ZTYWMR1EM9C7R3S815Z4FG/
[^B]: Employment Relations Board, October 27, 2026. https://oprdvolunteerabuse.org/record/public-question-1/01M5ZMSTZG2CY6QT8SJTNGPSQW/
[^C]: Oregon Department of Emergency Management, October 27, 2026. https://oprdvolunteerabuse.org/record/public-question-1/01M5ZPMTNRMPG3CRR9XYTPXM0H/
[^D]: Microsoft 365 Progress Report, Joint Ways and Means Subcommittee on General Government, February 13, 2020, pp. 4 and 11 ("Advanced Compliance: Advanced eDiscovery"), https://olis.oregonlegislature.gov/liz/2020R1/Downloads/CommitteeMeetingDocument/216317; EIS Digest, December 2024 (on-premises email decommissioned November 21, 2024; 46 agencies), https://content.govdelivery.com/accounts/ORDAS/bulletins/3c6649e; EIS NTT Pro Services Special Procurement, June 10, 2025 (eDiscovery among supported M365 applications), https://www.highergov.com/sl/contract-opportunity/or-eis-ntt-pro-services-special-procurement-51980448/

Respectfully,

Robert Samuel White
Thank you for your public records request to the Office of the Secretary of State, Archives Division. Your request contained five sub-requests.
-With respect to sub-request no. 3, all responsive documents have been provided.
-With respect to sub-request nos. 4 and 5, there are no responsive documents.
-With respect to sub-request no. 1 (every guidance document, bulletin, FAQ, training material, or communication issued to any state agency regarding email as a public record), all responsive documents of the first four categories have been provided (guidance documents, bulletins, FAQs, and training materials).
Responsive documents may be retrieved here: Public Records Request - R000687-102726
-For the "communications" requested in connection with both sub-request nos. 1and 2 (every communication with specified state agencies concerning the Microsoft 365 migration and related matters), our staff have run preliminary searches using the broad terms "email," "retention,", “purview,” “scope”, “policy,” and "role-based retention." Based on the volume of documents returned, we estimate that it would take approximately 336.5 hours of staff time to review and produce records responsive to your request. In accordance with our fee schedule and our policy of providing one hour of staff time free of charge, total fees are estimated at $15,112.
We have evaluated your request for a fee waiver. Based on the current estimate of 336.5 staff hours, the request is denied. Because the current estimate would require substantial agency resources to complete, we conclude that the interest of the public would be better served by preserving those resources. Please note that the high fees are the result of extremely broad and common search terms, which have yielded tens of thousands of hits, many of which are likely not responsive to your request. If, however, you

choose to narrow the scope of your request such that it results in a new and reduced estimate, we would be happy to reevaluate your request for a fee waiver at that time. You may seek review of this public records determination by the Secretary of State pursuant to the process outlined in ORS 192.427 and ORS 192.431

Please advise if you would like to proceed with the current charges or clarify your request. Our office will not take further action on this request until we hear from you.

If you have questions or need additional information, please reply to this email.

Sincerely,

[SOS Staff]

Archives Division

Oregon Secretary of State's Office

To monitor the progress or update this request please log into the Public Records Request Center