

**S. 4042, Strengthening Oversight of Federal Records Act of 2024**

As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on April 10, 2024

By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	0	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	0	5	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply?	Yes
		<b>Mandate Effects</b>	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 4042 would amend the rules related to the management of federal records. Specifically, the bill would:

- Clarify the role of the National Archives and Records Administration (NARA) in collecting and preserving federal records,
- Prohibit the use of nonofficial electronic messaging accounts by executive branch employees for official business without proper records management procedures in place for those accounts,
- Require federal agencies to establish policies under which employees leaving federal service certify that the employee has complied with recordkeeping requirements,
- Require the Office of Personnel Management to develop criteria that incorporates records management into employee performance reviews, and
- Authorize the appropriation of \$500,000 for both 2025 and 2026 to establish an advisory committee on records automation.

The Federal Records Act (FRA) governs the collection, retention, and preservation of federal agency records. The FRA also governs how federal records are to be destroyed or provided



to NARA for permanent archiving. Under the FRA, each agency is required to make and preserve records of its activities and to have appropriate systems to manage and preserve those records. That act also requires NARA to oversee and issue guidance on managing federal records, including email messages.

Using information from NARA and selected agencies, CBO expects most of the provisions of the bill would clarify current activities to manage federal records and expand reporting requirements. There would be some administrative costs governmentwide to implement the bill. Based on the costs of similar activities, CBO estimates that costs of additional records management and reporting requirements would be about \$4 million over the 2025-2029 period. Including the authorized amounts for the advisory committee, CBO estimates that implementing the bill would cost \$5 million over the 2025-2029 period. Any related spending would be subject to the availability of appropriated funds.

Enacting S. 4042 also could affect direct spending by some agencies that are allowed to use fees, receipts from the sale of goods, and other collections to cover operating costs. CBO estimates that any net changes in direct spending by those agencies would be negligible because most of them can adjust amounts collected to reflect changes in operating costs.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

A handwritten signature in black ink, appearing to read 'Phillip L. Swagel', with a long, sweeping flourish at the end.

Phillip L. Swagel  
Director, Congressional Budget Office