

Records Management

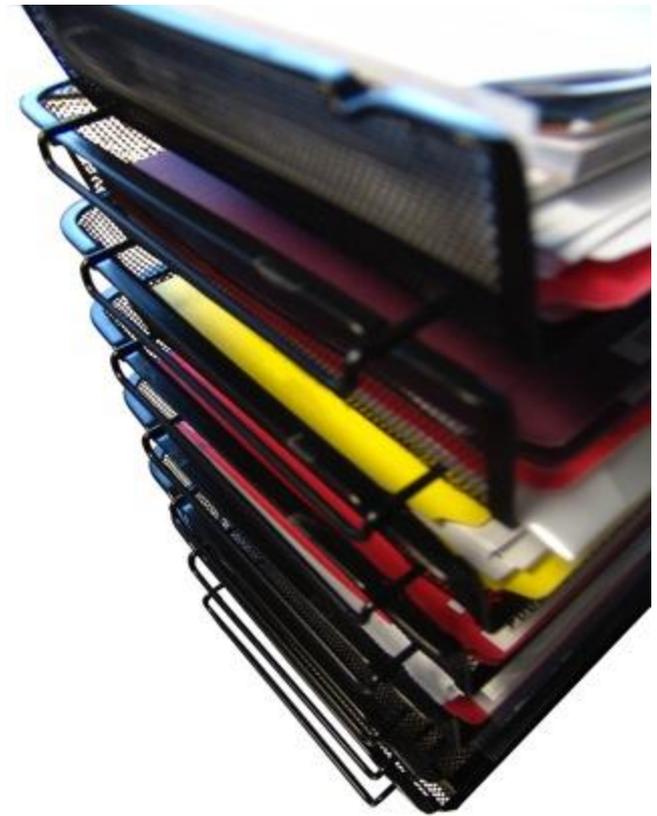
Training 101



Learning Objectives

This training is designed to help you:

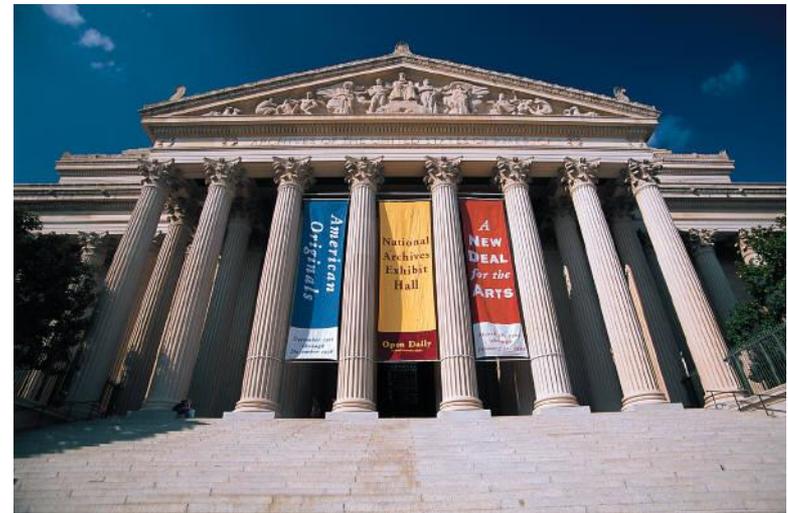
- Understand the importance of Records Management and *why* records are maintained
- Understand *your* RM responsibilities
- Learn basic RM terms and definitions
- Learn how to identify a Record
- Learn about a Legal Hold
- Understand Records Schedules
- Locate additional resources



About NARA

The National Archives and Records Administration (NARA) is responsible for ensuring proper Records Management in the Federal government. NARA:

- Provides rules, regulations, and guidance for the management of records in all media
- Appraises and schedules active records
- Stores inactive records
- Preserves and provides access to permanent records.



In locations around the country, NARA stores more than 9 billion paper records; 7 million maps, charts, and drawings; 20 million photographs; 365,000 reels of film; 110,000 video tapes; and billions of machine-readable data sets.

What is Records Management?

According to the National Archives and Records Administration (NARA), Records Management is:

“The planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal government and effective and economical management of Agency operations.” 36 CFR 1220.14

In simple terms, Records Management is the practice of maintaining and preserving records from creation until disposition.



Benefits of Records Management

Records Management:

- ❑ Contributes to the smooth operation of Agency programs by making readily available the information needed for decision-making and operational readiness
- ❑ Helps deliver services in a consistent and equitable manner
- ❑ Facilitates the effective performance of program activities
- ❑ Protects the rights of citizens, businesses, and the Agency
- ❑ Provides continuity in the event of a disaster
- ❑ Protects records from inappropriate and unauthorized access
- ❑ Helps an Agency meet statutory and regulatory requirements



Roles & Responsibilities

Employees and contractors must:

Recognize records are government assets required by law and used to conduct Agency business

Coordinate with Records Management Officers regarding all aspects of Records Management, including schedules and disposition

Organize files in a manner that facilitates efficient and effective retrieval of information

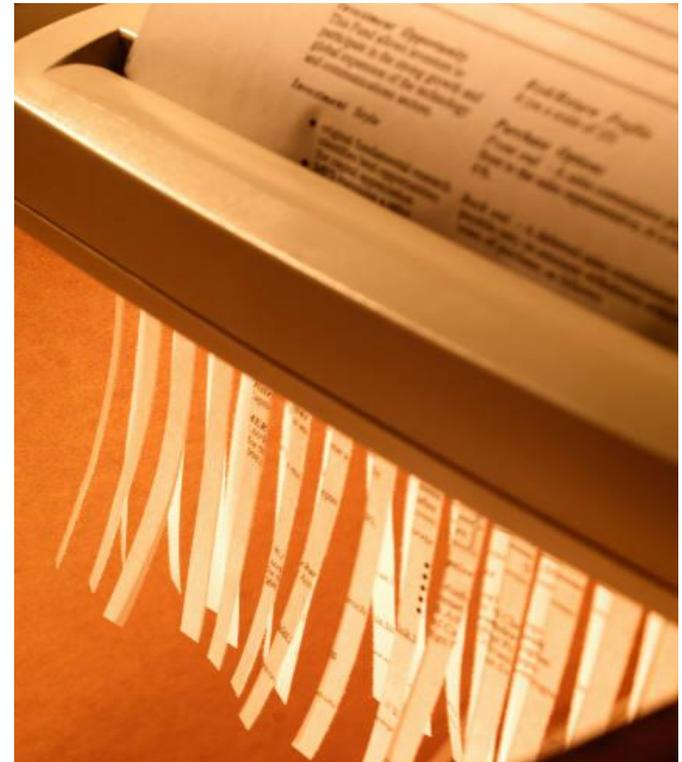
Roles and Responsibilities

Employees and contractors must NOT:

- Remove or destroy records from offices without authorization or an approved schedule
- Mix official records with personal information or non-record materials



Employees and contractors are prohibited from destroying any unscheduled records. Unscheduled records are treated as **PERMANENT until a NARA-approved retention schedule has been implemented.**



Roles & Responsibilities

Program Managers must:

Perform reviews of RM activities and help ensure compliance with legal and regulatory requirements

Identify the official office of record

Specify if the data being created is a record

Apply appropriate disposition instructions for files being created

Terms & Definitions

44 United States Code § 3301 states:

“Records include all books, papers, maps, photographs, machine readable materials, emails or other documentary materials, regardless of physical form or characteristics, made or received by an Agency of the United States government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that Agency or legitimate successor as evidence of the organization, functions, policies, or other activities of government or because of the informational value of data in them.” 44 USC 3301

In simple terms, depending primarily on content and purpose, a record is information in any media created or received while fulfilling the duties of your position or conducting official business that documents Agency function, organization, and activities.

Terms & Definitions

Permanent Records have historical or other value that warrants permanent preservation.

Permanent Records:

- Are NEVER destroyed
- Are eventually transferred to the legal custody of NARA for preservation in the National Archives
- Require special care and handling

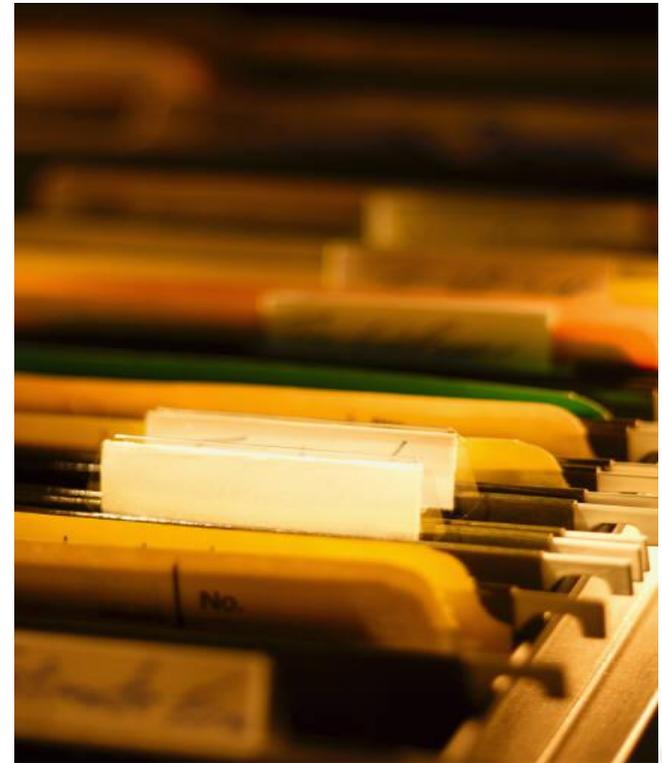


Terms & Definitions

Temporary records have a finite retention period that is approved by NARA.

Temporary records :

- Are destroyed/deleted after a NARA-approved records retention period
- Often require off-site storage when inactive
- May require a longer retention period than the retention schedule if subject to a current “Legal Hold” or other legal issue
- Must be retained as permanent until a records schedule is approved by NARA



Terms & Definitions

Some examples of temporary records include:

- ❑ Time and attendance files
- ❑ Employee travel documents
- ❑ Procurement files
- ❑ Budget files
- ❑ General accounting files



Terms & Definitions

Electronic records are created by means of a computing device, subsequently stored on electronic storage media, and retrievable through electronic means.

Electronic records:

- Are subject to records retention requirements just like other records
- Should be retained according to the requirements of your Operating Administration's (OA) Records Management program



Terms & Definitions

Non-record materials are U.S. government-owned documentary materials that do not meet the conditions of a record.

Non-record materials may:

- Have evidentiary value and therefore be within the scope of a legal hold
- Need to be turned over for Freedom of Information Act (FOIA) requests



Terms & Definitions

Examples of non-record materials include:



Duplicate copies of documents maintained in the official files

Catalogs, trade journals and other reference materials

Documents used only for reference or exhibition purposes

Extra copies of correspondence

Stocks of publications

Terms & Definitions

Personal documents are papers and files belonging to an employee that are not used to conduct business.

Personal documents are:

- Accumulated by an employee before joining government service and not used subsequently in the transaction of government business
- Related solely to an individual's private affairs
- Not prepared, used for, circulated, or communicated in the course of transacting Agency business
- Not to be kept with records



Terms & Definitions

Vital records are records that are essential to the continued functioning of the Department/Agency and its operating units during and after an emergency.

Emergency operating records

- Those needed to continue the most critical operating unit functions of the Agency

Legal and financial rights records

- Those needed to protect the legal and financial rights of the government, individuals and entities directly affected by its activities (e.g., payroll records, contracts, and retirement records)

How to Identify a Record

Many factors contribute to the determination that documents are federal records. According to NARA guidance, if the answer to any of the following questions is “yes,” you should consider the document a federal record.

Did the Agency require creation or submission and maintenance of the document?



Was the document used to conduct or facilitate Agency business?



If the document is a draft or preliminary document created for background or similar purpose, does it:

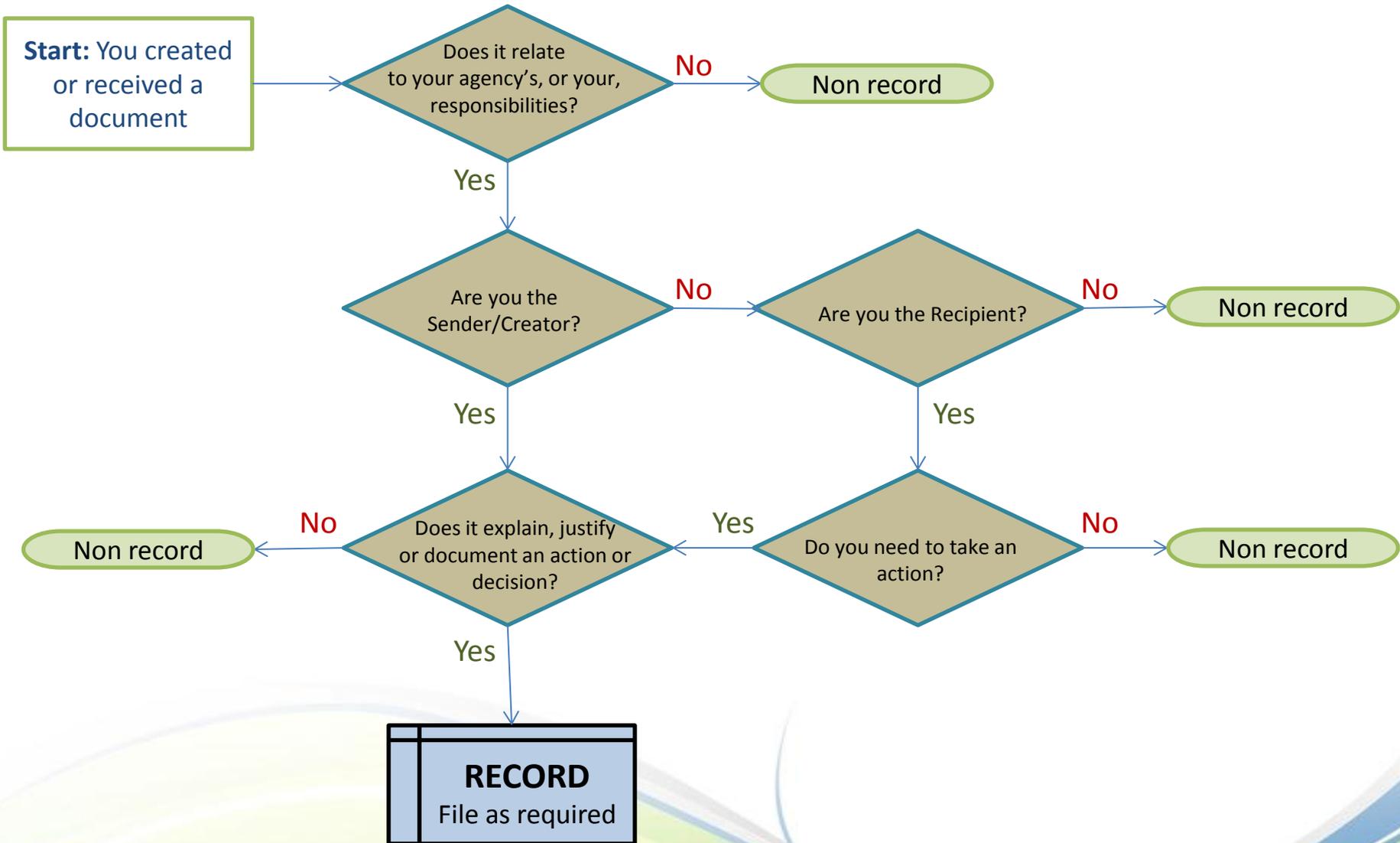
Explain how the Agency formulated and executed programs, policies, decisions, or actions?

Contain unique information?

Memorialize an Agency decision?

Covered by an item in a records retention schedule?

How to Identify a Record



E-Mail Records



E-mails qualify as records if they:

- Document the formulation and execution of policies, decisions, or actions
- Document important meetings (e.g., discuss or attach meeting minutes or agendas)
- Protect the financial, legal, and other rights of the government and of persons directly affected by the government's actions

Note: Personal e-mail accounts should NOT be used for work. Retain e-mail records according to the requirements of your operating administration's Records Management program.

Records Retention Schedules

A Records Retention Schedule is a document that provides legal authority for the final disposition, including destruction or preservation, of the records in an office, component, or Agency.

Note: A Records Retention Schedule is sometimes called a Records Disposition Schedule.



Records Retention Schedules

The two types of Records Schedules are the General Records Schedules (GRS) and DOT-specific Schedules.

General Records Schedules (GRS)	DOT-specific Schedules
<ul style="list-style-type: none"><input type="checkbox"/> Cover records common among several agencies<input type="checkbox"/> Cover records relating to fiscal accounting, procurement, communications, printing, and other common functions<input type="checkbox"/> In most cases, do not need further approval from NARA for disposition to be implemented	<ul style="list-style-type: none"><input type="checkbox"/> Cover program records specific to either DOT or an OA within DOT<input type="checkbox"/> Need NARA approval before the disposition action set forth in the records retention schedules can be implemented

GRS schedules can be found at <http://www.archives.gov/records-mgmt/grs/>.
To access DOT-specific schedules, contact your Records Management Officer.

Records Retention Schedules

Sample Schedule Matrix

Description	Record Type	Record Series	Retention Schedule	Disposition
Files relating to day-to-day commission activities	Federal Advisory Committees, Boards and Councils	Temporary Commissions, Boards, Counsels & Committees	GRS 26	Destroy on termination of commission
Requests from air carriers for compensation	Correspondence between Agency and air carriers	Carrier Compensation Files	N1-570-04-21	Transfer to Federal Records Center (FRC) when 5 years old. Destroy when 20 years old
Administrator's correspondence, internal memoranda, reports, meeting minutes	Paper, e-mail, and other media	Administrator's Correspondence Files	N1-406-08-05, item 2a	Cut off at end of calendar year. Transfer to FRC 3 years after cutoff. Transfer to National Archives 10 years after cutoff

A Records Schedule must contain clear descriptions for identification and disposition.

Legal Holds

A Legal Hold Is a communication issued as a result of current or reasonably anticipated litigation, audit, federal government investigation, congressional inquiry, FOIA request, Privacy Act request, or other such matter.

A Legal Hold:

- ❑ Suspends the normal **disposition** or processing of all documents described in the Legal Hold, including records and non-records
- ❑ May also be called a “**hold order**,” “**freeze notice**,” “**preservation order**,” or “**suspension order**”



Recap

What is a record?

- In simple terms, information in any media created or received while fulfilling the duties of your position or conducting official business that evidences Agency functions, organization, and activities

Why Records Management?

- Contributes to smooth operation of Agency programs
- Protects rights of citizens and Agency
- There are legal consequences for non-compliance

Who is responsible?

- All employees and contractors are responsible for the maintenance of records they create

Statutes and Regulations

Laws and regulations governing federal Records Management include:

Federal Records Act of 1950

- 44 U.S.C., chapters 21, 29, 31, and 33

Title 36 CFR

- Parts 1220 through 1238

18 U.S.C.

- Chapter 101

E-government Act of 2002

- Section 207

A complete list of federal Records Management laws and regulations can be found at www.archives.gov/records-mgmt/laws/. E-government regulations can be found at www.archives.gov/about/laws/egov-act-section-207.html.

Additional Resources

DOT's Records Management Policy can be found here:

<http://our.dot.gov/team/rm/RM/Shared%20Documents/CIOP%20Chapter%2028%20Records%20Management%201-1-2010%20signed.pdf>

A list of DOT Records Officers and contact information can be found here:

<http://our.dot.gov/team/rm/RM/officers/default.aspx>

The DOT Records Management home site on SharePoint can be found here:

<http://our.dot.gov/team/rm/RM/SitePages/Home.aspx>

Your feedback on this training would be greatly appreciated. Please provide comments and suggestions to [**DOTRecords@dot.gov**](mailto:DOTRecords@dot.gov).