

# ARS □ CSREES □ ERS □ NASS

## *Policies and Procedures*

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This P&P, in conjunction with Manual 251.8M, establishes the REE agencies' policies and procedures for the creation, maintenance, use, and disposition of records.

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## Introduction

Federal law ([44 USC 3101](#)) requires that the head of each agency shall:

...make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities.

According to [44 USC 3102](#), the head of each agency is required to:

...establish and maintain an active, continuing program for the economical and efficient management of the records of the agency. The program, among other things, shall provide for:

- (1) effective controls over the creation and over the maintenance and use of records in the conduct of current business;
- (2) cooperation with the Administrator of General Services Administration and the Archivist in applying standards, procedures, and techniques designed to improve the management of records, promote the maintenance and security of records deemed appropriate for preservation, and facilitate the segregation and disposal of records of temporary value; and
- (3) compliance with sections [2101-2117](#), [2501-2507](#), [2901-2909](#), and [3101-3107](#), of this title and the regulations issued under them.

This P&P establishes policy for the REE agencies in the maintenance, use, and disposition of all agency record and nonrecord materials.

**Records are any information documenting agency activities, regardless of who sent or received them, or on what medium they were recorded.** According to [44 USC 3101](#), records include:

...all books, papers, maps, photographs, machine-readable materials, 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...by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the information value of data in them.

Every REE agency employee creates records and is therefore responsible for managing them. Anyone who creates a document using a word processing application, enters information into a database, files a document in a folder, records observations in a lab notebook, or does anything else that fulfills an agency function is a records custodian and is responsible for ensuring the safety, timely availability, and proper disposition of the records in their custody.

Records are managed through a records management program, which controls the creation, use, and disposition of all records, regardless of format, and ensures that agency activities are properly and adequately documented. A records management program consists of:

- Policies and procedures that adhere to standards and best practices, conform to Departmental directives, and are approved by management.
- File plans describing the organization of records.
- Records retention and disposition schedules approved by the National Archives and Records Administration (NARA).
- The design and implementation of information systems that incorporate Government and agency recordkeeping requirements.
- Basic records management training for all staff.
- Regular audits and updates.

Records management provides practical tools and techniques to manage all records through their life cycle, from creation to final disposition, in an efficient, cost-effective manner.

An effective REE Records Management Program will:

- Protect the legal and financial rights of the Government and of all persons affected by agency action ([44 USC 3101](#)).
- Ensure compliance with legal, administrative, fiscal, and historical retention requirements.
- Ensure the proper creation and preservation of records that adequately document agency accomplishments, activities, functions, policies, decisions, procedures, and essential transactions.
- Save space, time, and money while improving information retrieval by:
  - Establishing control over the creation of new records.
  - Clearing out old records to make room for new records.
  - Eliminating the costly duplication of records and information.
  - Destroying records that have served their usefulness after legal and/or fiscal requirements have been met.
  - Transferring to less costly storage records no longer needed frequently, but which still have value or must be retained.
  - Restricting filing equipment and office space to housing active records only.
- Enhance security.
- Identify and protect vital records.

Records created or acquired by an official or employee of the agency in the course of conducting Government business are the property of the United States Government. The penalties for willful and unlawful destruction, removal, and private use of official records are contained in [18 USC 2071](#).

The official records of the agency may only be destroyed with the approval of NARA. This approval authority is provided in the form of SF-115s, Request for Records Disposition Authority, or for administrative records kept by most offices through General Records Schedules (GRS). These records retention and disposition schedules list and describe all the records of the agency and contain NARA-approved retention periods and instructions on what to do with records when they are no longer needed to conduct agency business. **All USDA REE employees are responsible for ensuring that records are properly managed and are disposed of according to these schedules.**

Manual 251.8M, Records Management, provides guidance and step-by-step procedures for identifying, storing, transferring, and determining the disposition of agency records. The manual links to the records retention and disposition schedules for all REE agencies. Until these schedules are revised and approved by NARA, employees should contact the Records Management Officer (RMO) to identify program-specific records and confirm their dispositions. For the appropriate disposition of administrative and other housekeeping records, such as procurement and personnel records which are maintained by most offices, employees may refer to the GRS available at [http://www.archives.gov/records\\_management/records\\_schedules.html](http://www.archives.gov/records_management/records_schedules.html).

## Authorities

- [18 U.S. Code Chapter 101, Section 2071](#).
- [44 U.S. Code Chapters 21, 29, 31, 33, & 35](#).
- [36 Code of Federal Regulations \(CFR\) Chapter XII, Subchapter B, Parts 1220-1238](#).
- [OMB Circular A-130, Transmittal Memorandum #4, Management of Federal Information Resources](#).
- Departmental Regulations (DR):
  - [DR 3080-1, Records Disposition](#)
  - [DR 3040-1, Electronic Records Management Program](#)
  - [DR 3040-2, Call Detail Records](#)
  - [DR 3090-1, Vital Records Program](#)

## Policy

Each REE agency employee shall create and maintain proper and adequate documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities ([44 U.S.C. 3101](#)).

In order to meet these requirements, REE agencies will establish and implement a comprehensive agency-wide records management program and ensure that all official records they create or receive will be:

- Identified.
- Accessible over the life of the record, regardless of format.
- Legally sufficient and in compliance with all applicable laws, such as those governing privacy, confidentiality, recordkeeping, and accessibility to persons with disabilities.
- Reliable.

REE agency managers will support the agency records management program, ensuring that:

- Complete records are created and filed to facilitate ready retrieval when needed.
- Records, nonrecord material, and personal papers are segregated.
- Temporary records are disposed of promptly when their retention periods expire.
- Permanent records are transferred to NARA in a timely manner.

The RMO will also ensure that all records created by REE agencies are listed and described in NARA-approved records retention and disposition schedules or in NARA's GRS and are disposed of only as authorized by those schedules.

Program managers are required to create and maintain a file plan consisting of a centralized list and description of its official records, including electronic media, and to standardize file systems and filing procedures.

Documentary materials created or received by the REE agencies of USDA in pursuance of Federal law or in connection with the transaction of public business are records and the property of the U.S. Government. They must not be removed from agency custody or destroyed without NARA approval. No official or employee shall remove any materials, whether records or not, which contain national security information or other information of a confidential nature. No record or nonrecord materials relating to any pending or contemplated civil, criminal, or administrative proceeding or other program activity may be removed when the information, if released, would impair or prejudice the outcome of the proceeding or Government policy determinations, decisions, or other actions. Further, departing officials or employees may not remove nonrecord materials if their removal would:

- Hinder the efficient, continued functioning of the office or of successor officials or employees.
- Diminish the information needed for the official business of the Department.
- Violate national security, privacy rights, or other interests protected by law.

In creating records, employees shall create, maintain, and store records only in media and formats that ensure their preservation and access through their full retention period. Selection of media (e.g., paper, microform, or optical) will be based on technical feasibility and cost effectiveness, agency requirements, and efficient information integration and dissemination.

When developing or revising electronic systems, program managers should identify and incorporate disposition requirements into the system at its creation in order to ensure the proper preservation and access of all agency records.

REE agencies will establish and implement a vital records program to identify, maintain, and protect those records needed to ensure the continuity of essential agency functions during and after an emergency or disaster.

The RMO will ensure that all staff will receive adequate training in the creation, maintenance, safekeeping, and disposition of agency records.

## **Summary of Responsibilities**

### **Agency Administrators**

- Establish and maintain a proactive, continuing program for the economical, efficient, and systematic control over the creation, maintenance, use, and disposition of agency records through the implementation of updated and approved records retention and disposition schedules and through conformance to records-related policies and procedures.
- Establish safeguards against the unlawful removal, loss, or destruction of records.
- Establish and maintain a vital records program under which essential records are managed in the event of an emergency or disaster.

### **Agency Chief Information Officer (CIO)**

The Secretary of Agriculture has delegated to the CIO oversight responsibility for the records disposition program (7 CFR 2.37.11). This responsibility includes the following:

- Providing leadership in assuring that information technology changes conform with NARA recordkeeping requirements.
- Managing agency computer and telecommunication resources to ensure proper handling of official records contained in the systems.
- Assisting program managers in identifying program and administrative activities that use or need computer and telecommunication resources for managing records.
- Notifying the Program Manager(s) and the RMO of technology changes that affect access methods or the retention of record data.
- Ensures that the RMO is included in the initial planning for new systems and plans for migration or updates from existing systems.
- Ensures the security and integrity of agency records stored in electronic media for the life of those records.

## **Records Management Officers (RMO)**

The REE Research, Education, and Economics Mission Area is composed of four agencies: the Agricultural Research Service (ARS); the Cooperative State Research, Education, and Extension Service (CSREES); the Economic Research Service (ERS); and the National Agricultural Statistics Service (NASS). The REE Records Management Officer (RMO) is located in the ARS Office of the Chief Information Officer, supporting ARS, ERS, and NASS as well as providing guidance to the CSREES RMO. Within ARS, the RMO also oversees the records management program for the National Agricultural Library (NAL) and the National Arboretum (NA). The RMO is responsible for:

- Provide leadership and guidance to REE records managers, liaisons, and staff to ensure conformance with records-related laws, policies, and procedures.
- Develop appropriate and understandable records-related policies and procedures in conformance with the Department's directives.
- Establish clear and practical guidance in the proper management of agency records through their life cycle (creation, receipt, maintenance/use, retirement, and disposition).
- Work with agency program managers, senior agency management, and agency staff to develop, maintain, update, and properly apply agency records schedules.
- Inform agency staff of best recordkeeping practices and of changes by NARA that affect agency recordkeeping.



- Educate and train agency staff on their roles and responsibilities in the successful implementation of electronic recordkeeping, and providing records management training for agency employees.
- Develop long-range goals and resource projections for the records and information management programs.
- Promote records management programs in conjunction with program officials, information resource managers, and senior agency management.
- Create and maintain a records management website to assist agency personnel in managing their records and in resolving records-related issues and questions.
- Serve as the primary agency liaison to NARA and the General Accounting Office (GAO), as necessary, in obtaining approval of proposed records schedules.
- Provide technical assistance to program managers in storing, tracking, and managing records in agency space or at Federal Records Centers (FRCs), and in transferring permanent records to NARA.
- Manage the retrieval of records from FRCs in response to internal requests, Freedom of Information Act (FOIA) or Privacy Act (PA) requests, routine inquiries from the public, and litigation or discovery actions in cooperation with agency program managers and the Office of the General Counsel.
- Report any unlawful or accidental removal, defacing, alteration, or destruction of Federal records to the Departmental Records Officer and to NARA.
- Coordinate with the Departmental Records Officer to ensure reasonable uniformity within the agency records management programs throughout the Department.
- Coordinate vital records identification and protection with agency emergency and disaster management efforts.

## **Information System Managers**

- Ensure that all documentation for agency information systems is accurate and available.
- Ensure that information systems are secured against unauthorized access, theft, or loss and ensure that information systems are routinely backed up for disaster recovery purposes.
- Cooperate with the RMO in responding to requests for information and in the implementation of a records management program. This may include periodic audits and

evaluations of agency administrative, program, vital, and disaster recovery records management functions.

- Notify the RMO of organization or program changes that will result in establishment of new types of records, the transfer or termination of records no longer required, or an increase or decrease in the retention time of the records.

## **Program and Administrative Managers**

- Create those records needed to ensure adequate and proper documentation of their area of responsibility.
- Implement procedures to ensure that records are protected from theft, loss, and unauthorized access.
- Maintain an effective file system so that records can be efficiently retrieved and managed.
- Arrange for basic records management training and guidance for staff.
- Direct that designated records custodians cut off subject correspondence files on an annual or other regular basis, promptly close out case files, and transfer or destroy inactive records according to the appropriate records schedule.
- Cooperate with the RMO in responding to requests for information and in the implementation of a records management program. This may include periodic audits and evaluations of agency administrative, program, vital, and disaster recovery records management functions.
- Notify the RMO of organization or program changes that will result in establishment of new types of records, the transfer or termination of records no longer required, or an increase or decrease in the retention time of the records.

## **Employees**

- Obtain basic records management training and guidance.
- Maintain record and nonrecord material according to NARA, Department, and agency requirements. Make sure records are accessible for their entire retention period by saving them and filing them properly.

- Safeguard records until they are authorized for disposition. The unauthorized removal, concealment, falsification, mutilation, and/or disposition of official records is prohibited by law and is subject to penalty ([18 U.S.C. 2071](#)).
- Report any apparent instances of unauthorized disposition to the supervisor and to the RMO.
- Preserve any unscheduled records and promptly inform the RMO of their existence.
- Keep personal papers and nonrecord material separate from agency records.
- Notify the RMO or designated records liaison when records are no longer needed for the conduct of current business but cannot yet be disposed of, and are eligible for transfer to an FRC or to NARA.
- Turn over records to an authorized successor (or to the RMO if no successor has been designated) when leaving a position or when an office closes.

## Glossary

**Administrative Records.** Records common to most offices that do not relate to the unique program records for which the office is responsible. They include budget, personnel, supply, and other housekeeping or facilitative records common to most agencies and are usually covered by [General Records Schedules](#) provided by the National Archives and Records Administration.

**Agency Records.** Documentary materials of an executive agency that meet the legal definition of records. See **Record**.

**Agency Records Officer (ARO).** See **Records Management Officer**.

**CFR.** Code of Federal Regulations.

**Classification.** (1) The systematic identification and arrangement of business activities and/or records into categories according to logically structured conventions, methods, and procedural rules represented in a records classification system. (2) Determining document or file naming conventions, user permissions, and security restrictions on records. (3) The process or result of identifying records containing national security information.

**Custody.** Control of records, either physical possession and/or legal responsibility.

**Destruction.** Disposing of records through burning, pulping, shredding, and so on.

**Disposal.** To either destroy or donate records. This term does not refer to the transfer of permanent records to the National Archives and Records Administration.

**Disposition.** What is done with records no longer needed to conduct current agency business. These actions may include transfer to agency storage, to Federal Records Centers, from one Federal agency to another, to the National Archives and Records Administration in the case of permanent records, donation (with NARA approval), or destruction of temporary records.

**Disposition Authority.** Approval from the National Archives and Records Administration, via General Records Schedules or SF-115s, for the disposition of agency records.

**Federal Records Center (FRC).** Records storage facilities, operated by the National Archives and Records Administration, where agencies may temporarily store records while maintaining legal custody.

**File Plan.** (1) A plan designating the specific types of files to be maintained in each physical location and the organizational element having custodial responsibility. (2) A document containing the identifying number, title or description, and disposition authority of files held in an office.

**File Station.** A file room where agency records are maintained for current use.

**Form SF-115.** Request for Records Disposition Authority. This form is used by the Records Management Officer to request approval from the National Archives and Records Administration for a proposed records disposition.

**Freedom of Information Act (FOIA).** Refer to P&P 158.1, Freedom of Information Act and Privacy Act Guidelines, at <http://www.afm.ars.usda.gov/ppweb/158-01.htm>.

**General Records Schedule (GRS).** Schedules issued by the National Archives and Records Administration governing the disposition of specified records common to several or all Federal agencies. They can be found at [http://www.archives.gov/records\\_management/records\\_schedules.html](http://www.archives.gov/records_management/records_schedules.html).

**Housekeeping Records.** See **Administrative Records**.

**Life Cycle of Records.** The management concept that records may pass through distinct stages, including creation, maintenance and use, retirement and storage, and final disposition.

**National Archives and Records Administration (NARA).** The Federal agency responsible for appraising, accessioning, preserving, and making permanent records available for reference.

**Nonrecords.** Materials that, unlike records, do not document agency activities and are only used for reference or convenience. They include informational copies on which no administrative action is recorded or taken, extra copies of documents kept only for reference, suspense or tickler files, stocks of publications, professional journals, and library or museum materials intended

solely for reference or exhibit.

**Permanent Records.** Records appraised by the National Archives and Records Administration as having sufficient historical or other value to warrant continued preservation by the Government beyond the time the agency needs them for administrative, legal, or fiscal purposes.

**Personal Papers.** Documentary materials belonging to an individual that are not used to conduct agency business, or materials related solely to an individual's own affairs or used exclusively for that individual's convenience. They must be clearly designated as such and kept separate from agency records.

**Preservation.** (1) The act of providing adequate facilities to protect, care for, or maintain records. (2) Specific measures taken to repair or restore records.

**Privacy Act.** Federal regulations that protect the privacy rights of individuals by limiting public access to information of a personal nature, such as social security numbers, home addresses, and so on. Refer to P&P 158.1, Freedom of Information Act and Privacy Act Guidelines, at <http://www.afm.ars.usda.gov/ppweb/158-01.htm>.

**Program Records.** Records documenting unique, substantive agency functions, as opposed to administrative records.

**Recordkeeping.** The act or process of creating and maintaining records.

**Recordkeeping Requirements.** Statutes, regulations, or agency directives providing general and specific guidance on particular records to be created and maintained by agency managers and staff. Since each agency is legally obligated to create and maintain adequate and proper documentation of its organization, functions, and activities, the administrator needs to issue recordkeeping requirements for all activities at all levels and for all media and to distinguish records from nonrecord materials and personal papers.

**Records.** Any information, created or received, regardless of media, that documents agency activities. Records are those materials that:

- document agency policies and/or procedures;
- form the basis of actions and decisions by officials;
- allow scrutiny by Congress or oversight agencies; and/or
- protect the financial, legal, and other rights of the Government and individuals directly affected by agency activities.

Within REE, these typically include hard copies and word processing versions of agricultural, economic, or statistical research or analysis reports; agency publications; contracts; cooperative agreement or grant files; research data in the form of statistical databases; and such items as photographs, maps, microfiche copies of diagrams, or other documentation. For the legal definition of records refer to [44 U.S.C. 3301](#).

**Records Liaison Officers.** Designated REE employees responsible, in coordination with the agency Records Management Officer, for implementing and maintaining an efficient and cost-effective agency records management program.

**Records Management.** Managerial activities involving control over records creation, maintenance, use, and disposition in order to properly and adequately document agency business and preserve the financial and legal rights of the Government and individuals directly affected by agency activities.

**Records Management Officer (RMO).** The designated employee, Office of the CIO, who is responsible for overseeing one or more of the REE Mission Area records management programs servicing ARS, CSREES, ERS, and NASS. Specifically, the RMO provides guidance on the proper creation, maintenance, and disposition of all record and nonrecord materials including vital records.

**Records Management Program.** A planned, coordinated set of policies, procedures, and activities needed to manage an agency's recorded information over the life of the records, regardless of media. Elements include issuing policies and procedures, scheduling records, training staff in their proper implementation, publicizing and updating the program, auditing for compliance, and evaluating the results to ensure adequacy, effectiveness, and efficiency.

**Records Retention.** The time period for which records are required to be kept prior to final disposition.

**Records Schedule.** A document which provides mandatory instructions approved by the National Archives and Records Administration on what to do with records when they are no longer needed to conduct agency business, and which cites as well the authority for the final disposition. This is also called a records retention and disposition schedule, records retention schedule, records disposition schedule, records control schedule, or schedule.

**Retention Period.** The length of time that records are to be kept, as authorized by the National Archives and Records Administration.

**Temporary Records.** Records approved by the National Archives and Records Administration for disposal, either immediately or after a specified retention period.

**Unscheduled Records.** Records that do not have a disposition approved by the National Archives and Records Administration.

**USC.** United States Code.

**Vital Records.** Essential records that are needed to meet the agency's operational responsibilities under national security emergencies or other emergency conditions (emergency operating records), or are needed to preserve the Government's rights and interests or those of its citizens (legal and financial rights records).

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Date