

## **CHAPTER 9**

### **DEPARTMENTAL RECORDS MANAGEMENT PROGRAM**

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## **SUBCHAPTER 9.1 - RECORDS MANAGEMENT**

### **9.101 Purpose**

To establish policies and procedures governing the management of records created by the U.S. Department of Transportation (DOT) in the course of conducting business; including records created by employees through telecommuting.

### **9.102 Scope**

The policies and procedures outlined in this chapter apply to all DOT Organizations.

### **9.103 References**

- [36 CFR Part 1220, Federal Records](#)
- [Basic Laws and Authorities of the National Archives and Records Administration](#)
- [Federal Web Content Manager's Toolkit](#)
- [NARA Guidance on Managing Web Records](#)
- [NARA Transfer Instructions for Permanent Electronic Records](#)
- [Records Management by Federal Agencies/Federal Records Act \(U.S.C. Chapter 31\)](#)
- [Records Management Guidance for Agencies Implementing Electronic Signature Technologies \(GPEA\), October 18, 2000](#)
- [U.S. Government Electronic Library of GSA, Standard and Optional Forms](#)

### **9.104 Definitions**

- **Adequacy of Documentation** is a standard of sufficiently and properly recording DOT actions and/or decisions which ensure adequate and proper documentation of information in official files and guarantees access to DOT personnel needing the information in the performance of official duties.
- **Adequate and Proper Documentation** is a record that is complete and accurate to the extent required to provide evidence of DOT and its functions, policies, decisions, procedures, and essential transactions, and furnishes information necessary to protect the legal and financial rights of DOT or other entities directly affected by DOT's activities.
- **Departmental Chief Information Officer (CIO)** is the senior management official responsible for the DOT Records Management Program.
- **Departmental organizations** are offices within the Office of the Secretary, operating administrations, offices, divisions, and comparable elements of DOT.

- **Non-Record Material** are those having no documentary or evidential value. These include stocks of publications; library and museum material made or acquired and preserved solely for reference or exhibition purposes; duplicate copies of record material maintained solely for convenience of reference; processed or published materials; catalogues and trade journals; and papers of transitory value, such as non-circulating drafts, worksheets, informal notes, and routing slips.
- **Recordkeeping Requirements** are statements in statutes, regulations, or DOT's Departmental Information Resource Management Manual providing general and specific guidance on the particular records to be created and maintained by DOT.
- **Records** are all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, created or received by DOT as evidence of DOT's organization, functions, policies, decisions, procedures, operations, or other activities, required to support one or more of the adequacy of documentation goals outlined in section 9.104 II, below. For a more complete description on the distinction between record and non-record documentation, see DIRMM subchapter 9.2, Official Records and Personal Papers.
- **Records Creation** is the first stage of the records life cycle in which records are made or received.
- **Records Disposition** is any of the following activities:
  - Disposal of records no longer necessary for the conduct of business by destruction or donation;
  - Transfer of records to storage facilities or record centers;
  - Transfer of records determined to have enough historical or other value to warrant continued preservation to NARA; or
  - Transfer of records to another Federal agency.
- **Records Disposition Schedule** is a schedule providing narrative descriptions of agency records at the program level, setting forth specific retention periods which determine when records are to be destroyed or transferred to NARA for historical research, and indicating when inactive records should be transferred from office space to less expensive off-site storage.
- **Records Maintenance and Use** is any activity involving the storage, retrieval or handling of DOT records, including the selection and utilization of equipment and supplies associated with recordkeeping and copying.
- **Records Management** is the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to the creation, use, maintenance, and disposition of DOT records in order to achieve adequate and proper documentation of the policies and transactions of DOT. In accordance with NARA's regulations, DOT's records management policy assures effective and economical management of operations.

- **Records Management Officer (RMO)** is the designated representative responsible for overseeing their organization's records program. The RMOs serve as the point of contact for the Departmental CIO.
- **Records Liaison (RL)** is the designated representative (custodian) responsible for their respective office's records. This individual serves as the point of contact for their organization's RMO.
- **System/Program Manager** is the individual responsible for the planning and budgeting of records management training, as well as ensuring inventory and records schedules are current and properly implemented. This individual also cooperates in the identification of vital records.
- **Telecommuting** is working at an alternate work site away from the traditional office location, typically a satellite work center or the employee's residence. Any records created while telecommuting is the property of the Federal government and should be handled in accordance with this Records Management Program.
- **Vital Records** are those that are critical for the Department to operate (i.e. to provide services), and are essential for maintaining continuity of operations.
- **Web Site Related Records** include (1) Web content records, which represent information presented on a Web site, and (2) Web site administrative records, which provide evidence of the management and operations of the Web site.

## **9.105 Recordkeeping Requirements**

### **I. Life Cycle Management**

Following established Departmental policies and procedures, records should be managed throughout the three phases of their life cycle: creation, maintenance, and disposition. To the maximum extent possible, these policies and procedures shall be consistent with the guidelines published by NARA and other external agencies implementing policies and procedures.

### **II. Objectives**

DOT shall create and maintain complete, adequate, and proper documentation of its policies and transactions to promote the following goals:

- A. Protect the legal and financial rights of the Department and individuals directly affected by its activities.
- B. Ensure continuity and consistency in administration.
- C. Assist DOT officials and their successors in making informed decisions.
- D. Provide the information required by Congress and others for overseeing the Department's activities.

### **III. General Recordkeeping Requirements**

At a minimum, recordkeeping requirements shall include the following:

- A. Documentation in memoranda for the file, or by some similar method, of important business decisions reached orally during telephone conversations or in meetings. If an organization utilizes an electronic system that incorporates staff annotations, oral discussions may be summarized in this manner.
- B. Documentation on formal meetings of committees and task forces which include the names and organizations of participants, agenda, a copy of materials distributed, discussion summary, decisions reached, and subsequent actions.
- C. Working files such as preliminary drafts, rough notes, and other similar materials which shall be maintained for the purpose of adequate and proper documentation if:
  - 1. They were circulated or made available to employees, other than the creator, for official purposes such as approval, comment, action, recommendation, follow-up, or to communicate with agency staff about agency business.
  - 2. They contain unique information, such as substantive annotations or comments included therein, that add to a proper understanding of the agency's formulation and execution of basic policies, decisions, actions, or responsibilities.
- D. For DOT contracts, provisions requiring the contractor to provide any program or administrative documentation needed by DOT for effective management and for documenting the work performed by the contractor.
- E. Personal papers of staff members. Personal papers shall be retained separately from official records and clearly identified. For a description on the distinction between personal papers and official records, see DIRMM subchapter 9.2.
- F. E-mails that are determined to be records.

#### **IV. Confidentiality Requirements**

Exempt records as defined in [49 C.F.R. Part 10.61](#), shall be maintained as confidential by all present and former employees and may not be released outside DOT without written authorization as provided in Part 10.61.

#### **9.106 Records Maintenance**

As instructed in NARA's regulations concerning the maintenance of records, DOT shall maintain records in a manner that promotes rapid access and enables proper disposition. DOT Order 0000.1B outlines the subject classification system used by the Department as a guide to organize and file documentation. To obtain a copy of DOT Order 0000.1B, please visit [DOT's On-line Publication Web site](#) (at <http://isddc.dot.gov/>).

#### **9.107 Records Disposition**

The records of DOT shall be disposed of in accordance with records disposition schedules. Any changes to the schedules shall be coordinated with NARA. DOT records designated for

permanent retention in the National Archives by NARA shall be transferred in accordance with instructions found in the schedules. If a delay in the destruction of any DOT records is required, the Departmental organization's RMO shall freeze the relevant records from disposition. Such actions shall be carefully coordinated with the affected program offices and with DOT General Counsel if the records are subject to litigation. For more details on records disposition policies and procedures, see DIRMM subchapter 9.4, Records Retention and Disposition.

### **9.108 Electronic Records**

#### **I. Preservation of Records Created on Electronic Media**

A substantial portion of DOT's institutional history is captured on electronic media. Consequently, the policies and procedures prescribed for records captured on paper by this chapter apply equally to records captured on electronic media.

- A. DOT has not yet developed a Departmental electronic recordkeeping system that incorporates records management functions for the creation, maintenance, and disposition of Departmental records created at workstations such as memoranda, correspondence, and reports. Such systems must integrate records received by DOT with records created by DOT; ensure that once the record becomes final, no subsequent alteration may be made; include a mechanism for authenticating electronic signatures in those instances when signatures are required; and support the disposal of records when they are eligible for destruction. Therefore, paper copies of correspondence, memoranda, narrative reports, and similar documentation must be filed within division and office subject, correspondence, or case files. This approach is consistent with guidance issued by NARA.
- B. Conversely, information captured on large electronic data systems, such as DOT's Docket Management System, must be managed within the electronic environment. Capturing such records on paper would greatly restrict the Department's ability to manipulate and research data.

#### **II. Electronic Mail Messages**

Often Departmental business is conducted through its electronic mail system. When electronic messages are needed to support one or more of the adequacy of documentation goals outlined in section 9.103 (a), above, a paper copy of the message should be filed in division or office subject or correspondence files. Electronic mail messages may also be preserved in electronic format, provided that complete transmission data, e.g. names of sender/requester, date/time group, etc. are captured. Please refer to DIRMM Chapter 3 for further information on Electronic Mail procedures.

### **9.109 Responsibilities**

#### **I. The Departmental CIO is responsible for**

- A. Designating a Departmental Records Management Officer (RMO) who shall work with all Departmental organizations and other external agencies in implementing policies and procedures.

- B. Developing appropriate internal records management procedures that are consistent with Departmental and Federal policies.
- C. Providing policy, direction, and guidance concerning records management.
- D. Coordinating DOT's Records Management Program through a network of RMOs within each Departmental organization.
- E. Promoting records management training for DOT RMOs.
- F. Maintaining a liaison with NARA for appropriate guidance of records management.

**II. Heads of Departmental Organizations** are responsible for

- A. Designating an RMO who shall work with the Departmental RMO in implementing policies and procedures. Changes to the designee shall be forwarded to the Departmental CIO immediately.
- B. Promoting the creation of adequate documentation throughout their organization by defining the recordkeeping requirements for their programs in procedural manuals or other documentation.
- C. Establishing records management programs within their organizations that are consistent with DOT policy and executed by division and office staff.
- D. Ensuring electronic records are regularly backed up and stored at a site other than where the regular server is located.
- E. Ensuring backups of original electronic records are periodically verified and validated to maintain integrity.
- F. Developing plans for redundant or alternate server operations to ensure access to vital records during emergency situations.

**III. Records Management Officers** are responsible for

- A. Developing and implementing records management procedures that are consistent with national records management policies within their Departmental organization.
- B. Overseeing implementation of agency specific records management contracts.
- C. Ensuring accurate inventories of inactive records are maintained prior to their transfer to off-site storage.
- D. Coordinating the transfer, retrieval, and refile of inactive records to and from off-site storage.
- E. Applying the dispositions identified in DIRMM subchapter 9.4, to records stored on and off-site.

- F. Establishing procedures to ensure that only records eligible for destruction are destroyed, and implement procedures governing the disposal of agency records as provided in DIRMM subchapter 9.4, Records Retention and Disposition.
- G. Coordinating and securing necessary approvals with NARA whenever records must be disposed and/or maintained beyond their authorized disposition date.
- H. Providing technical assistance to program staff within their Departmental organization.
- I. Promoting and conducting records management training within their Departmental organization.
- J. Conducting periodic records management reviews within the organization to ensure compliance with applicable regulations and DOT standards and procedures, including protection of vital records.
- K. Preparing annual reimbursable agreements for record storage with NARA.
- L. Establishing contracts for records stored at a commercial storage facility.
- M. Managing Web records in conjunction with NARA's Guidance on Managing Web Records, including ensuring the required Web management and operations records are created and maintained.

**IV. Records Liaisons** are responsible for

- A. Coordinating the records management activities of a major component, whether at headquarters or in the regions.
- B. Working with the agency OA RMO to ensure that each office within the component has a designated records custodian.
- C. Ensuring that each office creates and maintains records documenting its program and administrative activities.
- D. Working with the RMO to make sure that all the records of each office are listed in the office file plan and are described accurately in the agency's records schedule.
- E. Working under the guidance of the OA RMO to ensure the transfer of eligible records to Federal records centers, the prompt disposal of temporary records when their retention periods expire, and the timely transfer of permanent records to the National Archives.
- F. Ensuring the proper training of records custodians and employees and the proper briefing of program managers.
- G. Promoting the records management program in assigned offices.
- H. Conducting periodic evaluations of records management activities in assigned offices, in cooperation with the RMO and records custodians.



**V. DOT Records System Program Managers** are responsible for

- A. Coordinating with their RMOs during the life cycle of each system.
- B. Performing regular reviews of the system's performance and compliance with legal and regulatory requirements.
- C. Working with the RMOs to propose adequate retention periods for the information to be submitted to NARA for review and approval.
- D. Identifying the official office of record for the records being created.
- E. Specifying if the data being created is record or nonrecord material.
- F. Ensuring that forms and reports produced on a system are subject to DOT's forms management and reports control programs.
- G. Determining in what format the official record will be maintained for its life cycle, i.e. paper, microfilm, tape, disk, or diskette.
- H. Working with their RMO and NARA to submit required documentation seeking authorization for destruction of certain media (e.g. paper).
- I. Applying appropriate disposition instructions for the files being created.
- J. Establishing appropriate levels of security to provide the necessary protection for records. Refer to DIRMM Chapter 10, "IT Security."
- K. Implementing systems to back up electronic records to safeguard against the loss of records due to equipment malfunction, deterioration of the record medium, or human error.
- L. Requiring that all modifications, upgrades, and changes to existing systems comply with this policy.

**VI. Contract Oversight Managers** are responsible for coordinating with the appropriate RMOs and RLs on the transfer of records from contractors to DOT.

**VII. DOT Employees** are responsible for

- A. Documenting their business activities by implementing the recordkeeping requirements established by their divisions or offices.
- B. Organizing their files in a manner that facilitates retrieval of information.
- C. Ensuring that their files are complete and accessible only to authorized individuals by implementing their division or office guidelines for securing confidential information.

- D. Coordinating with the appropriate RMOs and RLs regarding all aspects of records management (including applicable records retention and disposition schedules).

## SUBCHAPTER 9.2 - OFFICIAL RECORDS AND PERSONAL PAPERS

### 9.201 Purpose

To provide policy and guidance for the handling of official records and personal papers by Departmental officials and employees, including records created by employees through telecommuting.

### 9.202 Scope

The information outlined in this chapter applies to current Departmental officials and employees, and to officials and employees upon separation or retirement.

### 9.203 Definitions

- **Official Records** are those that have documentary or evidential value. Such materials created or received in connection with the transaction of the Department's business are preserved as evidence of its organization, functions, policies, decisions, procedures, operations, or other activities because of their informational value.
- **Personal Papers** are documents that are not created, used or obtained in the course of Departmental business.
- **Records** are all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, created or received by DOT as evidence of DOT's organization, functions, policies, decisions, procedures, operations, or other activities, required to support one or more of the adequacy of documentation goals.

### 9.204 Guidelines for Personal Papers

- I. **Characteristics.** Personal papers of Departmental officials and employees are the files they have organized and maintained for their personal use as opposed to official use. They will not affect the conduct of Departmental business. Examples include:
  - A. Papers accumulated by an official before assuming office.
  - B. Materials pertaining solely to an individual's private affairs, such as outside business pursuits or private political associations.
  - C. Correspondence with friends, family members, professional associates, or other administration officials, which does not directly concern the work of the office and is not intended to be part of the official records of the office.
  - D. Personal appointment calendars, telephone logs, diaries, journals, or other personal notes, which are not prepared for transacting Departmental business.
- II. **Maintenance.** Personal papers that are maintained in a Departmental office must be filed separately from official papers in order to:

- A. Avoid inadvertent destruction or removal of official record material.
- B. Facilitate retrieval of official files and thus enhance operational efficiency.
- C. Eliminate the likelihood that personal papers will be confused with official records and be made available under the Freedom of Information Act (FOIA).
- D. In cases where both private personal business and official business appear in the same document, that portion of the document relating to official business should be extracted and included in the official files.

### **III. Donation to Presidential Libraries.**

Preservation of the papers of the President of the United States and the personal papers of Presidential associates and contemporaries is authorized by the Presidential Libraries Act of 1955 (44 U.S.C. 2107). As a result of this Act, many officials donate their personal papers, after leaving office, to the Presidential Library of the particular President under whom they served. In this way, they ensure that a record of their individual accomplishments is preserved. They also add to the storage of source material that researchers will use in later years to describe the historical significance of the administration. Departmental officials who wish to donate personal papers to the Presidential Library may obtain specific procedural guidance from the Appraisal Archivist from NARA.

### **IV. Personal Use of Extra Copies of Official Departmental Records**

- A. Departmental officials and employees may accumulate, for convenience of reference, extra copies of papers and other materials, which they have drafted, reviewed, or otherwise acted upon. Such extra copies of documents are commonly regarded as nonrecord material and are usually disposable. The retention of any extra copies by Departmental officials and employees must not:
  - 1. Diminish the official records of the Department.
  - 2. Violate confidentiality required by national security, privacy, or other interests protected by law.
  - 3. Exceed normal administrative economies.
- B. In certain situations where extra copies of official papers and other nonrecord material have been maintained in the same collection as official record material of the office, NARA may consider it appropriate to preserve this nonrecord material with the record material to which it relates and with which it has been maintained, if donated to a Presidential Library. Future researchers interested in studying the history and operations of the Department would probably find the nonrecord material useful for analyzing the record material in the files and understanding the context in which it was created and accumulated.
- C. Departmental officials and employees should be aware that, although they may accumulate and retain "extra copies" of papers and other materials which they have drafted, reviewed, or otherwise acted upon, the "extra copy" material may be considered Departmental official records if they are filed and maintained in official files.

### **9.205 Removal of Records by Departmental Officials and Employees Who Resign, Retire, or Leave the Department Involuntarily**

#### **I. Prohibited Activities.** Officials and employees must **not** remove the following:

- A. Official records from the files. This material is in their custody for official purposes only. As is stated in the U.S. Criminal Code (18 U.S.C. 2071), it is unlawful to remove or conceal, alter, mutilate, obliterate or destroy records or remove or attempt to remove records from official custody with the intent of performing any of the above actions.
- B. Material which, if by being removed, would create a gap in the files so as to impair the completeness of the essential documentation.
- C. Indexes or other finding aids necessary for the use of an official file.
- D. National Security information. Such information shall remain classified, controlled or restricted as long as required to protect national security and/or DOT interest.

#### **II. Permitted Activities.** Officials and employees **may** remove the following:

- A. Personal and private papers as described in section 9.204 I of this chapter.
- B. Personal diaries that are really private records of public activities but designated as private property.
- C. Such work aids as office diaries, logs, memoranda of conferences and telephone calls when elsewhere covered by adequate records.
- D. Extra copies (carbon, xerox, etc.) of records under certain circumstances.
  - 1. Prior to removal, it should be determined that there are no legal or policy reasons for keeping the information contained therein confidential, and that the record copy and other necessary copies are available.
  - 2. If the copy is of a document originating with another agency, the wishes of that agency should be determined.

### **9.206 Approval for Removal of Documents**

Officials and employees who resign, retire, or leave the Department involuntarily shall not remove copies of documents from official files (except for personal and private papers as described in section 9.204 I) without prior written approval from the General Counsel or his designee. DOT Form 3300.2 "Clearance Certificate for Property, Records, and Indebtedness" includes DOT's Document Removal Form on the reverse side.

### **9.207 Additional Information**

Any questions pertaining to the removal of personal papers, non-record copy material, etc., or clarification of guidelines annotated in this chapter should be addressed to the appropriate FOIA staff

or legal counsel, or records management staff in Washington, D.C. The principal DOT-wide contact is the office of the Assistant General Counsel for Environmental, Civil Rights, and General Law.

## **SUBCHAPTER 9.3 - STANDARDS FOR CREATING RECORDS INVENTORIES**

### **9.301 Purpose**

To establish standards for inventories of records created by the U.S. Department of Transportation (DOT), including records created by employees through telecommuting.

### **9.302 Scope**

The policies and procedures established by this chapter apply to all inventories of inactive records created by DOT.

**9.303 Definition of Records Inventory:** a survey of agency records and nonrecord materials that is conducted primarily to develop records schedules and also to identify various records management problems, such as improper applications of recordkeeping technology.

### **9.304 Policy**

- I.** When records reach their inactive stage and are no longer required on-site to support DOT business, they will be stored in less expensive, off-site locations including DOT warehouses, commercial records centers, or Federal Records Centers (FRCs) operated by NARA.
- II.** When possible, records created by DOT will be stored in FRCs. Prior to their off-site storage, they must be inventoried to a level of detail that will support continuing reference needs and promote their timely disposition in accordance with established records disposition schedules.
- III.** The distinction between active and inactive records is relative. While the basic records management axiom that reference activity declines as the records age applies, the point at which a collection of records becomes sufficiently inactive to warrant storage off-site is best determined by the office creating the records in conjunction with Departmental organization records management personnel. Generally, records with a reference activity between 7% and 12% may be stored off-site. (This rate is measured by dividing the number of retrievals made each year by the total number of containers stored off-site at the close of the year.)
- IV.** Each Departmental organization will be responsible for tracking their inventory of records stored off-site.

### **9.305 Responsibilities**

- I.** Records Management Officers (RMOs) and Records Liaisons (RLs) shall coordinate the preparation of inventories in accordance with the standards listed in section 9.306 below.
- II.** RMOs and RLs are responsible for ensuring inventories are prepared correctly and include accurate identification of records series and item numbers contained in records disposition schedules. This verification process must be completed prior to the transfer of inactive records to off-site storage.

### **9.306 Records Inventory Standards**

- I.** Inventory data is required for each container including:
  - A. Date of records;
  - B. Record media: paper, magnetic, or microform;
  - C. Name of DOT office of origin that created the records;
  - D. Disposition authority from DOT's records schedules; and
  - E. Levels of Inventory Control (Preparation of Box Lists).
  
- II.** All DOT generated records must be listed by individual file folder. The RMO may make exceptions to this requirement only when the arrangement of the files is so carefully maintained that a first and last file folder listing for the container is sufficient. When a container includes records from more than one series, for example, case files and terminated employee files, the records will also be inventoried at the file folder level.
  
- III.** On occasion, circumstance may require the preparation of more detailed inventories. RMOs must consider the cost of such inventories before authorizing their preparation by an outside party.

### **9.307 Dating Records**

Records are dated based on when case file folders are closed or when a series of subject or correspondence file folders is arbitrarily cut off. For example, a contract case file is destroyed 6 years and 3 months after the contract is closed, not 6 years and 3 months after the contract is awarded. Subject or correspondence files are generally cut off at the end of a calendar year, a procedure that results in the creation of multiple collections of records all dated in the same year. Each collection is then destroyed when the appropriate retention period has expired. These file breaks facilitate both reference activity and records disposition. All records created by Departmental organizations must be dated in accordance with the file cutoff instructions found in the Departments' records disposition schedules. See DIRMM subchapter 9.4, Records Retention and Disposition.



## **SUBCHAPTER 9.4 - RECORDS RETENTION AND DISPOSITION**

### **9.401 Purpose**

This chapter establishes policies and procedures governing the disposition of records, including records created by employees through telecommuting) of DOT and provides updated guidelines applicable to the maintenance and disposition of records.

### **9.402 Scope**

The policies and procedures outlined below apply to all DOT organizations and cover records created in the course of conducting business.

### **9.403 Definitions**

- **Case Files** are a folder or other file unit containing material relating to a specific action, transaction, event, person, place, project, or subject. A case file contains documents, which cover one or many subjects that relate to the specific case. An example of a case file is a contract file, which contains records on a specific contract, such as the procurement request, proposal, contract document, related correspondence, etc. Other types of case files include, but are not limited to, litigation/matter files, official personnel folders, surveys, and studies.
- **Electronic Files** are those that are stored in a machine readable form such as the electronic copies of e-mails, word processing documents, spreadsheets, and databases. This term encompasses many different physical types, including magnetic tape, optical and digital disks, diskettes, and audio and videotapes.
- **File Break** is the termination of a file at regular periodic intervals to facilitate continuous disposal or transfer of the file series. The interval is determined by the type of record. For example, Subject Files are generally kept on a calendar year with a break at year end. Case Files, however, may span several years, so the file break would generally occur at the termination of the case.
- **Inactive Files** are closed or superseded files. Inactive files may remain on-site immediately following closeout until such time as reference activity diminishes and the records are not needed to complete periodic reporting requirements.
- **Records Appraisal** occurs when NARA reviews the proposed dispositions, approves or modifies the retentions, and selects the records that will come to the National Archives. Once the scheduling and appraisal process is completed, the approved schedule is implemented and as part of that implementation, the records in question are assigned dispositions that authorize their destruction or transfer to the National Archives.

- **Records Disposition** is the action taken when records are no longer needed to conduct business. These include destruction of temporary records, transfer of permanent records to NARA, and the transfer of records from one Federal agency to another.
- **Records Disposition Schedules** are one of the tools used by Federal agencies to manage the disposition of their records. They provide narrative descriptions of agency records at the program level, include specific retention periods which outline when the records are either destroyed or transferred to NARA for historical research, and indicate when inactive records should be transferred from office space to less expensive off-site storage.
- **Records Freeze** is the postponement of the scheduled destruction of records because the records are needed to support some unforeseen business activity. For example, DOT may become party to litigation or the Office of Inspector General may be conducting an investigation or audit that would require continued retention of relevant records. In such circumstances, DOT will delay destruction by implementing a record freeze to be lifted only when the need for the records has expired.
- **Records Scheduling** is when an agency proposes how long each type of record should be retained. Agencies use NARA's Standard Form (SF) 115 "Request for Records Disposition Authority"
- **Sensitive Records** are those that would not be releasable under the Freedom of Information Act or whose access is controlled by the Privacy Act. In some instances, these records are accessible to only selected individuals within DOT. Examples of DOT generated sensitive records include personnel records, employee health records, EEO complaint files, employee ethics files, attorney-client privileged documents, and investigative case files. The [Privacy Act](#) and [FOIA](#) are listed here (respectively, <http://www.usdoj.gov/foia/privstat.htm> and <http://www.dot.gov/foia/index.html>) for further clarification. Within this manual, see DIRMM Chapter 8, "Privacy Protection."
- **Subject Files** are records arranged and filed based on their general informational content. Also known as Correspondence Files or General Correspondence Files. These consist mainly of general correspondence but may also include forms, reports, and other material that relate to programs and functions and not to a specific case or a particular person or organization. The purpose of establishing subject files is to bring together all papers on the same topic to facilitate information retrieval.
- **Technical Reference Materials** are copies of reports, studies, compilations of data, drawings, periodicals, clippings, etc., that are needed for reference and information but are not made a part of the official files. Such material shall be kept only as long as needed and may be periodically replaced with more current material.

#### **9.404 Background**

- A. The records of an organization are its primary method for documenting how it fulfills its function. Because the needs and focus of any organization may change over time, a typical Records Disposition Schedule must be updated to provide guidance on all organizational records, including those most recently created.
- B. The disposal of all Departmental records governed by DOT (and all Federal agencies) is approved by NARA. NARA's General Record Schedules (GRS) outlines the retention and disposition periods in which DOT follows.

#### **9.405 Responsibilities**

##### **I. The Departmental CIO is responsible for**

- A. Overseeing the DOT Records Retention and Disposition Schedules.
- B. Providing policy direction, guidance and technical assistance to Departmental organizations for administering records retention and disposition programs that are consistent with NARA guidelines.
- C. Maintaining a liaison with NARA for the appropriate retention and disposal of DOT records.

##### **II. Heads of Departmental Organizations are responsible for designating records liaisons (RLs) that will be responsible for coordinating with the appropriate Records Management Officer (RMO) to insure the timely disposal of DOT records. See DIRMM subchapter 9.1, section 9.106.**

##### **III. Records Management Officers (RMOs) are responsible for**

- A. Coordinating with the appropriate records management official to implement a record freeze when records, otherwise eligible for destruction, must be retained to support continuing investigations, litigation, or audits.
- B. Managing the disposition process for their organization and work directly with NARA for purposes of scheduling hard copy and electronic records for disposal.
- C. Coordinating the off-site storage of all hard copy records.
- D. Coordinating the storage of electronic records (diskettes, magnetic tape, optical disks, etc.) and microfilm (microfilm/microfiche), and advising offices as to the standards for microfilming records.
- E. Overseeing the maintenance and disposal of records in compliance with this chapter and NARA's GRS.

## **9.406 General Guidelines and Procedures**

- I. At least once a year, offices shall purge files in accordance with the appropriate organizations' Records Retention and Disposition Schedule and NARA's GRS. To do so, offices shall:
  - A. Break files;
  - B. Prepare eligible inactive files for transfer to off-site storage;
  - C. Dispose of files authorized for destruction; and
  - D. Purge publication reference materials of obsolete items.

## **II. Breaking of Files**

### **A. Case Files**

When case files become closed or inactive, clearly mark on the folder tab for ready identification the date the case became inactive. Arrange closed or inactive files in your usual office manner and separate from active files.

### **B. Electronic Files**

Identify any electronic records presently used or maintained and retain until disposition period has been approved by the Archivist of the United States. Since scheduling of the Department's electronic records is still in process, an office should contact the RMO if there is a need to dispose of electronic records before the disposition has been approved.

### **C. Subject Files**

At the beginning of each calendar year, each office shall establish a new set of file folders for the current year. (Material that will not be used during the current year should not be brought forward. When necessary, place a note in the previous year's file for individual or groups of papers moved forward.)

### **D. Technical Reference Materials**

File breaks for all types of technical reference files have not been established. Some reference materials remain valuable until they are superseded. Keep reference material only as long as needed. If appropriate, replace with more current material when received. Review reference files and disposes of obsolete items at periodic intervals or at least annually.

## **III. Destruction of Records**

Departmental records should be destroyed only in accordance with the time frames cited in the GRS and/or Departmental organization records schedules. Records which are privileged or which contain sensitive information (even if subject to public disclosure on request) shall be destroyed after expiration of the retention period by shredding, pulping, or maceration. Other Departmental records with expired retention periods may simply be trashed, considered for recycling, or erased and reused, if appropriate, when the records consist of magnetic tapes or comparable media. Early destruction requires authorization from the

Archivist of the United States, and delayed destruction adversely affects implementation of the Schedule. Any file/record not designated in the Schedule for destruction is not authorized for destruction.

#### **IV. Transferring Records to Off-Site Storage**

The Department will follow NARA's GRS and/or Departmental organization records schedules when establishing specific time frames for the transfer of records to off-site storage. The transfer procedure permits the safe and economical storage of inactive records off-site, provides a relatively easy method for their retrieval, and simplifies their eventual disposition. The RMOs and/or RLs will process all necessary paperwork, arrange for the physical transfer of boxes, and coordinate or resolve any unusual incidents that might arise during transfer of records to off-site storage.

#### **V. Transferring Records to NARA**

Records designated as permanent are records which have been appraised as being of historical value and, therefore, eligible for the eventual transfer to NARA. The cited time frames for transferring permanent records to NARA will be followed. At the time of transfer, NARA assumes legal custody. All transfer of records to NARA will be coordinated through the RMOs.

#### **9.407 Off-Site Storage of Inactive Records.**

DOT uses a variety of off-site storage facilities to store their inactive records.

- I. DOT-generated records** may be stored in commercial records centers or in Federal Records Centers (FRCs) operated by NARA. Before records are transferred to a commercial records storage facility, the OA must ensure that the facility meets all of the requirements for an agency records storage facility set by NARA.
- II.** All records designated for permanent retention may be transferred to a FRC and eventually will be offered to NARA for historical research. Prior to their transfer to FRCs, permanent records may be stored in commercial records centers, depending upon reference demand.
- III.** Records stored in FRCs remain in the legal custody of the creating Agency.
  - A. When permanent records are formally transferred to NARA using SF 258, they become the property of the National Archives of the United States and legal custody transfers to NARA.
  - B. RMOs will manage the formal process of transferring their organization's permanent records.

#### **9.408 Disposal of DOT Records**

- I.** The disposal process is documented by submitting a records disposition schedule (SF 115) to NARA for approval. No destruction will occur until all required approvals have been obtained. The process occurs in the following way:

- A. If the records are maintained on-site in a DOT office, the RL will notify their RMO that a records series or system has been created or implemented.
  - B. The RMO will request the office to inventory the records, and begin working with the office to write a records disposition schedule.
  - C. The RMO or RL will be responsible for contacting NARA for guidance and implementation of the proposed schedule.
- II.** NARA, as well as commercial off-site storage facilities, automatically notifies agencies when the disposal date of records is nearing.
- A. Each agency RMO will prepare inventories of records eligible for destruction by making copies of existing paper SF-135s. See DIRMM subchapter 9.3, Standards for Creating Records Inventories, for more information on records inventories.
  - B. The RMO will forward the SF-135s to, and obtain approvals from, the office that created the records (or a successor office if the original office no longer exists) and either the Office of General Counsel or Chief Counsel for Departmental organization office records.
  - C. For more information on the SF-115 process, see <http://www.archives.gov/records-mgmt/publications/disposition-of-federal-records/chapter-5.html> and for information on the SF-135 process see <http://www.archives.gov/frc/records-transfer.html>.
- III.** Records identified by the FRC for destruction should be approved by the RMO within a 90-day period.
- A. Any approving official seeking a delay in the disposal of records will provide a justification letter to NARA for that particular record accession.
  - B. If a freeze on disposition is requested, the agency's RMO will create a suspense file, using the date recommended for subsequent follow-up action.
- IV.** Following receipt of a SF 115 with the required approvals, the RMO will either arrange for the destruction of the records or establish a disposal date. If the records pending destruction are stored in a commercial records center, the contractor will provide a destruction certificate. For records stored at an FRC, NARA will arrange for records destruction.

#### **9.409 Destruction of Sensitive Records**

All sensitive records, regardless of where they are physically stored, must be destroyed by shredding, pulping, maceration, or in a similar manner that prevents access to the information captured in the disposable files.

#### **9.410 Additional Information**

Departmental organizations' RMOs must direct any changes or deletions of their records schedules to the appropriate NARA Appraisal Archivist.