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Policy and Procedures

Title: Records Management

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This P&P, in conjunction with Manual 251.8, establishes the REE agencies' policies and procedures in the creation, maintenance, use, and disposition of records. This update incorporates Bulletin No. 06-002.

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1. Purpose

The Records Management Policy and Procedures establishes principles, responsibilities, and requirements for managing the Research, Education, and Economics' (REE) records to provide that the Mission Area is in compliance with federal laws and regulations, REE policies, and best practices for managing records. This REE P&P presents the framework for specific guidance and detailed operating procedures governing records management organization and implementation.

2. Background

The Federal Records Act of 1950, as amended, requires all federal agencies to make and preserve records containing adequate and proper documentation of their organization, function, policies, decisions, procedures, and essential transactions. These records are public property and must be managed according to applicable laws and regulations.

The Federal Records Act also requires agencies to establish a records management program, defined as a planned, coordinated set of policies, procedures, and activities needed to manage its recorded information. Essential elements include issuing up-to-date records management directives, properly training those responsible for implementation, and carefully evaluating the results to provide adequacy, effectiveness, and efficiency.

Records serve a number of purposes including: administrative and program planning needs, evidence of REE activities, protection of legal and financial rights, oversight by Congress and other authorized agencies, documentation of the Agency's history, and the continuation of key functions and activities in the event of an emergency or disaster. Records serve the agency's memory; they are of critical importance in providing that the organization continues to function effectively and efficiently.

3. Policy

Each REE 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 have established and implemented a comprehensive agency-wide records management program. All official records created or received 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.

4. Procedures

Documentary materials created or received by the REE agencies of USDA in pursuance of Federal law or 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 National Archives and Records Administration (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.

Detailed procedures can be found in REE 251.8, Records Management Manual.

4.1 Departing Officials and Employees

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 maintain 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.

4.2 Electronic Systems

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

4.3 Vital Records

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

4.4 Training Program

The Records Management Officer (RMO) oversees that staff receive adequate training in the creation, maintenance, safekeeping, and disposition of agency records.

4.5 Electronic Records

Employees must print electronic records (including email) in hard copy, file, and retain them based on the NARA approved retention periods. Electronic records/mail that does not have NARA approved retentions must be preserved in their native format until retention periods are established. Employees may only delete mail, word processing documents, spreadsheets, databases, and other computer-generated materials that meet the definition of “records” after they have reached the end of their NARA-approved retention period.

Exception. NARA issued regulations relating to the disposal of transitory records that are covered by GRS 23, Item 7.

This regulation provides that employees may delete transitory electronic records (including email messages) without first printing and filing a hardcopy, provided that users do not delete any records before the expiration of their NARA-approved retention period. Transitory records are defined by GRS 23, Item 7 as records of short-term interest (180 days or less) that have minimal or no documentary or evidential value, such as:

- Routine requests for information or publications and copies of replies which require no administrative action, no policy decision, and no special compilation or research for reply.
- Originating office copies of letters of transmittal that do not add any information to that contained in the transmitted material, and receiving office copy if filed separately from transmitted material.
- Quasi-official notes including memoranda and other records that do not serve as the basis of official actions, such as notices of holidays, or charity and welfare fund appeals, bond campaigns, and similar records.
- Records documenting routine activities containing no substantive information, such as routine notifications of meetings, scheduling of work-related trips and visits, and other scheduling-related activities.
- Suspense and tickler files or “to-do” and task lists that serve as a reminder that an action is required on a given date or that a reply to action is expected, and if not received, should be traced on a given date.

NOTE: Although REE agency system administrators routinely back up electronic records saved to LAN drives as well as email saved in their native email systems, **back-up tapes do not meet NARAs electronic recordkeeping requirements.** Back-up tapes are only maintained as an emergency resource in the event of a system or hard drive failure.

5. Responsibilities

5.1 Agency Administrators

- Establishing and maintaining 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.

- Establishing safeguards against the unlawful removal, loss, or destruction of records.
- Establishing and maintaining a vital records program under which essential records are managed in the event of an emergency or disaster.

5.2. Agency Chief Information Officer (CIO)

- Providing leadership in overseeing that information technology changes are in accordance with NARA recordkeeping requirements.
- Managing agency computer and telecommunication resources to oversee 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.
- Establishing that the RMO is included in the initial planning for new systems and plans for migration or updates from existing systems.
- Establishing the security and integrity of agency records stored in electronic media for the life of those records.

5.3 The ARS Records Management Officer (RMO)

- Supporting the Records Management Program in Agricultural Research Service (ARS), and the Economic Research Service (ERS).
- Providing Records Management guidance to the National Institute of Food and Agriculture (NIFA), and National Agricultural Statistics Service (NASS) RMOs.
- Providing Records Management guidance and support to the REE Undersecretary's Staff.
- Providing leadership and guidance to the REE mission area liaisons and staffs to establish conformance with records – related laws, policies, and procedures.
- Developing appropriate and understandable records-related policies and procedures in conformance with the USDA directives.
- Establishing clear and practical guidance in the proper management of agency records through their life cycle (creation, receipt, maintenance/use, retirement, and disposition).
- Working with agency program managers, senior agency management, and agency staff to develop, maintain, update, and properly apply agency records schedules.
- Informing agency staff of best recordkeeping practices and changes by NARA that affect agency recordkeeping.
- Educating and training agency staff on their roles and responsibilities in the successful implementation of electronic recordkeeping and providing records management training for agency employees.
- Developing long-range goals and resource projections for the records and information management programs.
- Creating and maintaining a records management website to assist agency personnel in managing their records in resolving records-related issues and questions.

- Serving as the primary agency liaison to NARA and the General Accounting Office (GAO), as necessary, in obtaining approval of proposed records schedules.
- Providing 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.
- Managing 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.
- Reporting any unlawful or accidental removal, defacing, alteration, or destruction of Federal records to the Departmental Records Officer and to NARA.
- Coordinating with the Departmental Records Officer to provide reasonable uniformity within the agency records management programs throughout the Department.
- Coordinating vital records identification and protection with agency emergency and disaster management efforts.

5.4 The Information Systems Manager

- Establishing that all documentation for agency information systems is accurate and available.
- Establishing that information systems are secured against unauthorized access, theft, or loss and providing that the information systems are routinely backed up for disaster recovery purposes.
- Cooperating 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.
- Notifying 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.

5.5 Program and Administrative Managers

- Creating those records needed to establish adequate and proper documentation of their area of responsibility.
- Implementing procedures to establish the protection of the records from theft, loss, and unauthorized access.
- Maintaining an effective file system for the efficient retrieval and management of records.
- Arranging for basic records management training and guidance for staff.
- Coordinating with designated records custodians to 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 schedules.
- Cooperating with the RMO in responding to requests for information and in the implementation of the records management program. This may include periodic audits

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

- Notifying 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.

5.6 Employees

- Obtaining basic records management training and guidance.
- Maintaining record and nonrecord material according to NARA, USDA, and agency requirements. Making sure records are accessible for their entire retention period by saving them and filing them properly.
- Safeguarding records until they are authorized for disposition. The unauthorized removal, concealment, falsification, mutilation, and/or disposition of official records are prohibited by law and are subject to penalty (18 U.S.C. 207).
- Reporting any apparent instances of unauthorized disposition to the supervisor and to the RMO.
- Preserving any unscheduled records and promptly informing the RMO of their existence.
- Keeping personal papers and nonrecord material separate from agency records.
- Notifying 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 a FRC or to NARA.
- Turning 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.

6. Authorities

- 18 U.S.C. Chapter 101, Section 2071
- 44 U.S.C. Chapters 21, 29, 31, and 33 (Records Management)
- 36 Code of Federal Regulations (CFR) Chapter XII, Chapter B, Parts 120-1238
- OMB Circular A-130, Transmittal Memorandum #4, Management of Federal Information Resources
- USDA Departmental Regulations (DR):
 - DR 3080-001, Records Disposition
 - DR 3085-001, Vital Records Management Program
 - DR 3090-001, Litigation Retention Policy for Documentary Materials including Electronically Stored Information
 - DR 3099-001, Records Management Policy for Departing Employees, Contractors, Volunteers and Political Appointees

7. 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 indentifying records containing national security information.

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

Destruction. Disposing of records by 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. National Archives and Records Administration, Approval via General Records Schedules or SF-115s Request for Disposition Authority, or 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). 5 U.S.C. 552, provides that any person has the right to request access to Federal documents and other information. Agencies of the Federal Government are required to disclose documents after receiving a FOIA request for them, unless those documents are protected from disclosure by one of nine exemptions of the FOIA. Refer to P&P 116.0, Freedom of Information Act and Privacy Act Guidelines, at <http://www.afm.ars.usda.gov/ppweb/PDF/116-0.pdf> for additional guidance.

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.

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). NARA is an independent agency of the United States Government charged with preserving and documenting government and historical records and with increasing public access to those documents, which comprise the National Archives.

Non-Records. 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 NARA as having sufficient legal, fiscal, or historical or other value to warrant continued preservation by the Government beyond the time the agency need 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 and maintain records. (2) Specific measures taken to repair or restore records.

Privacy Act (PA). 5 U.S.C. 552a, protects individuals against clearly unwarranted invasion of their personal privacy. The PA informs individuals as to what information is maintained on them and where the information is stored. The PA allows individuals to access documents maintained in a PA System of Records (records retrievable by an individual's name or other personal identifier assigned to that individual) and to request amendments to the records. Refer to P&P

116.0, Freedom of Information Act and Privacy Act Guidelines, at <http://www.afm.ars.usda.gov/ppweb/PDF/116-0.pdf> for additional guidance.

Program Records. Records documenting program specific, unique, or substantive agency functions, in contrast to administrative records, which constitute records common among agencies such as Payroll, Personnel, and Procurement Records.

Record Copy. Official copy of an original record, or a copy which is not a convenience, duplicate, or working copy.

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

Recordkeeping Requirements. Statutes, regulations, and 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 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 Liaisons. REE employees that have the responsibility 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 and ERS. 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 maintain adequacy, effectiveness, and efficiency.

Records Retention. The time periods are required to be kept prior to final disposition.

Records Schedules. A document which provides mandatory instructions approved by NARA 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 NARA authorized length of time that records are kept.

Temporary Records. Records approved by NARA for disposal, either immediately or after a specified retention period.

Unscheduled Records. Records that do not have an approved NARA disposition.

USC. United States Code.

Vital Records. Essential records that are needed to meet and maintain 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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