

# Reclamation Manual

## Directives and Standards

**Subject:** Information Management

**Purpose:** This Directive and Standard provides information for all Bureau of Reclamation officials, employees, contractors, and other staff regarding the requirements to ensure the creation of adequate and accurate documentation of Reclamation's official business and to provide standards for how records are to be created, maintained, protected, used, and disposed of either by permanent preservation, transfer to inactive storage, or destruction. The benefits of this Directive and Standard are to ensure Reclamation's compliance with Federal laws.

**Authority:** Records Disposal Act of 1943; Federal Records Act of 1950; Freedom of Information Act (FOIA) of 1967 and 1974; Federal Records Act of 1976; Safety of Dams Act of 1978; Paperwork Reduction Act of 1980; Privacy Act (PA) of 1988; Government Paperwork Elimination Act of 1998; E-Gov Act of 2002; 44 U.S.C. Chapters 21, 29, 31, 33, and 35; 36 CFR, parts 1220 through 1238; Office of Management and Budget (OMB) Circular A-130; OMB M-06-15, M-06-16, and M-07-16; Departmental Manual (DM), Part 370, Chapters 380 through 385 and 752; and the Reclamation Manual Directive and Standard, *Managing Information, Records, and Data Designated FOR OFFICIAL USE ONLY (FOUO)*, IRM 02-02

**Approving Official:** Director, Information Resources Office

**Contact:** Information Management Division (84-21300)

1. **Introduction.** The Information Management Program is a Reclamation-wide program that is essential for the creation and preservation of records. As mandated by Federal law, all information received, created, or compiled by Reclamation officials, employees, contractors, and other staff (employees) is the property of the Federal Government and must be maintained in accordance with established standards. Official records shall not be transferred to a non-Federal entity. Reclamation will provide copies of pertinent records during program or construction management, at the time of transfer to operation and maintenance, or upon direct title transfer. If Reclamation has provided copies of the official records, the cost of additional copies will be paid by the requesting entity.
2. **Applicability.** This D&S applies to all Reclamation employees, contractors, and staff, temporary or permanent.
3. **Definitions.** The terms are defined in Section 3301 of title 44, United States Code, as:
  - A. **Preservation.**
    - (1) The act of controlling environmental conditions specified by the National Archives and Records Administration (NARA) and used to enhance the longevity of

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information and data, including adequate facilities for the protection, care, and maintenance of records regardless of the media on which they are recorded, and

- (2) conservation measures, individual and collective, undertaken to maintain, repair, restore, or protect records.

### B. **Record.**

- (1) The term “records” includes all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them; and does not include:
  - (a) library and museum material made or acquired and preserved solely for reference or exhibition purposes; or
  - (b) duplicate copies of records preserved only for convenience.
- (2) Recorded information defined for purposes of paragraph (1), the term recorded information includes all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form.

## 4. **Responsibilities.**

- A. **Information Management Division.** Program management of records and information is the responsibility of the Information Management Division. The Division provides guidance and assistance, including the development and issuance of Reclamation-wide standards, to improve the management of all information and records regardless of media. Reclamation’s Records Manager, as part of the Information Management Division, is responsible for development and implementation of Reclamation records management policies, plans, goals, and strategies to ensure compliance with statutory obligations and regulatory requirements. The Records Manager will also provide guidance to regional Records and Information Management Officers (RIMO), and serve as the main point of contact between Reclamation and the Department of the Interior’s Records Officer.
- B. **Regional RIMO.** Each region will appoint a RIMO, who will act as a liaison to the Reclamation Records Manager. RIMOs are responsible for oversight and implementation of Reclamation records management standards and procedures within their respective regions and act as the point of contact for their regional, area, and field offices. RIMOs shall also ensure that:

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- (1) all Reclamation information, records, and data are being evaluated and handled in compliance with this Directive and Standard;
- (2) official file stations are identified and periodic records and file station reviews are performed to insure compliance;
- (3) measures are taken to inform all regional employees and contractors of legal provisions relating to the unauthorized destruction, removal, alteration, or defacement of records, and appropriate training programs are in place;
- (4) management is notified of action to be taken if records management violations occur, including appropriate administrative or disciplinary action in accordance with 370 DM 752, Appendix B, Table of Offenses and Penalties, Items 2, 12, and 20, and 36 CFR 1230.10 and 1230.12; and
- (5) regional records management needs are met in development of Reclamation policy, directives, guidance, procedures, and training.

**C. Directors, Managers, and Supervisors.** Directors, managers, and supervisors are responsible for:

- (1) ensuring all Reclamation information, records, and data are being evaluated and handled in compliance with this Directive and Standard, and
- (2) taking corrective actions if records management violations occur, including appropriate administrative or disciplinary action in accordance with 370 DM 752, Appendix B, Table of Offenses and Penalties, Items 2, 12, and 20.

**D. Employees.** Employees are responsible for:

- (1) creating adequate and proper documentation of Reclamation's activities in order to protect the legal and financial rights of the Government and the public which Reclamation serves, including Native American tribal entities;
- (2) protecting all documentation created, maintained, or used during their employment, to ensure Reclamation's information, records, and data are available in the future;
- (3) safeguarding FOUO, PA, and Personally Identifiable Information records, data, and information; and
- (4) knowing and understanding that criminal penalties are associated with unlawful removal or destruction of Federal records as outlined in Paragraph 6, and recognizing that appropriate administration or disciplinary action may be taken if information is improperly managed, lost, or destroyed.

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5. **Official Requirements.** Mandatory procedures for the creation, maintenance, use, and retention/disposition of all information regardless of media are contained in the Information Management Handbook, which can be accessed by employees through Reclamation's Intranet Web site for the Information Management Division. Volume I contains the creation, maintenance, and use procedures; Volume II contains NARA-approved retention and disposition instructions; Volume III contains drawings management procedures; and Volume IV contains audiovisual and photographic media management procedures.
6. **Penalties.**
- A. There are criminal penalties associated with the unlawful destruction, damage, or alienation of Federal records (18 U.S.C. 2071 and 35 CFR 1228.102). In addition, there are administrative and disciplinary actions associated with the loss, misuse, or damage to records included in 370 DM 752, Appendix B, Table of Offenses and Penalties; and those containing information exempt from disclosure under the FOIA (5 U.S.C. 552) and the PA (5 U.S.C. 552a). Contact your local records manager or RIMO for additional identification and handling requirements for Federal records.
- B. See below for a partial listing from 370 DM 752 – Discipline and Adverse Actions.

Nature of Offense (General Misconduct)	Penalty for First Offense	Penalty for Second Offense	Penalty for Third Offense	Remarks
2. Improper or unauthorized release of sensitive and administratively-controlled information or employee records; failure to safeguard classified material.				Refer to 5 U.S.C. 552a and 43 CFR 2.52 for PA provisions regarding the misuse of personal information; also refer to 18 U.S.C. 798 and 18 U.S.C. 1905. Deliberate disclosures of PA information must be referred to Office of the Inspector General (OIG).
a. Information is not compromised and release is unintentional.	Written Reprimand to 5-day suspension	5- to 30-day suspension	30-day suspension to removal	
b. Information is compromised and release is unintentional.	Written Reprimand to 30-day suspension	30-day suspension to removal	Removal	
c. Release of restricted information is deliberate.	30-day suspension to removal	Removal		

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Nature of Offense (General Misconduct)	Penalty for First Offense	Penalty for Second Offense	Penalty for Third Offense	Remarks
12. Loss, misuse of, damage to or failure to safeguard Government property, records, or information (e.g., willful or negligent damage to Government resources; carelessness in performance of duty resulting in waste of public funds).	Written Reprimand to 14-day suspension	14- to 30-day suspension	30-day suspension to removal	Refer to 5 CFR 2635.101(9). For misuse of Government vehicles, see item 5 under Violations of Statute. Referral to OIG may be appropriate.
20. Prohibited/improper use of Government property (e.g., office equipment; supplies; facilities; credentials; records; communication resources; cellular phones; official time); misuse of the Internet/electronic mail; using the Internet/electronic mail for unauthorized purposes.	Written Reprimand to 14-day suspension  More severe discipline (including removal) may be appropriate for first/second offense if misconduct involves using the Department's Internet/electronic mail system for prohibited reasons, including gambling, accessing/sending prohibited sexually-related material, or other egregious acts of misuse.	14- to 30-day suspension  More severe discipline (including removal) may be appropriate for first/second offense if misconduct involves using the Department's Internet/electronic mail system for prohibited reasons, including gambling, accessing/sending prohibited sexually-related material, or other egregious acts of misuse.	30-day suspension to removal	Refer to 5 CFR 2635.704 and 705(a); 410 DM 2 (Limited Personal Use of Government Personal Property). Consider issue of employee notice regarding agency.

## RECLAMATION MANUAL TRANSMITTAL SHEET

Effective Date: \_\_\_\_\_

Release No. \_\_\_\_\_

Ensure all employees needing this information are provided a copy of this release.

### Reclamation Manual Release Number and Subject

### Summary of Changes

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this release may be subject to the provisions of collective bargaining agreements.

### Filing instructions

Remove Sheets

Insert Sheets

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>

Filed by: \_\_\_\_\_

Date: \_\_\_\_\_