

Summary of Changes
to
Procedure 200.4
Records Management

Revised Version Issued as P 200.4B

LM Procedure 200.4, Records Management of 3/14/07 has undergone revisions. The procedure has been revised to reflect changes in definitions and formatting and to reflect LM's increased emphasis on electronic records. Please replace LM Procedure 200.4A with LM Procedure 200.4B.

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U.S. Department of Energy Office of Legacy Management



Procedure: 200.4B

Effective: 6/18/08

SUBJECT: RECORDS MANAGEMENT

1. PURPOSE.

To provide a framework for records management practices and instructions for addressing records lifecycle requirements and best practices in records management.

This procedure is a freestanding document within the Legacy Management (LM) Directives Management System and is Chapter 1 of the LM Records Management Program Manual (see Attachment A. – LM Records Management Program Manual).

2. CANCELLATION. Procedure 200.4A, Records Management, dated 3/14/07

3. REFERENCES.

- a. *5 United States Code (U.S.C.) 552, Freedom of Information Act*
- b. *5 U.S.C. 552a, Privacy Act*
- c. *18 U.S.C. 2071, Removal or Destruction of Federal Records*
- d. *44 U.S.C. Chapters 29-35, Records Management*
- e. *10 Code of Federal Regulations (CFR) 830.120, Quality Assurance Requirements*
- f. *10 CFR 1004, Freedom of Information, Department of Energy (DOE) Guidance*
- g. *10 CFR 1008, Records Maintained on Individuals (Privacy Act), DOE Guidance*
- h. *36 CFR Chapter XII – Subchapter B, Records Management*
- i. *41 CFR 201-6, Management and Use of Information and Records*

INITIATED BY: Office of Business Operations

NO. OF PAGES/ATTACHMENTS: 19 pages, 9 attachments

- j. DOE Order 243.1, Records Management Program
- k. DOE Order 243.2, Vital Records
- l. DOE Guide 1324.5B, Implementation Guide for 36 CFR Chapter XII – Subchapter B, Records Management
- m. DOE Office of Chief Information Officer (OCIO) Memo RM-2003-02, Records Storage Requirements
- n. LM Procedure 200.2, Electronic Records
- o. Agency Recordkeeping Requirements: A Management Guide, National Archives and Records Administration (NARA), 1995

4. DEFINITIONS.

- a. Active Records -- Records required for day-to-day operations and maintained by the generating organization.
- b. Authentication -- Confirming information contained within a document is accurate, complete, and appropriate. Authentication ensures that the record does not result from manipulation, substitution, or falsification occurring after it was made or received (i.e., the record is what it purports to be, free from tampering or corruption). Authentication is synonymous with validation.
- c. Central File -- Files accumulated by several offices or organizational units and maintained and managed in one location.
- d. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) -- A Federal law passed in 1980 and modified in 1986 by the Superfund Amendments and Reauthorization Act (SARA). The Acts created a special tax that goes into a trust fund, commonly known as Superfund, to investigate and clean up abandoned or uncontrolled hazardous waste sites. Under the program, the U.S. Environmental Protection Agency (EPA) can either: (1) pay for site cleanup when parties responsible for the contamination cannot be located or are unwilling or unable to perform the work; or (2) take legal action to force parties responsible for site contamination to clean up the site or pay back the Federal government for the cost of the cleanup.
- e. Correspondence Control File -- Copies of all incoming and outgoing correspondence with DOE, state and local agencies, and the public. This file is maintained by the administrative assistant to the Director.

- f. Disposition -- The actions taken regarding records no longer needed for current Government business. These actions include transfer to agency storage facilities or Federal Records Centers, transfer from one Federal agency to another, transfer of permanent records to the National Archives, and disposal of temporary records. Disposition is the third stage of the records life cycle.
- g. Electronic Recordkeeping System (ERKS) -- An electronic information system (EIS) that meets an agency's recordkeeping needs. NARA defines an ERKS as an EIS in which records are collected, organized, and categorized to facilitate their preservation, retrieval, use, and disposition. An ERKS ensures that the records it maintains will have sufficient authenticity and reliability to meet the agency's recordkeeping requirements. These requirements are based in statute, ensuring "adequate and proper documentation," which contributes to efficient and economical agency operations.
- h. Energy Employees Occupational Injury Compensation Program Act of 2000 (EEOICPA) -- Law enacted to provide compensation benefits for DOE nuclear weapons workers who developed work-related illnesses due to radiation, beryllium, and silica exposure. The law covers employees of DOE, its predecessor agencies, and certain contractors and subcontractors. It also covers, where applicable, survivors of such employees.
- i. Federal Facility Agreement (FFA) -- A formal agreement required by CERCLA and executed by Federal and state agencies to document the provisions of site environmental remediation activities. An FFA typically includes the remediation objectives and obligations.
- j. File -- An accumulation of records or nonrecord materials arranged according to a plan. Sometimes an accumulation of personal papers so arranged. In electronic records, a file is an organized collection of related data, usually arranged into logical records that are stored together and treated as a unit.
- k. File Plan -- A comprehensive outline specific to a project, organization, or function that defines its records series, file organization, records custodians, active file locations, file transfer instructions, file retention and disposition instructions, and other project- or organization-specific instructions that provides guidance for effective management of its records.
- l. Freedom of Information Act (FOIA) -- Law enacted in 1966 and codified as 5 U.S.C. 552. The basic purpose of the law is to ensure an informed citizenry in order to hold the Government accountable.
- m. Inactive Records -- Records that must be retained, but are accessed infrequently.
- n. Lifecycle of Records -- The management concept that records pass through three stages: creation or collection, maintenance and use, and disposition.

- o. National Archives and Records Administration (NARA) -- An independent Federal agency that provides guidance on the management of Federal records, determines the retention and disposition of records, stores agency records in records centers from which agencies can retrieve them, and preserves permanently valuable Federal records.
- p. Nonrecord Materials -- U.S. Government-owned informational materials excluded from the legal definition of records or not meeting the requirements of that definition. Includes extra copies of documents kept only for convenience or reference, stocks of publications and of processed documents, and library or museum materials intended solely for reference or exhibition. Also called Nonrecords.
- q. Official Use Only (OUO) -- A designation identifying certain unclassified but sensitive information that may be exempt from public release under FOIA; or a security classification marking used during the period July 18, 1949, through October 22, 1951.
- r. Permanent Records -- Records appraised by NARA as having sufficient historical or other value to warrant continued preservation by the Federal government beyond the time they are needed for administrative, legal, or fiscal purposes. Sometimes called Archival Records.
- s. Personally Identifiable Information (PII) -- Any information about an individual maintained by an agency, including but not limited to, education, financial transactions, medical history, and criminal or employment history and information that can be used to distinguish or trace an individual's identity, such as their name, social security number, date and place of birth, mother's maiden name, biometric records, etc., and any other personal information that is linked or linkable to an individual.
- t. Privacy Act -- Provides safeguards against unwarranted invasions of privacy through the misuse of records by Federal agencies by restricting disclosure of personally identifiable records maintained by agencies; granting individuals increased rights of access to records maintained about them; granting individuals the right to seek amendment of records maintained about them upon a showing that the records are not accurate, relevant, timely or complete; and establishing a code of "fair information practices" that requires agencies to comply with statutory norms for collection, maintenance, use, and dissemination of records.
- u. Program (Project) Records -- Records documenting the unique, substantive functions for which an agency is responsible, in contrast to administrative records.
- v. Program Records Official (PRO) -- Individual who ensures that all records management practices are properly executed.

- w. Proprietary Information -- Information that embodies trade secrets developed at private expense outside of a cooperative research and development agreement and commercial or financial information which is privileged or confidential under FOIA, 5 U.S.C. (B) (4).
- x. Quality Record -- A completed document or group of documents that furnishes evidence to the quality of items or activities affecting a quality process. Documents shall be prepared, reviewed, approved, issued, used, and revised to describe processes, specify requirements, or establish design. Records of this type shall be prepared, identified, reviewed, approved, and maintained.
- y. Reading Files -- Outgoing correspondence records arranged chronologically, in contrast to those arranged by subject. Sometimes called chronological (chron) or day files.
- z. Records -- 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 U.S. Government 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 Federal government or because of the informational value of the data in them.
- aa. Records Coordinators -- Personnel who work with the Records Liaison Officer to provide support for LM records management activities.
- bb. Records Liaison Officer (RLO) -- Individual(s) designated by the PRO to oversee the LM records management program in cooperation with the DOE Records Officer.
- cc. Records Management Support Staff -- Contractor personnel who maintain the LM central files and who provide support and tracking of requests by searching for responsive documents, maintaining request files, and preparing response packages.
- dd. Records Schedule -- A document providing mandatory instructions for what to do with records (and nonrecord materials) no longer needed for current Government business, with provision of authority for the final disposition of recurring or nonrecurring records.

- ee. Series -- File units or documents arranged according to a filing system or kept together because they relate to a particular subject or function, result from the same activity, document a specific kind of transaction, take a particular physical form, or have some other relationship arising out of their creation, receipt, or use, such as restrictions on access and use. Also called a Record Series. Generally handled as a unit for disposition purposes.
- ff. Temporary Records -- Records approved by NARA for disposal, either immediately or after a specified retention period.
- gg. Unclassified Controlled Information (UCI) -- Unclassified information that may be exempt from public release under FOIA and for which disclosure, loss, misuse, alteration, or destruction may adversely affect national security, governmental interests, or personal privacy. Examples include Unclassified Controlled Nuclear Information (UCNI), PII, and Proprietary information.
- hh. Unclassified Controlled Nuclear Information (UCNI) -- Certain unclassified Government information prohibited from unauthorized dissemination under section 148 of the Atomic Energy Act: (1) which concerns atomic energy defense programs; and (2) which pertains to the design of production facilities or utilization facilities; security measures (including security plans, procedures, and equipment) for the physical protection of production or utilization facilities; nuclear material contained in such facilities; or nuclear material in transit; the design, manufacture, or utilization of any nuclear weapon or component if the design, manufacture, or utilization of such weapon or component was contained in any information declassified or removed from the Restricted Data category by the Assistant Secretary for Defense Programs (or the head of the DOE predecessor agency) pursuant to section 142 of the Atomic Energy Act; or whose unauthorized dissemination could reasonably be expected to significantly increase the likelihood of illegal production of nuclear weapons; or theft, diversion, or sabotage of nuclear materials, equipment, or facilities.
- ii. Validation -- The process by which a record is confirmed to have originated from the identified record source or author. Validation is synonymous with authentication.
- jj. Vital Record -- A record that is essential to satisfy the continued operation or recovery of an organization during and after an emergency or a record required to protect the legal and financial rights of the Federal government and any individual affected by Federal government activities.

5. QUALITY CONTROL.

a. The RLO, or designee:

(1) Conducts periodic reviews of the LM records management program to ensure that employees adequately understand and implement records management procedures and practices. Examination of LM records management program effectiveness is an essential part of its success. The RLO will conduct these reviews with two objectives:

- Recommendations pertaining to possible areas where the organization can improve its records management procedures or practices; and
- Identification of where additional training is needed to help the organization implement and maintain an effective records management program.

The RLO coordinates scheduling the reviews with the Records Coordinator and the contractor Records Lead. The RLO will provide the contractor with the results of the review. Depending on the severity of the problems found or suggestions for improvements that need to be made, the contractor may be required to provide a formal response. Detailed instructions for self-assessments and self-assessment corrective actions are included in LM Procedure 200.4-1, Records Management Self-Assessment.

- (2) Conducts self assessments and reports findings to the DOE Records Officer.
- (3) Reviews this procedure as necessary (at least annually) to accommodate changing conditions within LM and to ensure compliance with applicable laws, regulations, the DOE Records Management Assessment Program, and other DOE requirements.

b. The Records Coordinator responsible for specific groups of records, with assistance from Records Management Support Staff:

- Inspects those groups of records annually. The inspection includes conformance to the appropriate records schedules. For electronic records, the Records Coordinator ensures readability and metadata applicability. For paper records, the Records Coordinator assesses the records' physical condition.

- Identifies instances in which paper-based record can be digitized for accessibility and reproduction in support of LM’s E-Government and makes recommendations to the RLO.
- Conducts an annual inspection of special media records, including books, maps, photographs, film, machine-readable materials, and other documentary materials, to ensure they continue to be in acceptable physical condition and adequately protected.

6. RESPONSIBILITIES.

a. The LM Director is responsible for:

- Establishing a records management program in accordance with Federal laws and regulations.
- Ensuring the records necessary to document the LM programs are created, received, and managed in a cost-effective and efficient manner.
- Designating a PRO with signature authority to provide management support and oversight of the LM records management program.

b. The PRO, team leader of Archives and Information Management (AIM), is the primary point of contact between the DOE Records Officer, the support contractor Records Lead, and the Contracting Officer. This position is responsible for:

- Designating RLOs to provide management support and oversight of the LM records management program and implementing this procedure.
- Providing the necessary interface with the support contractor to ensure a cost-effective approach to records management in accordance with Federal records management requirements, DOE guidelines and directives, and this procedure.

c. The RLO is responsible for implementing the LM records management program and ensuring adherence to this procedure and related documentation. The RLO:

- Ensures that all personnel receive proper records management training.
- Conducts activities promoting records awareness among LM personnel.
- Assesses the LM records management program.
- Ensures the LM File Plan is maintained.

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- May serve as a task manager, providing an interface with the support contractor to plan and execute work plans that provide a cost-effective approach to records management in accordance with Federal requirements, DOE guidelines and directives, and LM records managements policies.
- d. The Records Coordinator implements this procedure and related records management documentation for their respective site and assigned organizations. The Records Coordinator is responsible for:
- Ensuring that adequate and correct metadata and an LM File Plan code is included with each record entered in the LM ERKS.
 - Ensuring records are properly dispositioned according to regulations.
 - Answering staff questions on records management issues and conferring with the RLO if necessary to gather additional information.

A Records Coordinator is designated for each of these geographic locations: Washington, DC; Morgantown, WV; and Grand Junction, CO.

- e. LM Personnel are responsible for managing the records they create and receive in a cost-effective and efficient manner.
- f. The support contractor’s Records Lead is responsible for implementing a records management program in accordance with this procedure, DOE guidelines, and applicable Federal regulations.
7. TRAINING REQUIREMENTS. LM personnel creating, using, or maintaining records should be trained to the applicable requirements of this procedure. Annual refresher sessions are required of all employees. LM-10 records staff will provide internal and on-the-job-training to employees with an identified need. Special external training is not required but is encouraged. Specific training guidelines are available in the LM Records Management Training Plan.
8. DOCUMENT CONTROL.
- a. The Directives Manager shall maintain the official controlled version of this document in the LM ERKS.
 - b. The Directives Manager shall place the most current version of this procedure on the LM Intranet for employee use.
 - c. Printed hard copies of this document shall be considered information-only copies.

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9. PROCEDURE.

This procedure supports LM's commitment to comply with requirements in DOE Guide 1324.5B, Implementation Guide for 36 CFR Chapter XII – Subchapter B Records Management and other DOE guidance documents. Attachment B. contains the guide's table of contents to assist staff with various records management tasks, eliminating the need to rewrite detailed instructions. A copy of the guide is available in the Records Management area of the LM Intranet.

Records Lifecycle Description

The lifecycle guidance in this procedure applies to all types of records created or received by LM regardless of media (see Attachment C. – Records Lifecycle). LM's Records Management lifecycle approach is illustrated in the flowcharts in Attachment D. – Records Management Flowchart and in Attachment E. – Electronic Records Management Flowchart. For detailed guidance concerning electronic records, see LM Procedure 200.2, Electronic Records.

a. Creation or Identification

LM Personnel:

- (1) Create, receive, or identify material that provides documentation of LM activities and substantiates work performed.
- (2) Determine whether a document created or received is a record (see Attachment F. – What is a record?). Factors to consider when making a determination are:
 - The historical importance of the information contained in the document as a specific and original source.
 - The potential need for the information in the document to support a legal claim or to verify a contractor, subcontractor, or DOE position.
 - The potential value of the information in the document for investigations or audits.
 - The value of the information in the document to support other records.

Note: In general, when information is transmitted between organizations, the organization responsible for the work maintains the record copy. Documents received from an outside source are generally the responsibility of the LM receiving organization.

- (3) Ensure the records they create are complete, accurate, legible, and reproducible (e.g., suitable for microfilming, photocopying, or digitizing). Records must be administratively and technically complete to have value. Incomplete information within a record reduces its overall value. The following guidelines ensure that integrity, legibility, and reproducibility of paper records are maintained:
- Correct records by drawing a single line through the error and initialing and dating the correction with permanent black or blue ink.
 - Do not use correction fluid, tape, stamps, or bar code labels that obscure or obliterate text.
 - Maintain initials that are used on records, such as concurrences, for the life of the record.
 - Transcribe handwritten records if the clarity of the original is questionable. Original handwritten documents should be attached to the reproduced document.
 - If the original record is not available, file the best available copy.
- (4) Maintain in electronic form records created or received electronically. Electronic records should not be printed for hardcopy filing. The electronic version is LM's record copy (see LM Procedure 200.2, Electronic Records).
- (5) Ensure that Federal and any pertinent state or regulatory agency authenticity requirements are met. The authentication may be in the form of a digital or handwritten signature, initials, or stamps and may appear on construction drawings, quality records, and correspondence that gives direction. Initials and stamps are valid only if concurrences of corresponding signatures and names are maintained.
- (6) Maintain only one record copy in most instances. However, there are instances where multiple copies of a document are maintained as records because of different retention and disposition requirements. For example, the LM Federal and contractor procurement organizations each maintain a record copy of a purchase order, but inclusion into a site-specific file may also be required to preserve the document as a project or site record.
- (7) Use designated public folders in LM's ERKS instead of shared drives to house and manage electronic files that have not been classified as official records but are of interest to LM personnel or work groups.

- (8) Dispose of nonrecord material as soon as the need for that material has passed. Unnecessary delays in disposing of such materials increase the need for onsite storage and add to administrative and overhead costs. Examples of nonrecords include:

- Copies of documents or correspondence such as reading files, information copies, and duplicates of documents of which record copies are retained in another area.
- Follow-up or suspense copies of correspondence.
- Drafts of reports and correspondence.
- Items of short-term value that, after the action has been completed, have neither evidential nor informational value. These items include correspondence, including e-mail messages and facsimile machine transmissions.
- Library materials, catalogs, stocks of publications, and reproduced documents kept for reference.
- Routine printed matter such as routing slips, work sheets, rough drafts, and transmittal letters that have neither evidential nor informational value.
- Reading files kept as references to outgoing correspondence when the original copies have been placed in the official record keeping system.
- Personal papers, which include documents of a private or nonofficial nature that pertain only to an individual's personal affairs. These must be filed separately from official records.

Note: Nonrecord material may later become record material. Current nonrecord material should be reanalyzed whenever circumstances dictate. When matters pertaining to official business are discussed in private personal correspondence, that portion of the correspondence pertaining to business must be extracted and filed as a record. Keep references to official responsibilities out of documents pertaining to personal affairs.

b. Maintenance and Use

(1) Active Collection Maintenance and Use

(a) The Records Coordinator, consulting with the RLO as appropriate and with the assistance of Records Management Support Staff:

1 Maintains the official record collection within the originating LM organization, while representatives within the organization receiving the record may maintain nonrecord copies. The use of central files ensures effective retrieval, maintenance, and disposition of records. They also mitigate the accidental removal or destruction of records when employees leave an organization.

2 Stores electronic records in the LM ERKS and creates profiles in the ERKS for paper-based records. The Records Coordinator ensures that each document profile in the ERKS includes sufficient and accurate metadata (e.g., author, creation date).

3 Implements an effective filing system, determining:

- The records necessary to document assigned functions and tasks.
- The location of the records.
- The most cost-effective method of filing the records.
- The type of file equipment to be used.

For paper records:

- Match the document’s file name or number with the folder label before placing it in the folder.
- Remove all clips, binders, and rubber bands before filing.
- File material loosely in folders unless fasteners are needed to subdivide papers. If folders become overcrowded, add additional folders.

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- Do not fill drawers to capacity. Leave space for expansion and additional working space in each file drawer or shelf.
- Keep folder labels visible.
- Crease the scoring at the bottom of the front folder leaf to allow papers and folders to rest squarely on the bottom of the file drawer as folders become filled with papers.
- File bulky, oversized material separately in storage equipment suited to its size and place a cross-reference with the related correspondence.
- Do not file duplicate copies in the official record.
- Place the file copy of an outgoing reply on top of all background and concurrence material and file them together.
- Place a copy of the corresponding file plan at the beginning of each file.

4 Ensures the appropriate LM file code has been applied to each record maintained.

5 Protects records from inadvertent loss or damage during all phases of the record lifecycle, and considers the consequences of any loss or damage when addressing protection and storage needs. The Records Coordinator:

- Controls file access. When a record is removed from its file location, that action and the responsible individual should be noted via the tracking system used (e.g., barcode system, “in/out” cards).
- Stores paper records to prevent damage from light, moisture, heat, and pest infestations. All records maintained in paper form must be firmly attached to binders or placed in folders, envelopes, or boxes for storage.

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- 6 Considers the following criteria when evaluating storage and protection parameters:
- Fire protection and fire detection systems.
 - Management of records maintained in satellite or remote locations.
 - Rules governing access to, control of, and removal of records.
 - Security barriers, alarms, and cyber security measures appropriate to protect records. Generally, administrative records require minimum-level protection, project or site records require intermediate-level protection, and critical and irreplaceable records require maximum-level protection. In all three cases, however, the RLO may specify additional or less access control for individual record series (see Attachment G. – Special Record Types).

Note: Requirements for records storage are published in DOE CIO Memo RM-2003-02, Records Storage Requirements. In addition, NARA requirements (36 CFR 1228 Subpart K – Facility Standards for Records Storage Facilities) should be considered.

- 7 Coordinates the records checkout process for each terminating employee. The Records Coordinator interviews each terminating employee to determine the potential for record material in his or her possession. At minimum, any applicable ERKS must be queried for records checked out to the terminating employee. The Records Coordinator ensures that the following activities occur:
- Personal papers are removed or destroyed.
 - Inactive records are identified and, if possible, inventoried and transferred to inactive storage.
 - Nonrecord material is identified and destroyed or transferred to an appropriate custodian.
 - Active records are identified and transferred to the appropriate custodian.

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- Any electronic records in the employee's possession are uploaded into LM's ERKS.

8 Applies quality assurance controls for legibility, accuracy, and completeness of the organization's records by ensuring that:

- The page or sheet numbering series is complete.
- All referenced reverse sides of pages are present.
- All referenced attachments, tables, and appendices are present.
- If applicable, paper records have file numbers and appropriately placed bar code labels.

9 Completes each organization's file cleanout exercise, which is to occur annually by December 30. The Records Coordinator:

- Refers to the LM File Plan or consults with the RLO when conducting the cleanout to determine which inactive records may be dispositioned.
- Arranges a logical cutoff process for each filing method (chronological, alphabetical, etc.) used. Some types of records, such as those filed by date or in numerical order, fall into chronological segments, and thus lend themselves to a natural cutoff. Other types of records—those filed alphabetically, geographically, or by subject—do not provide natural cutoff periods. They must be cut off at regular intervals. Cutoff periods should be based on frequency of reference, volume, and retention periods.
- Facilitates the transfer of inactive record material requiring further retention to LM inactive storage and arranges for the disposition of any inactive nonrecord material.

10 Observes additional precautions when dealing with special record types, which include epidemiologic, moratorium,

Privacy Act, Classified, sensitive, PII, proprietary, quality, and vital (see Attachment G. – Special Record Types).

- (b) The RLO consults with LM personnel using video or photographic media to ensure the media utilized have a life expectancy that will store the information through the end of its retention period. Also, ensure the information is in a format acceptable by NARA if the records are later sent to a Federal Records Center for permanent retention (see Attachment H. – Special Media).

(2) Fulfill Requests

The Records Management Support Staff:

- (a) Retrieves records as necessary to fulfill requests (EEOICPA requests, FOIA requests, Privacy Act requests, litigation, and routine/miscellaneous requests) for LM and its stakeholders.
- (b) Returns retrieved records to storage after requests are fulfilled.
- (c) Establishes either a fixed checkout period (typically 30 days) or a tentative return date as part of the tracking process for paper records. The responsible Records Coordinator must approve extensions.

(3) Maintain the File Plan

Disposition authorities used by the LM File Plan are drawn from DOE and NARA approved schedules and are designed to be media independent unless otherwise stated. NARA published a final rule on media neutral records schedules, which can be found at 36 CFR 1228.24(b)(3) and 1228.31.

The RLO:

- Maintains site specific and LM administrative file plans to identify LM records, file requirements, active file locations, file retention and transfer instructions, and disposition authorities. The file plan provides guidance to organizational personnel so they can maintain, retrieve, and disposition records.
- Ensures the current LM File Plan version is available electronically on the LM Intranet and in the ERKS.
- Coordinates file plan revisions with the responsible Records Coordinator.

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- Assists LM personnel during systematic examinations of records and nonrecords within LM organizations. These examinations are conducted to verify and update the LM File Plan.

c. Disposition

(1) Transfer of Records

The RLO transfers records no longer needed for current LM business to:

- (a) An approved LM records holding area or Federal Records Center (inactive storage) when temporary records become inactive and the remaining retention period exceeds 1 year. Inactive storage provides low-cost controlled storage for holding inactive records until the retention period has expired or as otherwise specified for records turnover. Record material whose retention period has been met cannot be transferred to inactive storage.

Note: The RLO and Records Coordinator assist employees' efforts to prepare records for inactive storage. Typically, the Records Coordinator reviews and signs the Records Transfer (DOE Form 1324.8, Records Transfer) before transferring the boxes (see Attachment I. – Inactive Storage Guidance).

- (b) Another Federal agency, when LM's retention period has been met and when the records have continuing value to the receiving agency.
- (c) NARA, when the records are classified as permanent and have continuing historical value as deemed by NARA.

(2) Preservation and Maintenance of Inactive Records

The RLO ensures that inactive records in storage are preserved and maintained according to NARA and DOE requirements. Record material should be stored in conditions that ensure preservation for the entire retention period. The RLO ensures that inactive records are available to fulfill retrieval requests.

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(3) Final Disposition

The RLO:

- 1 Ensures that records maintained by LM are properly disposed as specified by their assigned retention schedule.
- 2 Authorizes record destruction only after confirming that no active moratoriums, pending litigations, or FFAs require continued retention, and after receiving concurrences from identified approval authorities. For detailed disposition instructions, see LM Procedure 200.2-2, Processing Inactive Records.

NOTE: To ensure LM complies with all records management commitments made in site-specific external agreements (FFAs), LM personnel will ensure that the requirements set forth for the disposition of site records are adhered to and that no records are destroyed prematurely.

10. ATTACHMENTS.

- a. Attachment A. – LM Records Management Program Manual
- b. Attachment B. – Implementation Guide Table of Contents
- c. Attachment C. – Records Lifecycle
- d. Attachment D. – Records Management Flowchart
- e. Attachment E. – Electronic Records Management Flowchart
- f. Attachment F. – What is a record?
- g. Attachment G. – Special Record Types
- h. Attachment H. – Special Media
- i. Attachment I. – Inactive Storage Guidance

Approved: Original signed by Celinda H. Crawford 6/18/08
Director
Office of Business Operations

Distribution: As required

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Attachment A. – LM Records Management Program Manual

| LM Records Management Program Manual | |
|--|--|
| Program Overview | LM Records Management Policy LM-1 Endorsement Letter LM Requirements Evaluation Matrix LM Document Hierarchy Definition LM Records Management Table of Contents LM Records Management Program Structure |
| LM Records Management Program Manual Policies and Chapters | Policy – Electronic Mail Records Policy – Records Access and Retrieval Policy Chapter 1 – Records Management Chapter 2 – Vital Records Chapter 3 – File Plan Chapter 4 – Processing Litigation Requests Chapter 5 – Records Disaster Prevention, Mitigation, and Recovery Chapter 6 – CERCLA Administrative Record Processing Chapter 7 – Electronic Records Chapter 8 – Electronic Recordkeeping Systems Chapter 9 – Digitizing Records Chapter 10 – Processing Internal Inactive Records for Storage Chapter 11 – Classified, Sensitive, and Proprietary Document Handling Chapter 12 – Records Management Self-Assessment Chapter 13 – Records Inventory Chapter 14 – Preservation of Web Site-Related Records Chapter 15 – EEOICPA Processing Chapter 16 – Freedom of Information Act and Privacy Act Records Chapter 17 – Audiovisual Records Chapter 18 – Training Plan <i>New chapters will be identified and implemented as needed</i> |

The policies, procedures, and other documents listed above constitute the Legacy Management (LM) Records Management Program Manual. The program overview establishes a charter and basis for the LM records management program. Policies and procedures provide detailed guidance for the performance of LM records management activities. The policies and procedures are available on the LM Intranet.

The program manual encompasses the following goals and objectives:

- Minimize the cost of records management activities and maximize the usefulness of records created by LM or inherited from closed Department of Energy (DOE) Office of Environmental Management facilities.
- Implement and maintain a robust program that promotes effective and economical records management through self-improvement practices.

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- Effectively control the creation, collection, organization, maintenance, storage, use, and disposition of records in accordance with applicable Federal laws and regulations.
- Establish record-keeping requirements that ensure adequate and proper documentation of LM organizations, functions, policies, decisions, procedures, and essential transactions designed to furnish the information necessary to protect the legal and financial rights of the Federal government and individuals directly affected by DOE activities.
- Routinely apply approved records retention and disposition standards to LM records.
- Ensure the prompt destruction of material when it is no longer needed.
- Ensure that Federal records are not removed from Government custody without proper authorization.
- Ensure that adequate resources (e.g., funding, staffing, training) are identified and provided for the management and operation of the LM records management program.

Attachment B. – Implementation Guide Table of Contents

Department of Energy (DOE) Guide 1324.5B, Implementation Guide For 36 CFR Chapter XII – Subchapter B Records Management

A copy of the implementation guide is available in the
Records Management area of the LM Intranet.

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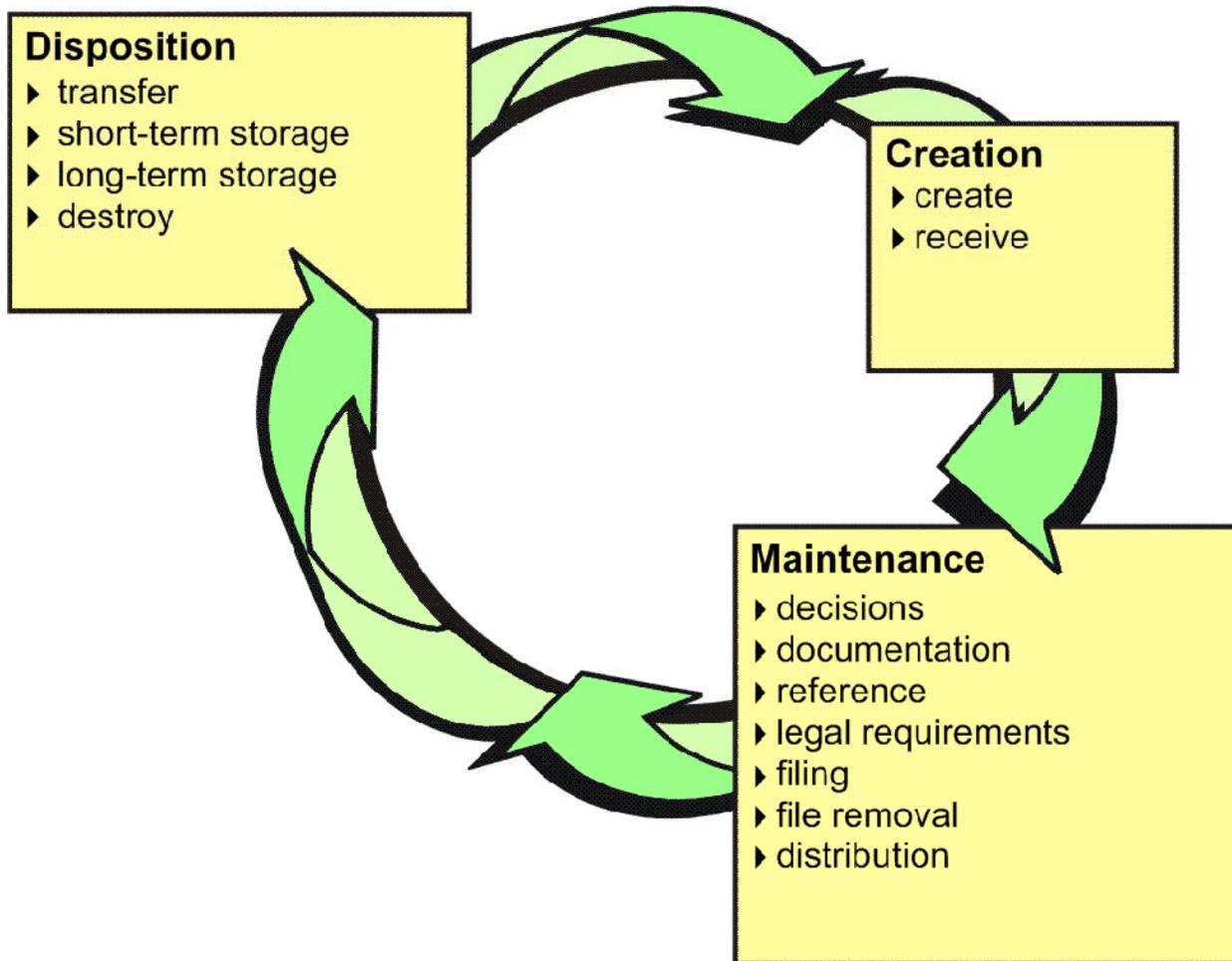
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Attachment C. – Records Lifecycle



a. Creation of Records

The most fundamental step in developing a comprehensive records management program for any Legacy Management (LM) organization is to identify those records necessary to document the organization’s functions, policies, procedures, decisions, and essential transactions. LM organizations should identify those records they create and plan for their continued use, maintenance, and eventual disposition.

A practical means of identifying the records created or received by an LM organization is to perform an inventory of its holdings. The inventory identifies and quantifies all the records maintained by that organization. In addition, summary data collected during the inventory establish the major filing categories for the organization’s file plan and the foundation for maintenance and future disposition of the material.

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The records inventory can also provide useful data to ensure that LM is:

- Adequately documenting its official actions,
- Maximizing use of filing equipment,
- Minimizing duplication of documents, and
- Providing proper records security and protection.

An inventory provides the means for creating an effective and efficient filing system and becomes the baseline for developing records retention schedules. It also provides a useful tool for segregating nonrecord material. Consequently, the inventory furnishes the organization with an accurate description of the records in the office and serves as the first step in developing a complete file management and disposition program.

b. Active Use and Maintenance of Records (Active Lifecycle)

One method LM organizations will use to achieve efficiency during the “active use and maintenance” phases is implementation of an effective filing system for active records. To develop and implement an effective filing system, each LM organization should determine:

- What records are necessary to document assigned functions and tasks,
- Where the records should be located,
- What filing arrangement is the most cost effective, and
- What type of file equipment should be used.

(1) Protection and Storage of Records

Federal government records must be protected from inadvertent loss or damage during all phases of their lifecycles. LM organizations and their contractors need to consider the consequences of any loss or damage and establish the level of protection necessary.

When possible, personnel should maintain records at centralized file locations. These centralized file locations help prevent the accidental removal or destruction of records when employees leave the organization and ensure effective retrieval, maintenance, and transfer.

Records must be stored to prevent damage from light, moisture, heat, or pest infestations. All records maintained in hard-copy form must be firmly attached to binders or placed in folders, envelopes, or boxes for storage in file cabinets or on shelves.

The following criteria should be considered when evaluating storage and protection requirements:

- Storage of records in predetermined locations,
- Management of records maintained in satellite or remote locations,
- Designation of Records Coordinators, and
- Rules governing access to, control of, and removal of records from files.

(2) Protection and Storage of Special Media Records

LM ensures that provisions are established to protect records requiring special handling. These records require protection from excessive light, pressure, moisture, electromagnetic fields, and heat.

c. Records Disposition

Records document the history of an organization and contain:

- Evidence of fiscal, financial, administrative, and legal commitments that must be preserved to protect the Government;
- Information necessary to protect the civil, legal, and property rights of private citizens;
- The basis for continuity of policies, actions, and the organizational and procedural patterns for sound administration; and
- Valuable data and source information required to substantiate technical research and mission performance and accomplishment.

Effective records disposition requires a program that will control the records during their entire lifecycle. Development and implementation of such a program is vital to the economical management of an organization.

Unmanaged material interferes with the efficient, cost-effective management of an organization and requires the organization to absorb unnecessary costs in space and filing equipment. The LM records disposition program has these primary objectives:

- Preservation of records that are of long-term or permanent value,
- Prompt disposal of records that do not warrant further retention, and
- Retirement and economical storage of records no longer required to conduct normal business but ineligible for immediate disposal.

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(1) The LM File Plan and Records Schedules

One of the final stages in a record's lifecycle is the effective application of the LM File Plan to schedule records. This is accomplished by periodically reviewing the records created and effectively matching the records to a retention schedule as indicated by the LM File Plan. The material can then be retained, destroyed, or transferred to a designated LM inactive storage facility.

The LM File Plan draws its retention schedule information from the National Archives and Records Administration (NARA) General Retention Schedules (GRS), DOE Administrative Schedules (DOE ADMIN) and DOE Programmatic Record Schedules.

To save each Federal agency and its contractors from recreating disposition guidelines for documents common to all agencies, NARA produced the GRS to identify and provide approved disposition criteria. DOE has modified some GRS schedules and calls the combined group of modified and unmodified schedules the DOE ADMIN. They contain schedules for records such as civilian personnel records, research and development records, electronic records, audiovisual records, and Inspector General records.

(2) Programmatic Record Schedules

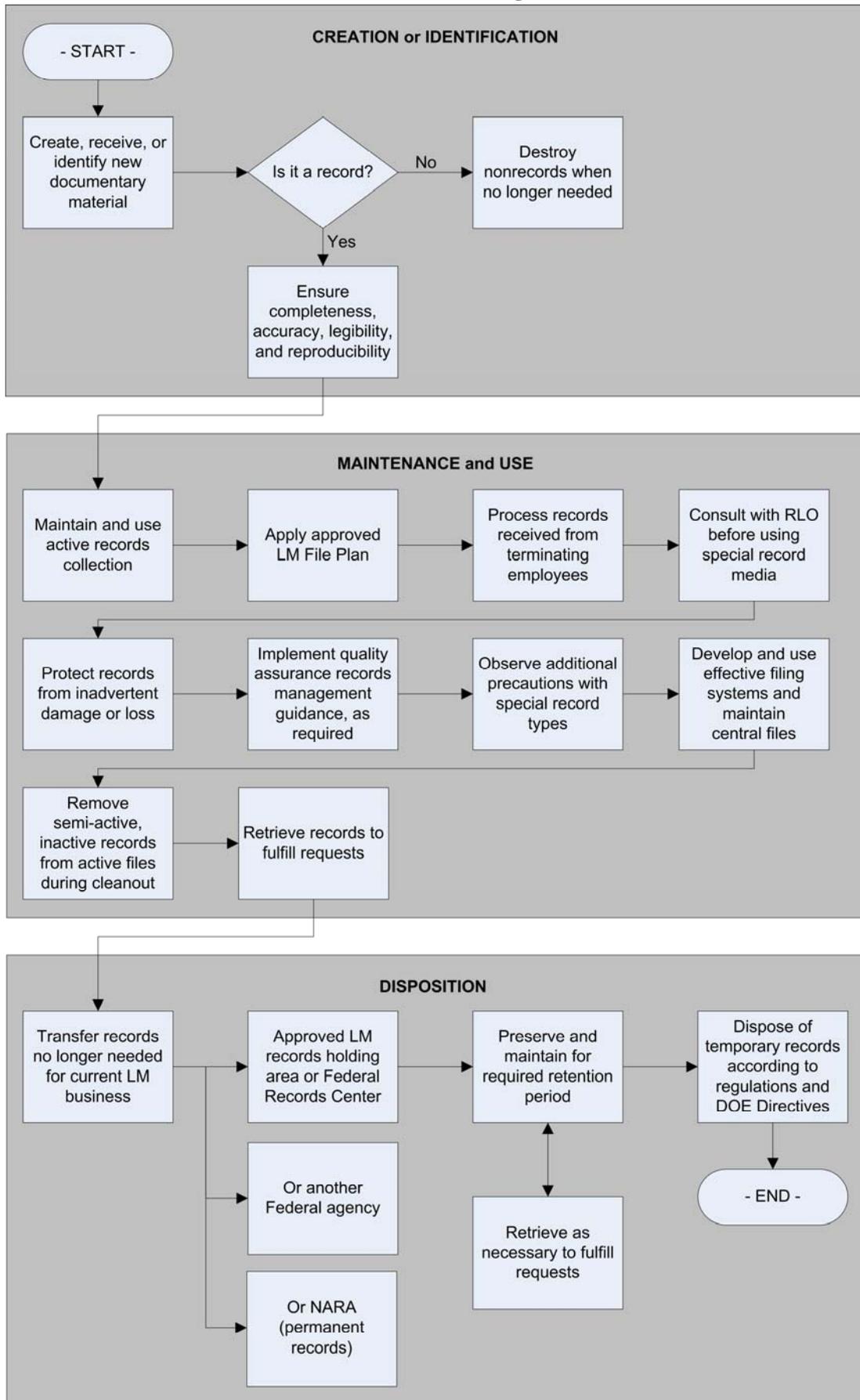
DOE has also developed and approved the DOE Programmatic Record Schedules, a series of schedules that identify records unique to DOE and its contractors. Some of the more important records included are environmental records, nuclear weapon records, research and development records, history division records, and Nuclear Waste Policy Act (NWPA) records.

A more complete list of DOE Programmatic Record Schedules is available through DOE's Office of the Chief Information Officer and on the Chief Information Officer's website at <http://cio.energy.gov>.

The GRS and DOE ADMIN can only be applied to administrative-type records and cannot be used for program, project, or site technical records. These records are identified and dispositioned through other means established by NARA.

Both the GRS and the DOE ADMIN record schedules are available on the Internet. The GRS is accessible at <http://www.archives.gov>. The DOE ADMIN is available on the DOE CIO website.

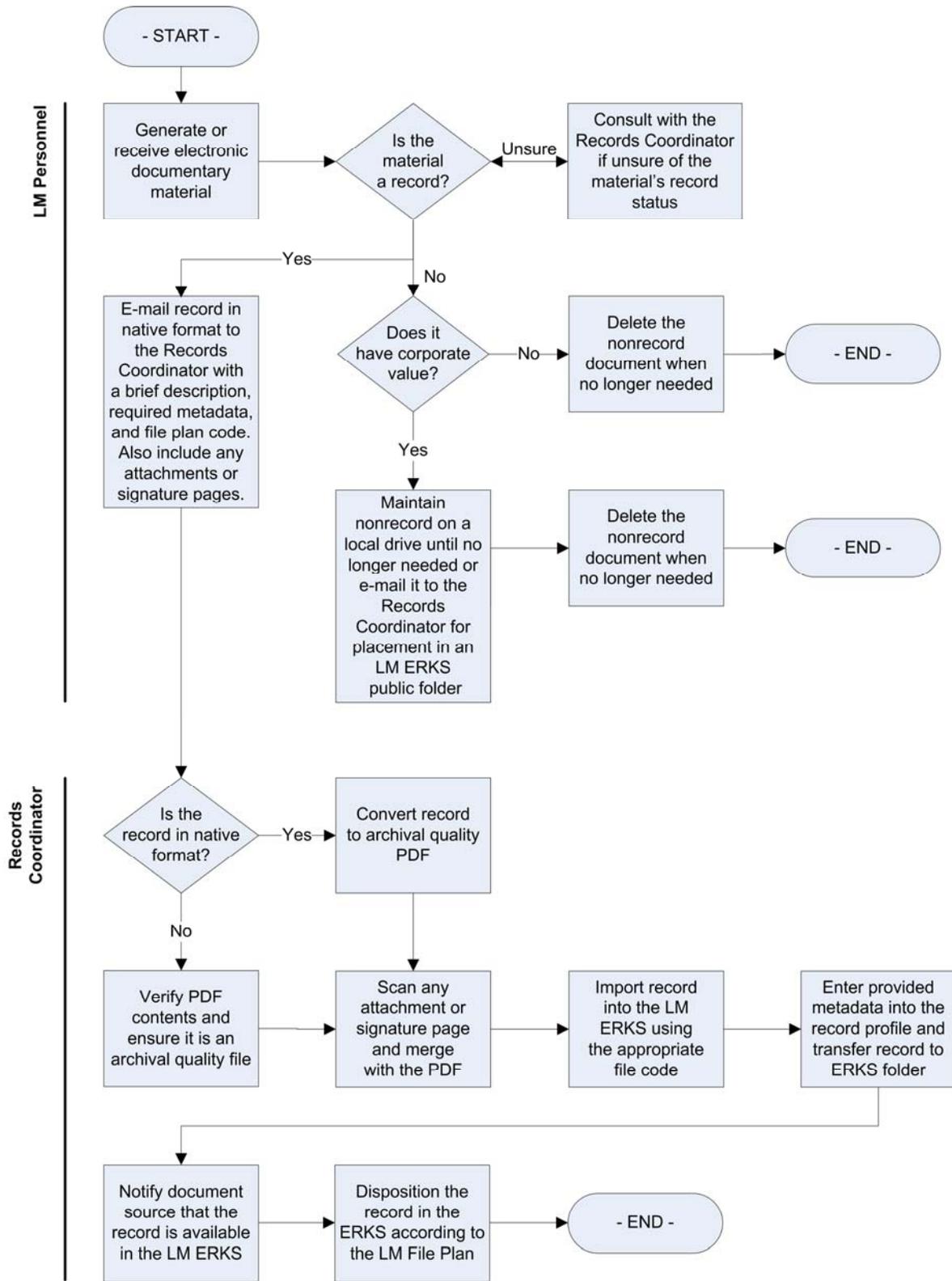
Attachment D. – Records Management Flowchart



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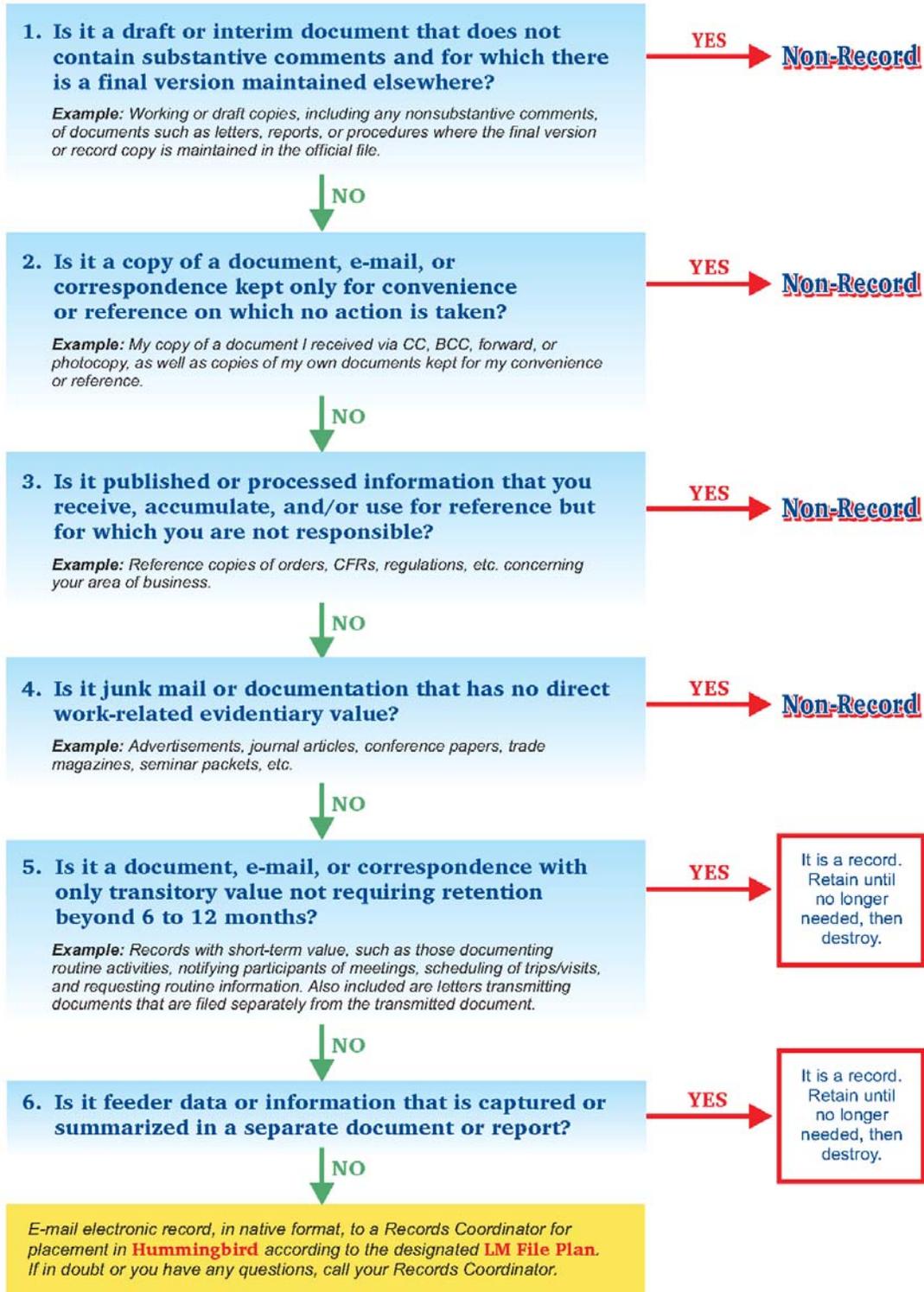
Attachment E. – Electronic Records Management Flowchart

The most recent and official controlled hard copy version of this document resides with LM's Directives Coordinator. An electronic version of the controlled document has been placed on the LM Intranet for employee use. Printed hard copies of this electronic version are considered uncontrolled documents.



Attachment F. – What is a record?

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Attachment G. – Special Record Types

This attachment provides descriptions for several special record types and information about the use and storage of records within these categories.

(a) Epidemiologic Records

Epidemiologic and health-related records provide information about current and former employees who have worked at a Department of Energy (DOE) facility, when they worked at the facility, the tasks they performed, their exposure to potential health hazards, and the kind of health problems they may have experienced during or after employment.

In 1990, the Secretary of Energy ordered a moratorium on the destruction of any records that are important for the conduct of epidemiologic or health studies. The moratorium is still in effect. It applies to DOE and DOE contractors, and it currently includes preservation of existing and future records. DOE and contractor epidemiologic records must not be destroyed and must be retained until further notice. This restriction also applies to documentary evidence of nonexposure to potential health hazards.

The Legacy Management (LM) Records Program Official and support contractor must ensure that records containing epidemiologic information are identified, protected from destruction, and preserved in accordance with approved National Archives and Records Administration (NARA) disposition criteria. Any employee whose duties require the handling of records that are subject to this moratorium should notify the LM Records Program Official or the contractor Records Lead for storage and handling guidance.

Records containing epidemiologic information should be annotated in a file plan.

The types of epidemiologic records affected by this moratorium are those that provide:

- Personal data and payroll information about employees;
- Demographic information about individuals;
- Work history;
- Medical data, including any treatment, incidents, accidents, and health insurance;
- Mortality data;
- External radiation exposure for workers or plant areas and internal radiation exposure records for individuals;
- Industrial hygiene, including chemical exposure and compliance demonstration;
- Physical agents, including exposure levels and compliance demonstration;

- Data pertaining to facilities (area and site monitoring information);
- Process and material controls; and
- Waste management.

(b) Moratorium Records

A Federal records moratorium is an officially authorized delay in a scheduled destruction of records. The issuance of the moratorium may be triggered by pending litigation (i.e., legal hold) that affects specific agency and program elements or a Federal audit of records. The focus of activity will be at the records management program level where the receipt and timely acknowledgment of the moratorium will result in appropriate action being taken to ensure that the records that meet moratorium requirements are identified and protected from destruction.

A robust liaison between responsible officials and the records management program must be developed and maintained to ensure that circumstances and events involved with a records moratorium are communicated quickly and accurately.

(c) Privacy Act Records

The Privacy Act of 1974 protects the security of personal information. Records maintained by LM containing an item or collection of information bearing an individual's name, identifying number or symbol, or other personal identifying features are Privacy Act records. These records include, but are not limited to, personnel records, training records, security records, medical records, and any other records containing personal information.

Active Privacy Act records are to be maintained in locked file cabinets, with access limited to responsible personnel. They will be adequately annotated and protected from unauthorized access when transferred to inactive storage.

LM shall ensure that personnel whose duties require the handling of records that are subject to the Privacy Act protect the integrity, security, and confidentiality of these types of records at all times. Privacy Act records cannot be disclosed to any person, or to another agency, by any means of communication, except pursuant to a written consent of the individual to whom the records pertain.

(d) Quality Records

In accordance with DOE Order 414.1C, Quality Assurance, a quality record is defined as a document or group of documents that furnishes evidence of the quality of items and activities affecting a quality process. Documents must be prepared, reviewed, approved, issued, used, and revised to describe processes, specify requirements, or establish design. Records of this type must be prepared, identified, approved, and maintained.

There are two designations of quality requirements: Standard-Level and Quality or Q-Level. The Standard-Level designation has minimum quality requirements; Q-Level has additional requirements for more stringent controls and safeguards. The quality requirements level is established commensurately with the value and importance of the information.

The support contractor Project Manager, the responsible Quality Assurance Lead, and the corresponding project or site Records Coordinator establishes the quality level and associated storage requirements for quality records. Annotation of the applicable designation levels should be noted in the appropriate file plan. Implementation of any special requirements beyond these procedures should be included in the applicable quality assurance plan and file plan.

(e) Vital Records

Vital records are records that are essential to the continued operation of agencies during and after an emergency. These types of records also protect the legal and financial rights of the Government and any individual affected by Government activities.

According to 36 Code of Federal Records 1236, Management of Vital Records, two categories of records are designated as vital:

- Emergency Operating Records—Records essential to the continued performance or reconstruction of the Federal government during and after an emergency. Emergency operating records include those needed to continue critical agency operations, as well as those that assist DOE and its contractors in conducting operations under emergency conditions and in resuming operations after an emergency.
- Legal and Financial Rights Records (formerly defined as “right-and-interest” records)—Records essential to the preservation of the legal and financial rights of individual citizens and the Government. Examples of these records include accounts receivable and accounts payable information, Social Security records, payroll records, retirement records, and insurance information.

The Records Liaison Officer (RLO) and support contractor are responsible for ensuring that personnel are appropriately informed about vital records and their responsibilities for creation, maintenance, use, protection, and disposition of this type of information in accordance with the requirements specified in LM Procedure 200.1, Vital Records.

(f) Classified Records

Classified records are stored for specific Classified projects and are used only by employees with proper security clearances. If Classified materials are found, follow LM Procedure 200.3, Classified, Sensitive, and Proprietary Document Handling. Classified records will be tracked, handled, and dispositioned in accordance with established DOE orders regarding the handling of classified material.

(g) Unclassified Controlled Information (UCI)

UCI must be protected against inappropriate release. Even though this information is unclassified, it still must never be left unsecured when unattended. UCI must be safeguarded in a locked cabinet and must be properly shredded when disposal is required.

(1) Unclassified Controlled Nuclear Information (UCNI)

UCNI is unclassified information prohibited from unauthorized dissemination under section 148 of the Atomic Energy Act. UCNI concerns various aspects of atomic energy defense programs such as the design of production facilities and security measures for those facilities.

(2) Official Use Only (OUO)

OUO is a designation identifying certain unclassified but sensitive information that may be exempt from public release under the Freedom of Information Act.

(3) Proprietary Records

Proprietary records are exclusively owned and controlled by LM or private corporations. Access to these records should be restricted to personnel with a “need to know.” The number of copies should be limited and tracked. Proprietary records must also be stamped or marked “Proprietary” and kept separate from Federal records. When they are no longer needed, all extra copies should be recalled and destroyed.

(4) Personally Identifiable Information (PII)

PII is information that can be used to distinguish or trace an individual’s identity. Some information considered to be PII is available in public sources such as telephone books and public websites. This type of information is considered to be public PII and includes first and last name, address, e-mail address, home telephone number, and general educational credentials. In contrast, protected PII is defined as an individual’s name in combination with a Social Security number, credit card numbers, biometrics, date and place of birth, mother’s maiden name, medical records, educational transcripts, and similar information.

Attachment H. – Special Media

This attachment provides descriptions for several special media types that may be used to store record material. It also includes information about their use and storage.

(a) Audiovisual Material

Audiovisual records include slides, photographs, negatives, audiotapes, videos, and slide and video presentations. When these media are to be used as record material, special care must be taken during creation and storage to ensure that the media will not deteriorate before the end of the record's lifecycle. If the records are to be maintained on optical or magnetic media, a compatible processing system must be available for the life of the record. In addition, complete traceability to project, exact location, and date must be maintained for the images.

Video and audio recordings—The preferred film for video recordings is 16 mm. A master and one copy of sound or videotape, with appropriate labeling, may be accepted as a record. The use of consumer format (e.g., videocassette tape) should be limited to distribution or reference copies. Audiocassettes are not sufficiently durable to be used for long-term or permanent records.

Photographic material—The preferred film for still photos is 35 millimeter. The negatives can be used for long-term retention and should be adequately annotated and indexed. The negatives should be considered inactive material and transferred to the central file for proper protection and storage.

Instant photographs—Instant photographs (e.g., Polaroid images) are appropriate only for short-term use. These prints deteriorate when exposed to light, moisture, and heat. This medium has a short-term lifecycle (5 to 7 years) and is best used as a “working copy” rather than record material. If a photograph will be needed for a longer period, 35 mm film should be used.

Digital photographs—To be accepted into permanent storage by the National Archives and Records Administration (NARA), digital photograph records must meet the standards published by NARA in *Expanding Acceptable Transfer Requirements: Transfer Instructions for Permanent Electronic Records—Digital Photographic Records*. This information is available on the NARA website (<http://www.archives.gov>).

Note: Many digital photographs in support of the Legacy Management (LM) mission have permanent value under DOE Administrative Records Schedule 21. This schedule also covers other types of photographic documentation.

Digital photographic files taken in support of LM are transferred from camera memory, associated with global positioning system (GPS) data, and stored on a network drive. The following additional information is required for photographs: date taken, activity and individuals shown, significance, the camera used, resolution, and format of the file.

(b) Drawings

Drawings, maps, sketches, and any other pictorial types of documents are considered acceptable media for Federal records. Personnel managing this type of material are responsible for adhering to the procedural controls for the creation, approval, maintenance, and revision control of these records until they are transferred to the central file or LM inactive storage.

Blue line prints—Blue line prints are appropriate only for short-term use (5-7 years). These prints fade quickly when exposed to light and are therefore best used as “working copies.” Another medium must be used if the record will be needed longer than 7 years.

(c) Electronic Media

Electronic records are data in a form that can only be read and processed by a computer and meet both of the following conditions:

- They are made or received by the agency under Federal law or in conjunction with the transaction of public business; and
- They are preserved or are appropriate for preservation as evidence of agency activities or because of the value of the information they contain.

Electronic records may include data files and databases, machine-readable indexes, word processing files, electronic spreadsheets, and electronic mail, as well as other text or numeric information. Electronic records are stored in LM’s electronic recordkeeping system (ERKS).

(d) Handwritten Logbooks

The responsible manager should determine the need for, and the content of, logs. This requirement should be based on existing regulations and input from others, as appropriate. In most cases, the log is considered a record, whether short-term or long-term, and should be treated as such.

Most logs are handwritten entries in logbooks and should be written in blue or black (preferably black) indelible ink on horizontally ruled pages. Logbooks should be titled on the outside front cover, and each page should be numbered sequentially. Individuals responsible for the logbook should draw a diagonal line through a page or portion of a page if it is intentionally left blank, then date and sign the page. When appropriate, provisions should be made for a reviewer’s authentication of the material.

The responsible manager must ensure that log entries are validated for completeness, accuracy, legibility, and reproducibility. To reduce the potential for loss of critical data in the logbook through physical damage or loss while in the field, a copy of the logbook’s data should be maintained elsewhere, if appropriate. The responsible manager determines the need for a copy based on risk and the potential adverse effect of lost data. The copy

should be maintained separately until the logbook is retired, at which time either the logbook or its copy is maintained as the record, and the alternate version is disposed of.

(e) Micrographics

Micrographics is the science and technology of photographing documents and placing the miniaturized information on film (microfilming). Micrographics offers compact, economical, reliable storage for both active and inactive stages of the document lifecycle. The use of this technology could solve problems associated with preservation and dissemination of information as well as promote economic records storage.

Records on microfilm need as little as 2 percent of the space occupied by the same records in hard copy. Duplicates of microfilmed records can be made for a fraction of the cost of duplicating the hard-copy record. Microfilm also provides a means of reproducing active records that require multiple copies or are used by several people. Microfilming can be used to retain project records onsite when the original documents are released to the project sponsor.

As identified in approved task orders, the support contractor performs microfilming services for LM. These services may vary, depending upon the individual requirements, but generally consist of duplicating existing microfilm, microfilming documents on a regular schedule, assisting organizations in acquiring microfilm readers and printers, and assisting organizations in determining microfilm feasibility and requirements. The microfilm procedures used by the support contractor must satisfy both legal and archival requirements.

Attachment I. – Inactive Storage Guidance

The Records Liaison Officer ensures that disposition guidance for all records are established and followed. Records retained beyond their usefulness or the completion of a project take up valuable space and cause confusion and uncertainty about their value. These records should be transferred to inactive storage for the balance of their retention periods.

(a) Preparation and Transfer

The following rules apply when preparing hardcopy records for transfer to inactive storage:

- Magnetic, optical, and audiovisual materials will not be accepted in a records storage box. Contact Records Management Support Staff if this material requires transfer.
- Segregate records into groups according to categories and required retention periods; the entire box will be retained until the oldest retention period is met.
- Only approved storage boxes can be used. Obtain boxes from the supply store, warehouse, or Records Management Support Staff.
- Arrange records in the box so they can be retrieved quickly and without damage. The records should not be packed tightly in the box.
- Remove hanging file folders (manila folders may be used).
- Provide an index of box contents. This index can be listed on Department of Energy (DOE) Form 1324.8, Records Transfer (one per box) or supplied as an attachment. For site records, the bar code numbers and associated descriptions should be generated from the electronic recordkeeping system (ERKS) and placed as an attachment.
- Place the original Records Transfer Transmittal inside the box and retain a copy until Records Management personnel return the verified copy. Retain the verified copy for your use and reference.
- Roll and transfer oversize drawings separately.
- Arrange for the boxes to be shipped to or picked up by Records Management Support Staff for storage.

(b) Receipt

When the boxes are received, Records Management Support Staff:

- Review the record categories and retention periods to ensure retention is still required.
- Compare box contents with the transmittal form and any attachments, including individual bar code labels for project records.
- Affix a box number, bar-coded document label, and a Records Transfer Transmittal holder to the box.
- Record the assigned box number on the Records Transfer Transmittal.
- Enter all appropriate tracking and document transfer information into the appropriate tracking database.
- Sign the Records Transfer Transmittal, place one copy in the box's Records Transfer Transmittal holder on the box, return one copy to the records coordinator, and file the original.

(c) Records Retention and Retrieval

Records will be retained in the storage area until either the established retention period has expired or further transfer is required to comply with approved disposition. If further transfer is required, Records Management Support Staff will perform the necessary tasks, as applicable, including acknowledgment of receipt.

Individual records or boxes of records may be retrieved from inactive storage with the approval of the responsible organization. Records covered under the Privacy Act can be retrieved or viewed only by the responsible organization.