

Approved: 2-7-2022

SUBJECT: RECORDS MANAGEMENT PROGRAM

1. **PURPOSE.** To set forth requirements and responsibilities for creating and preserving records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the Department of Energy (DOE) and to provide information necessary to protect the legal and financial rights of the Government and persons directly affected by DOE activities. See 44 United States Code (U.S.C.) 3101 and 36 Code of Federal Regulations (CFR) Chapter 12 Subchapter B, Records Management.
 - a. To establish and sustain an enterprise-wide program for promoting the life cycle management of records and recorded information (as defined in 44 U.S.C. 3301) that ensures the authenticity, usability, reliability, and integrity of DOE records.
 - b. To ensure effective protection and control of all record and non-record material in DOE custody; to ensure appropriate DOE federal and contractor employee awareness of responsibilities; to implement the technical requirement to manage records in electronic format; and to ensure identification and transfer of permanent records to the National Archives. To ensure all records activity complies with the Federal Records Act [Public Law (Pub. L.) 113-187], as amended; the E-Government Act of 2002; the 21st Century IDEA Act; the Government reform and reorganization plan; and other legislation as referenced in Attachment 3 to this Order.
 - c. To establish and sustain an Essential Records Program providing DOE with the information needed to conduct business under other than normal operating conditions and to resume normal business afterward. To enable DOE officials to identify, protect, and access essential records dealing with emergency operations and the legal and financial rights of DOE and persons directly affected by DOE actions (36 CFR 1223.12).
 - d. To establish and sustain an enterprise-wide program for federal forms, maintain the DOE official forms library, and support the transition to electronic forms management, in accordance with applicable federal statutes.
 - e. To preserve records and information for future use and establish a historical account of the Department for succeeding generations.
2. **CANCELS/SUPERSEDES.** DOE O 243.1B Chg 1 (AdminChg), *Records Management Program*, dated 7-8-2013. Cancellation of a directive does not, by itself, modify or otherwise affect contractual or regulatory obligation to comply with the directive. The Contractor Requirements Document (CRD) incorporated into a contract remains in effect throughout the term of the contract unless and until the contract or regulatory

commitment is modified to either eliminate requirements no longer applicable or substitute a new set of requirements.

3. APPLICABILITY.

- a. Departmental Applicability. Except for the equivalencies/exemptions in paragraph 3.c., this Order applies to all DOE elements. The Administrator of the National Nuclear Security Administration (NNSA) must assure that NNSA employees comply with their responsibilities under this directive. Nothing in this directive will be construed to interfere with the NNSA Administrator's authority under section 3212(d) of Public Law (Pub. L.) 106-65 to establish Administration-specific policies, unless disapproved by the Secretary.
- b. DOE Contractors.
 - (1) Except for the equivalencies/exemptions in paragraph 3.c., the CRD (Attachment 1) sets forth requirements to be applied to contractors that create, receive, use, maintain, manage, disseminate, and/or dispose of DOE records in connection with the performance of DOE-funded tasks or activities.
 - (2) The CRD or its requirements must be included in contracts that involve the receipt, creation, use, maintenance, management, dissemination and/or disposition of DOE records. Records created and received in the performance of the contract, except those designated as contractor-owned, are DOE records. See 48 CFR 970.5204-3, Access to and Ownership of Records.
- c. Equivalencies/Exemptions for DOE O 243.1C. Equivalencies and exemptions to this Order are processed in accordance with DOE O 251.1, *Departmental Directives Program*, current version.

Equivalency. In accordance with the responsibilities and authorities assigned by Executive Order (EO) 12344, codified at 50 USC sections 2406 and 2511 and to ensure consistency throughout the joint Navy/DOE Naval Nuclear Propulsion Program, the Deputy Administrator for Naval Reactors (Director) will implement and oversee requirements and practices pertaining to this Directive for activities under the Director's cognizance, as deemed appropriate.

4. REQUIREMENTS. DOE must manage Federal records in electronic format to the fullest extent possible in accordance with prescribed laws, regulations, directives, and processes to ensure adequate and proper documentation of DOE's organizations, missions, functions, policies, and decisions. See 44 U.S.C., Chapters 21, 29, 31, 33, and 35; 36 CFR Chapter XII Subchapter B, Records Management; and other National Archives and Records Administration (NARA) requirements and bulletins, as applicable.

- a. Records Management Program. DOE must establish and implement a records management program that promotes lifecycle management of Federal records.

The Program must include the creation, receipt, maintenance, use, and disposition of records regardless of media. The DOE Records Management Program must:

- (1) Store records in a manner that ensures ease of access, retrieval, and control. Storage systems must allow for access in accordance with 36 CFR 1236.
- (2) Store records electronically to the greatest extent possible. Plan to consolidate or close agency-operated records storage facilities and transfer holdings for storage at Federal Records Centers (FRCs) or NARA-certified commercial records storage facilities.
- (3) When records cannot be cost effectively digitized and stored electronically (e.g., paper, photo prints, negatives, film, etc.), records must be stored in facilities that meet the requirements of applicable Federal regulations found in 36 CFR, Chapter XII Subchapter B, Records Management. Follow DOE O 470.4, *Safeguards and Security Program*, current version, if classified records are to be stored in these locations.
- (4) Maintain up-to-date organizational records inventories, file plans in all formats, including electronic information systems (EIS) inventories that provide the identification, location, and retrieval of all categories of records created and received in the course of official business.

DOE elements must submit record inventories, file plans, and EIS inventories to the DOE records management program on request.

- (5) Maintain the DOE records disposition schedules on energy.gov to document DOE's use of flexible scheduling for the General Records Schedule (GRS) and ensure consistent records retention.
 - (a) Agency Records Officers (AROs) may post records disposition schedules on element-specific web locations.
 - (b) Maintain a method for requesting an extended disposition that can be approved by the Departmental Records Officer (DRO) or ARO.
 - (c) Disseminate new and revised GRS within 6 months after NARA has issued the GRS Transmittal.
 - (d) Review DOE Records Disposition Schedules (RDS) every 5 years or less to ensure they are accurate, current and meet the needs of the Department.
- (6) Work with the applicable records management team to update an existing approved schedule or to submit a new schedule. The Program Records Official (PRO), Records Management Field Official (RMFO), Records Liaison Official (RLO), and Contractor Records Coordinator (CRC) must

work with the DRO or ARO and the records management community for review and approval prior to submission to NARA.

NOTE: Unscheduled records must be treated as permanent until a new schedule is approved by NARA.

- (7) Maintain and dispose of records in accordance with NARA approved records disposition schedules, except as provided in Section 4.a.(9) below. Use of NARA approved records disposition schedules are mandatory and takes precedence over any other records retention instructions. This includes records retention requirements contained within DOE orders that have not been approved by NARA.
- (8) Utilize an approved records destruction process, for records in all media, that ensures the appropriate level of review, approval, and documentation of the destruction.
- (9) Preserve records beyond their approved retention periods when they have been placed under a destruction hold, freeze, or moratorium for purposes of audits, inspections, investigations, litigation, Freedom of Information Act, Privacy Act, or similar obligations.

NOTE: Only the entity that places the destruction moratorium can lift the moratorium. DRO can lift a DOE imposed destruction moratorium in coordination with the DOE Office of General Counsel, NNSA Office of General Counsel, or an Office of Chief Counsel.

- (10) Ensure appropriate reviews are performed to meet E.O.13526, DOE O 471.1, *Identification and Protection of Unclassified Controlled Nuclear Information*, current version; DOE O 471.7, *Controlled Unclassified Information*, current version; and DOE O 475.2, *Identifying Classified Information*, current version, prior to transfer to NARA.
- (11) Develop and implement internal controls to ensure eligible permanent records are retained long enough to meet the historical needs as authorized in DOE RDS.
- (12) Ensure permanent records are accessioned to NARA in accordance with DOE RDS and effectively managed prior to transfer.

NOTE: NARA approval is required if there is a justified business need to retain permanent records longer than the NARA approved records schedule.

- (13) Ensure that annual moves to NARA for permanent records and quarterly notices of disposal from the Federal Records Center for the destruction of temporary records are supported and processed in a timely manner.

- (14) Provide guidance and training to personnel about records management laws, regulations, and policies. Tailor training specific to the responsibilities, practices, and policies of the organization in compliance with NARA requirements.
 - (15) Ensure federal records are stored in an accessible manner to allow for discovery. Ensure federal records are not stored in a personal drive or IT service area dependent on an individual account for access.
 - (16) Ensure records containing PII are safeguarded in accordance with DOE O 206.1, *Department of Energy Privacy Program*, current version.
 - (17) Ensure departing employees identify and transfer records, in an accessible format (e.g., decrypting encrypted email and files), in their custody to an appropriate custodian, or the person assuming responsibility for the work.
 - (18) Conduct records management program evaluations at least every 2 years through surveillance or assessment. Evaluations may cover an individual element or the full program to ensure compliance with applicable Federal laws, regulations, DOE Orders, and NARA requirements and bulletins. Provide the DRO a copy of the final report.
 - (19) Ensure Scientific and Technical Information (STI) records are managed according to DOE O 241.1, *Scientific and Technical Information Management*, current version. STI includes findings and technological innovations resulting from research and development (R&D) efforts and scientific and technological work of scientists, researchers, and engineers, whether federal employee, contractor, or financial assistance recipient; conveys the results of demonstration and commercial application activities as well as experiments, observations, simulations, studies, and analyses; and may be classified, controlled unclassified information (CUI), or unclassified with no access restrictions.
- b. Electronic Records. Electronic record keeping (ERK) functionality must either be maintained or built into the system technical requirements management process for new or existing systems used to create or receive records. If such system functionality is not available within electronic information systems (EIS), records must be captured in a system that satisfies NARA's Universal Electronic Records Management (UERM) Requirements.

Records management controls must be present in EIS to ensure the reliability, authenticity, integrity, usability, content, and context of DOE records created or received in its business processes. Compliance with electronic records management requirements means the following are implemented at the soonest possible lifecycle refresh or into the baseline for a new system or service.

- (1) Ensure records controls are maintained when using commercial or government cloud environments, managed services, or on-premise environments.
 - (a) Controls in place to monitor changes to third-party terms of service that may affect the management of the records.
 - (b) If the cloud services are changed or updated, DOE must continue to meet its records management responsibilities by migrating the records to another system or repository. The system receiving the migrated records must have appropriate security and records management controls in place to manage the records throughout the entire lifecycle, including preventing the unauthorized access or disposal of records.
- (2) Metadata for a record must, where possible, consist of a description of the content of the record; the structure of the record (form, format, and relationships between record components); the business context in which the record was created, relationships with other records and metadata, identifiers and other information needed to retrieve the record, and the business actions and events involving the record throughout its lifecycle.
 - (a) Records systems must define metadata to enable the identification and retrieval of records; associate records with changing business rules, policies, and mandates; (e.g., associate records with records owner, authorizations, and rights with regards to the records; associate records with their business activities; and track processes carried out on records).
 - (b) The metadata for a record must be protected from unauthorized deletion and must be retained or destroyed in accordance with the record's appropriate authorized retention schedule.
 - (c) Once the record has been captured, the associated metadata must be fixed and kept as transactional evidence.
 - (d) Analog records that require digitization must follow NARA regulation on the proper procedure for digitization, including metadata, which varies depending on either the permanent or temporary status of the record.
 - (e) When dispositioning permanent records, metadata must be preserved and included with the transfer.
- (3) To protect records against technological obsolescence, regardless of the storage environment and media, DOE must:

- (a) Determine if the NARA approved retention period for the records will be longer than the life of the system. If so, agencies must migrate the records and their associated metadata before retiring the current system.
- (b) Ensure hardware and software can retain the electronic records' functionality and integrity regardless of the storage environment. To retain functionality and integrity, DOE must:
 - 1 Keep the records in a usable format until their authorized disposition date. If records must be converted for migration, records must be maintained and disposed of in the authorized manner after conversion;
 - 2 Ensure electronic forms are designed using software for screen fillable data entry, utilize digital signatures, and promote fully digital workflows;
 - 3 Plan for technology obsolesce, and ensure updated hardware and software remains compatible with current data formats as necessary and data is preserved as a federal record until disposition requirements are met;
 - 4 Maintain a link between records and associated metadata when converting or migrating. This includes capturing all relevant associated metadata at the point of migration (for both the records and the migration process);
 - 5 Ensure verification of successful records transfers (including metadata) after migration.
- (4) Access rights and permission rules for electronic records should be based on the activity or business function related to the records.
- (5) Dispose of temporary electronic records in accordance with assigned, approved schedules, including backup or working copies in any format, to protect sensitive, proprietary, or national security information and prevent access or reuse in the future.
- (6) Manage email records in an electronic format, along with associated metadata, using GRS 6.1, Email Managed under a Capstone Approach, including name of sender and all addressees, date and time email sent and received, in addition to contacts, calendars, mailbox folders and attachments. Email is managed as a role-based record in its entirety.
 - (a) Official DOE business must be conducted using authorized Federal email accounts. DOE business conducted through non-official

accounts must be captured on an official Federal email account within 20 calendar days of creation or receipt.

- (b) Official email must be captured and handled as a federal record, regardless of the number of official accounts an employee may be assigned.
 - (c) Email records that fall under a disposition authority with a permanent retention must be transferred to NARA as an electronic record in a NARA approved format.
 - (d) Documented procedures must be in place for systems that can produce, manage, and preserve email records in an acceptable electronic format until disposition. Additionally, systems must support the implementation of policy requirements outlined in this order, to include lifecycle management, preservation, security, integrity, and the accessibility of email records throughout their lifecycle.
 - (e) Determine if email messages should also be captured as program or project records using appropriate schedules.
- (7) Instant messaging, text messages, and chat messages are authorized for business use as long as they are on an official government network and automatically captured for records management purposes. Electronic communication platforms that cannot be or are not captured or transferred to an official government approved network or system in an automated or auditable manner are not authorized for official government business and should not be installed on GFE.
- (8) Public/external social media platforms, or alternate tools/applications used for official government business that result in the creation of a Federal record, require appropriate capture and management in accordance with a NARA approved records disposition schedule.
- (9) Capture and manage records created or received via websites and portals used for Departmental business. Manage website administration, operations, maintenance records in accordance with a NARA approved record schedule.
- c. Essential Records Program. DOE must establish and sustain an Essential Records Program to ensure continuity of operations (COOP) during and after an emergency as prescribed by laws, regulations, and directives, that ensures DOE makes and preserves records of the Department's organizations, missions, functions, policies, decisions, procedures, and essential transactions. The program must be designed to furnish the information necessary to protect the emergency operating records and legal and financial rights records of DOE and persons

directly affected by its activities. See 44 U.S.C. 3101, 36 CFR Part 1223, Managing Vital Records. The Essential Records Program must:

- (1) Identify records, regardless of format, that specify how DOE will operate in an emergency or disaster and necessary to continue operations. Identify and protect emergency operating records and legal and financial rights records. Document decisions made for selection, maintenance, retrieval, and protection of essential records.
- (2) Ensure essential records are accessible per the COOP guidance in the Federal Continuity Directive 1 (FCD 1), Federal Executive Branch National Continuity Program and Requirements.
- (3) Ensure locations in which essential records are stored such as alternate emergency operations centers (EOCs), command centers, and relocation sites provide adequate protection and accessibility.
- (4) Essential records must be reviewed, inventoried, and identified annually, irrespective of format and media. Essential records and backup copies must be updated as needed to ensure the most current versions are available.
- (5) Ensure essential records inventories are added as attachments or appended to the COOP plan. Provide essential records information to appropriate emergency management officials and/or pre-position records where appropriate.
- (6) Retain essential records for the period of time specified in the applicable NARA approved records schedules.
- (7) Where duplication and dispersal is the method of protection, copies of essential records would become the record if the primary location becomes unavailable.

5. RESPONSIBILITIES. All DOE elements must assign records management responsibilities to ensure requirements within this order are carried out. Not all of the following roles will be assigned for every DOE element.

a. Secretary of Energy. Establishes and maintains an active, continuing program for the economical and efficient management of the records of DOE.

b. DOE Senior Agency Official for Records Management (SAORM).

- (1) Serves as an executive sponsor setting the vision and strategic direction for the Department's records management program, including incorporating its goals into the Department's Strategic Information Resource Management (IRM) Plan.

- (2) Advocates for the Department's records management program and ensures that it documents the organization's activities and decisions.
- (3) Ensures the Department has policies and processes to protect records in any format against unauthorized removal or loss and informs agency staff of their reporting responsibilities as defined in NARA regulations and guidance.
- (4) Ensures records management policy is developed and provides direction on established records management goals and objectives Department-wide.
- (5) Submits reports to NARA, supporting records management appraisals, inspections, and other oversight activities.
- (6) Ensures Department staff are informed of and receive training on their records management responsibilities as defined in NARA regulations and guidance.
- (7) Establishes and Chairs a committee of all agency SAORM. The SAORM shall call meetings at their discretion, but at a frequency of not less than one per year.
- (8) Designates the DOE DRO and informs NARA in writing of this decision.
- (9) Designates the DOE Essential Records Manager and informs the DRO and the DOE/NNSA Director, Office of Continuity Programs in writing of this decision.
- (10) Directs the DRO, and coordinates with the Administration SAORM (A-SAORM) and Agency Records Officer (ARO) as appropriate, to conduct surveillances, evaluations, and reviews of records management practices of programs, offices, and sites Department-wide.
- (11) Ensures compliance with NARA requirements for electronic records, including managing permanent electronic records to the fullest extent possible for eventual transfer and accessioning to NARA.
- (12) Reports annually to the Secretary and to NARA on the status of records management in DOE (SAORM Report).

c. DOE Departmental Records Officer (DRO).

- (1) Supports the SAORM in gathering data and developing responses to NARA's oversight and reporting activities.
- (2) Interprets and advises senior agency officials on existing, new, or potential records management statutes, regulations, or other legal requirements impacting the agency.

- (3) Provides executive support for the SAORM committee.
- (4) Supports the integration of records management requirements into the design, development, and implementation of EIS, ensuring the complete records lifecycle is fully supported.
- (5) Works with internal stakeholders to identify budgetary, personnel, and system requirements for records management.
- (6) Coordinates with appropriate contracting officials to ensure necessary requirements, scope, and deliverables are identified in contracts.
- (7) Administers Department level records management program activities including the transfer of permanent records to NARA, records storage and retrieval, development and update of records schedules, management of litigation holds or records freezes, and internal program evaluations and performance metrics.
- (8) Conducts surveillances, evaluations, and reviews of records management practices of programs, offices, and sites Department-wide.
- (9) Responsible for the creation and execution of a records management strategic plan supporting the improvement of the department's records management program to the greatest extent possible.
- (10) Provides overall guidance, leadership, and direction of DOE records related activities, in coordination with the heads of DOE elements, as required by Federal laws, executive orders, regulations, DOE directives, and Departmental established or accepted standards.
- (11) Provides training and guidance related to identification, maintenance, retrieval, and protection of Federal records to appropriate persons within DOE organizations.
- (12) Works with the heads of DOE elements to ensure the identification of the records management responsibilities of DOE Headquarters (HQ) Program Records Officials (PROs), Records Management Field Officials (RMFOs), Records Liaison Officials (RLOs), and Contract Records Coordinators (CRCs).
- (13) Coordinates with the PROs in the implementation and execution of the DOE Records Management Program throughout DOE.
- (14) Coordinates with the PROs to ensure the requirements of E.O.13526 Section 3.3 are met for the classified records under their cognizance.

- (15) Collaborates with DOE Agency Records Officers (ARO) to achieve consistent implementation and execution of records management practices throughout DOE.
- (16) Promotes and assesses each program area's record-keeping activities, including but not limited to records maintenance, storage, and disposition practices.
- (17) Ensures analog records are stored in a facility that complies with NARA requirements, preferably in a Federal Records Center.
- (18) Develops and implements internal controls to ensure permanent records are retained and appropriately accessioned to NARA in accordance with NARA approved records disposition schedules.
- (19) Carries out records management modernization initiatives resulting from new records management directives, policies, or standards.
- (20) Assists with the modernization of established work stream processes to promote a fully digital output in support of electronic records management.
- (21) Establishes and chairs the Records Management Working Group (RMWG) to promote a coordinated approach to records management activities across the Department.
- (22) Monitors compliance with NARA and agency-specific requirements for the management and transfer of permanent electronic records.
- (23) Coordinates with IT service providers to ensure records management considerations for systems access and security controls are implemented.
- (24) Coordinates with IT to ensure systems adhere to records management requirements to ensure integrity, accessibility, retrievability, retention and disposition policies approved by NARA are in use.
- (25) Formally reports unauthorized removal or loss of records in all media to NARA.
- (26) Acts as liaison with NARA and other agencies on Federal records management activities.
- (27) Designates DOE Forms Manager.
- (28) Ensures Forms Management Program coordinates with Program Forms Managers (PFMs) to:
 - (a) Promote the use of electronic forms.

- (b) Promote consistency, usability, accessibility, and necessity.
- (c) Comply with applicable federal statutes.

d. Administration Senior Agency Official for Records Management (A-SAORM).

- (1) Serves as an executive sponsor setting the DOE element specific vision and strategic direction for the Department's records management program.
- (2) Advocates for the agency specific records management program and ensures that it documents the organization's activities and decisions.
- (3) Ensures the agency has policies and processes to protect records in any format against unauthorized removal or loss and informs agency staff of their reporting responsibilities as defined in NARA regulations and guidance.
- (4) Ensures records management policy is developed and provides direction on established records management goals and objectives agency-wide.
- (5) Submits reports to NARA, supporting records management inspections, and other oversight activities.
- (6) Ensures agency specific staff are informed of and receive training on their records management responsibilities as defined in NARA regulations and guidance.
- (7) Designates the ARO and informs NARA and the DOE SAORM in writing of this decision.
- (8) Designates the Primary Essential Records Liaison (PERL) and informs the ARO in writing of this decision.
- (9) Ensures compliance with NARA requirements for electronic records, including managing permanent electronic records to the fullest extent possible for eventual transfer and accessioning to NARA.
- (10) Reports annually to NARA on the status of records management in their designated element (SAORM Report).
- (11) This role applies to EIA, NNSA, and the Power Marketing Administrations.

e. DOE Agency Records Officer (ARO).

- (1) Supports the agency specific SAORM in gathering data and developing responses to NARA's oversight and reporting activities.

- (2) Interprets and advises senior agency officials on existing, new, or potential records management statutes, regulations, or other legal requirements impacting the agency.
- (3) Supports the integration of records management requirements into the design, development, and implementation of EIS, ensuring the complete records lifecycle is fully supported.
- (4) Works with internal stakeholders to identify budgetary, personnel, and system requirements for records management.
- (5) Coordinates with appropriate contracting officials to ensure necessary requirements, scope, and deliverables are identified in contracts.
- (6) Administers designated agency level records management program activities including the transfer of permanent records to NARA, records storage and retrieval, development and update of records schedules, management of litigation holds or records freezes, and internal program evaluations and performance metrics.
- (7) Provides overall guidance, leadership, and direction of agency records related activities as required by Federal laws, executive orders, regulations, DOE directives, and Departmental established or accepted standards.
- (8) Provides training and guidance related to identification, maintenance, retrieval, and protection of Federal records to appropriate persons within their organizations.
- (9) Develops and implements internal controls to ensure permanent records are retained and appropriately accessioned to NARA in accordance with NARA approved records disposition schedules.
- (10) Works with the heads of agency elements to ensure the identification of the records management responsibilities of agency records liaisons (i.e., RMFOs, RLOs, and CRCs).
- (11) Promotes and assesses each program area's record-keeping activities, including but not limited to records maintenance, storage, and disposition practices.
- (12) Ensures analog records are stored in a facility that complies with NARA requirements, preferably in a Federal Records Center.
- (13) Carries out records management modernization initiatives resulting from new records management directives, policies, or standards.
- (14) Assists with the modernization of established work stream processes to promote a fully digital output in support of electronic records management.

- (15) Monitors compliance with NARA and agency-specific requirements for the management and transfer of permanent electronic records.
- (16) Coordinates with IT service providers to ensure records management considerations for systems access and security controls are implemented.
- (17) Coordinates with IT to ensure systems adhere to records management requirements to ensure integrity, accessibility, retrievability, retention and disposition policies approved by NARA are in use.
- (18) Documents processes and procedures, provides department-wide training, and formally reports unauthorized removal or loss of records in all media to NARA.
- (19) Acts as liaison with DRO, NARA and other agencies on Federal records management activities.
- (20) Must participate in the RMWG.
- (21) Recommends to the A-SAORM the Program Forms Manager (PFM) with oversight and approval authority.
- (22) This role applies to EIA, NNSA, and the Power Marketing Administrations.

f. Departmental Essential Records Manager.

- (1) Establishes a DOE Essential Records Program; develops and distributes training and guidance related to identification, maintenance, and protection of essential records (emergency operating records and legal and financial rights records).
- (2) Coordinates with the DOE/NNSA Office of Continuity Programs in administration of emergency operating records and legal and financial rights records under the DOE Essential Records Program.
- (3) Performs on-site assessments and assistance visits in support of essential records.
- (4) Coordinates with the DRO/ARO to ensure the DOE Essential Records Program is consistent with the overall DOE Records Management Program.
- (5) Participates in COOP exercises to identify deficiencies and provide recommendations related to records retrieval and use.

g. Associate Administrator and Deputy Under Secretary for Emergency Operations.

- (1) Coordinate with the SAORM and Essential Records Manager to develop procedures and operating guidelines for the DOE Essential Records Program.
- (2) Ensure DOE essential records are included in DOE emergency operations and continuity plans, and that essential records storage and access are provided and maintained.

h. Heads of DOE Elements.

- (1) Establish, implement, and sustain records management programs within their respective organizations for adequate and proper documentation of DOE mission-related programs in accordance with the requirements of Federal laws and regulations, executive orders, DOE Orders and directives, accepted external standards, and authoritative issuances (e.g., DOE numbered memos and NARA guidance).
- (2) Implement guidance and directives provided by the Records Management Program Office with regard to the management of DOE records.
- (3) Provide staff resources and funding to support records management processes, including essential records management, within their respective organizations by ensuring the appointment of the following staff roles:
 - (a) A senior-level PRO with DOE HQ and program field site oversight, budgetary, and signature authority to approve records issues for the program and serve as the program liaison with the DRO.
 - (b) An RMFO to represent each field site or office to implement the records management program at field and area offices in their respective organizations, to act as liaison with the PRO, and to provide oversight and guidance to federal and contractor records management programs.
 - (c) At least one RLO for each program, staff, or support office (in DOE HQ and the field) to provide day-to-day administration of an organization's records management program and to act as liaison with the ARO, PRO, or RMFO as appropriate.
 - (d) At least one CRC to provide day-to-day administration, technical assistance, and direction of the contractor's records management program and to act as a liaison with the RMFO and RLO, as appropriate.

- (e) At least one Primary Essential Records Liaison (PERL) with oversight and signature authority to approve essential records program activities and documents.
 - (f) At least one Alternate Essential Records Liaison (AERL) to provide essential records support to the PERL and records community.
 - (g) At least one Program Forms Manager with oversight and authority to approve forms on behalf of the element.
- (4) Provide names and contact information for the designated PROs, RMFOs, RLOs, PERLs, and AERLs to the DRO or ARO as applicable.
- (5) Ensure IT service providers include records management controls in electronic systems and cloud services.
- (6) Designate individuals to work with respective DOE or NNSA organization responsible for acquisition, project management and supply management providing procurement policy and guidance to contracting officers (COs) as follows:
 - (a) Identify and add the CRD of this Order to applicable existing and new contracts.
 - (b) Ensure coordination with the applicable records ARO, PRO, or RMFO to monitor and ensure contractor compliance with the CRD requirements during performance.
 - (c) Ensure proper record retention or disposition action during the contract close-out period after completion of contract performance.
- (7) Ensure employees are aware of and execute appropriate measures to identify and protect Federal records.
- i. DOE Employees. All employees are responsible and accountable for maintaining accurate and complete records of their activities. These responsibilities apply to all agency personnel, which include federal employees, contractors, volunteers, and others that create, receive, access, or use Federal records on behalf of the agency.
 - (1) Complete annual records management training.
 - (2) Recognize and manage federal data in their care as a record.
 - (3) Manage records within their custody or ownership using DOE requirements.

- (4) Create and use an office file plan, assign proper NARA approved records schedules to records in their care.
- (5) Determine if records are active and needed to conduct business, inactive or seldom required and can be stored until disposition is met.
- (6) Coordinate with records management points of contact (POCs) to ensure records are managed properly and dispositioned in accordance with the approved schedule.
- (7) Do not destroy Federal records before the NARA approved disposition or remove Federal records upon departure or separation.

j. Program Records Officials (PROs).

- (1) PROs are senior managers responsible for the following program activities supporting the management of Federal records documenting the mission and actions of the program.
- (2) PROs shall delegate records management activities supporting the programs records management functions to the RMFOs for their respective field offices and sites.
- (3) Provide names and contact information using the established process for the designated PROs, RMFOs and RLOs to the DRO.
- (4) Coordinate and oversee the implementation of the records management programs within their respective organizations to ensure compliance with this Order through the designated RLOs, RMFOs, PERLs, and AERLs.
 - (a) Appoint RMFOs to represent each field site or office to implement the records management program at field and area offices in their respective organizations, to act as liaison with the ARO or PRO, and to provide oversight and guidance to federal and contractor records management programs.
 - (b) Appoint at least one RLO and AERL for each program, staff, or support office (in DOE HQ and the field) to provide day-to-day administration of an organization's records management program and to act as liaison with the ARO, PRO, PERL, or RMFO as appropriate.
 - (c) Designate the Program Forms Manager (PFM) with oversight and approval authority.
 - (d) Delegate records management activities supporting the program records management functions to the RMFOs and RLOs for their respective organizations, field offices and sites.

- (5) Serve as liaison with the DRO on records management activities as outlined in DOE records management guidance and policies.
- (6) Coordinate with appropriate contracting officials to ensure necessary requirements, scope, and deliverables are identified in contracts including:
 - (a) Identification of agency records as contract deliverables, or records for final turnover; and those records include environment, safety and health records, employment records; financial and technical records; and other records specified as appropriate to the contract scope.
 - (b) Ensure a clear distinction exists between Federal records and contractor-owned records.
 - (c) Manage agency records in accordance with this Order and other relevant laws, regulations, and DOE Orders.
 - (d) Manage departmental records in accordance with established records schedules, NARA guidance, this Order, and all other relevant laws, regulations, and DOE Orders.
 - (e) Ensure the timely delivery of Federal records at appropriate intervals, in accordance with the program contracts, or at the termination of existing contracts.
- (7) Identify program-specific records and ensure they are covered by a NARA approved records disposition schedule.
- (8) Ensure an accurate records file plan and inventory is conducted annually, and provided to the DRO.
- (9) Develop and implement internal controls to ensure permanent records are retained and appropriately accessioned to NARA in accordance with NARA approved records disposition schedules.
- (10) Ensure permanent records are managed in accordance with NARA approved records disposition schedules and transferred to NARA via direct offer or through the NARA annual move.
- (11) Except as provided in Section 4.a.(9) above, ensure temporary records are retired, transferred, and destroyed when eligible in accordance with NARA approved records disposition schedules.
- (12) Ensure federal employees, military personnel assigned to the DOE, and contractors within their areas of responsibility are provided mandatory records management training, appropriate for their records responsibilities, and the records management training is refreshed annually.

- (13) Ensure NARA's requirements for electronic records management are included in the scope and planning for EIS, to include the use of the NARA UERM technical requirements.
- (14) Assess records management practices in offices for which they have been assigned oversight responsibility at least every 2 years.
- (15) Ensure records are maintained in a cost-effective manner and records storage facilities meet the requirements of applicable Federal regulations.
- (16) Review and approve costs for storage of agency records including the invoices for records stored in the Federal Records Centers, and leases for commercial records storage.
- (17) Actively work to reduce paper records holdings and consolidate/close agency operated records holding facilities in accordance with NARA directives.
- (18) Ensure departing employees identify and transfer records, in an accessible format (e.g., decrypting encrypted email and files), in their custody to an appropriate custodian, or the person assuming responsibility for the work.
- (19) Must participate in the RMWG.
- (20) Ensure the requirements of E.O.13526 Section 3.3 are met for the records under their cognizance. For classified permanent records ensure the following:
 - (a) Verifys Office of Classification (OC) and Field Classification Offices (FCO) conduct declassification reviews, and the records receive a Kyl-Lott review and NA 14130 form which is provided for records prior to transfer.
 - (b) Inform OC and FCO of classified permanent records overdue for declassification review within 30 days of discovery.
 - (c) Notifys OC and FCO of newly created permanent classified records collections within 30 days of discovery.
 - (d) Review and revise applied record schedules as necessary to ensure adequate identification of record types requiring designation as classified permanent records subject to declassification review in accordance with E.O. 13526, Section 3.3.
 - (e) Work with the DRO to obtain NARA approval of revised schedules. Based on the record schedules, annually inform OC and FCO of the planned creation of classified permanent collections that will require review by OC or FCO over the next five years.

This notification should include the estimated date of the creation, the estimated time period of the records, and the estimated quantity of records involved.

k. Records Management Field Official (RMFO).

- (1) A senior records manager who represents a field site, office, or laboratory to implement the records management program at their respective organizations; who serves as liaison with the ARO or DOE HQ PRO and provides oversight and guidance to federal and contractor records management programs.
- (2) Ensures a records management program is implemented at field sites, including contractor sites, in accordance with 36 CFR, Chapter 12, Subchapter B Records Management, and the requirements set forth in this Order.
- (3) Ensures that local and organizational records management procedures are consistent with laws, regulations, policies, and DOE Records Management Program guidance and direction.
- (4) Ensures that records management training is in place and guidance for records questions is easily accessible for organizational employees.
- (5) Reviews and coordinates research and responses to records and information controls and requests, including litigation holds, preservation notices, discovery requests, record inventories, file plans, and departmental moratoriums.
- (6) Develops and implements internal controls to ensure permanent records are retained and appropriately accessioned to NARA in accordance with NARA approved records disposition schedules.
- (7) Provides oversight, guidance, and direction to CRCs and other DOE contractor personnel involved with records management program activities and efforts dealing with or impacting Federal records.
- (8) Provides oversight for and/or conducts records management assessments for field sites, including contractor sites. Records management assessments must be completed at least every 2 years in accordance with paragraph 4.a.(18) of this Order.
- (9) Conducts or assists in local records management self-assessments or audits.
- (10) Ensures field records management activities and information are coordinated and communicated with the ARO, PRO and DOE Records Management Program, as appropriate.

- (11) Must participate in the RMWG.
- (12) Reviews and approves storage expenses for agency records stored in Federal Records Centers.
- (13) Coordinates with local FRC officials to ensure adequate and appropriate records support services for DOE records, including submitting appropriate and timely access requests, revisions, and cancellations to/through the DOE Records Management Program and local FRC.
- (14) Reviews and approves commercial storage leases in coordination with the PRO to ensure regulatory requirements are met.
- (15) Approves RLO, CRC, and AERL appointments to support and provide day-to-day administration of the records management program at field sites, including contractor sites.

1. Records Liaison Official (RLO).

- (1) A federal or contractor representative for a program, staff or support office (in DOE HQ and the field) to provide day-to-day administration of an organization's records management program and to act as liaison with the ARO, PRO or RMFO as appropriate.
- (2) Assists with the development of local records management procedures, as required.
- (3) Assists with preparation of records inventories.
- (4) Prepares and ensures the accuracy and completeness of records transfers, including accessions, and retrievals, disposals under the oversight and direction of the appropriate PRO or RMFO.
- (5) Provides input to ARO, PRO, or RMFO regarding records management planning and investments.
- (6) Reviews Federal Records Center storage and services bills for accuracy and completeness and advises ARO, PRO, or RMFO of discrepancies.
- (7) Conducts or assists in local records management self-assessments or audits.
- (8) Assesses local records management training and other requirements for recommendations to the ARO, PRO, or RMFO.
- (9) Reviews and coordinates research and responses to records and information controls and requests, including litigation holds, preservation notices, discovery requests, and departmental moratoriums.

- (10) Provides oversight, guidance, and direction to CRCs and other DOE contractor personnel involved with records management program activities and efforts dealing with or impacting Federal records.
- (11) Coordinates with local FRC officials to ensure adequate and appropriate records support services for DOE records, including submitting appropriate and timely access requests, revisions, and cancellations to/through the DOE Records Management Program and local FRC.
- (12) Must participate in the RMWG.

m. Contractor Records Coordinator (CRC).

- (1) Oversees and provides day-to-day administration, technical assistance, and direction of the contractor organization's records management program.
- (2) Acts as a contractor liaison with the RMFO or RLO, as appropriate.
- (3) Develops local records management procedures consistent with laws, regulations, policies, and DOE Records Management Program guidance.
- (4) Assists with preparation of their site's records inventories.
- (5) Prepares and ensures accuracy and completeness of records transfers, including accessions, retrievals, and disposals.
- (6) Must participate in the RMWG.
- (7) Provides input to the RMFO or RLO regarding records management planning and investments.
- (8) Reviews FRC storage and services bills for accuracy and completeness and advises RMFO of issues.
- (9) Conducts or assists in local records management self-assessments or audits.
- (10) Assesses local records management training for recommendations to the RMFO.
- (11) Reviews and coordinates research and responses to records information controls and requests, including litigations holds, preservation notices, discovery requests, and departmental moratoriums.
- (12) Coordinates with local FRC officials to ensure adequate and appropriate records support services for DOE records.

n. Primary Essential Records Liaison (PERL).

- (1) Serves as the lead for coordinating and supporting essential records management for their respective organization.
- (2) Coordinates with the Departmental Essential Records Manager, Emergency Management Administrators, and Continuity Managers to ensure essential records are retrievable and emergency management personnel are trained consistent with requirements in DOE O 150.1, *Continuity Programs*, current version. PERLS ensure:
 - (a) Emergency operating records and legal and financial rights records are identified in accordance with established policies and procedures and that other essential records are addressed.
 - (b) Essential records inventories of their organization are maintained.
 - (c) Essential records are protected and retrievable.
- (3) Reviews COOP implementation plans or successor documents to ensure essential records are adequately documented in compliance with the plan.
- (4) Supports continuity activities, efforts, and initiatives impacting essential records management, such as assessing alternate operating facilities and media, equipment, and instructions for accessing essential records.
- (5) Assists with or leads annual essential records risk assessments for organization.
- (6) Ensures compliance of organization's essential records program.
- (7) Recommends AERL if required.

o. Alternate Essential Records Liaison (AERL).

- (1) Provides essential records support to the PERL for DOE HQ or applicable field locations.
- (2) Provides assistance and guidance to identify, document, and position essential records, and to protect and access essential records.
- (3) Supports continuity activities, efforts, and initiatives impacting essential records management, such as assessing alternate operating facilities and media, equipment, and instructions for accessing essential records.
- (4) Assists with annual local essential records risk assessment.
- (5) Reviews compliance of local essential records program.

p. DOE Forms Manager (DFM).

- (1) Serves as the lead for coordinating and supporting forms management for the Department.
- (2) Coordinates with the Program Forms Managers to ensure compliance with applicable federal statutes. DFM ensures:
 - (a) Inventories of forms are maintained and current;
 - (b) Electronic forms are designed using software for screen fillable data entry and utilize digital signatures;
 - (c) Forms are consistent, useable, and accessible;
 - (d) Forms are reviewed at least every three years.

q. Program Forms Manager (PFM).

- (1) Serves as the lead for coordinating and supporting forms management for their respective organization.
- (2) Coordinates with the DOE Forms Manager to ensure compliance with applicable federal statutes. PFMs ensure:
 - (a) Inventories of their organization's forms are maintained and current;
 - (b) Electronic forms are designed using software for screen fillable data entry and utilize digital signatures;
 - (c) Forms are consistent, useable, accessible, and necessary;
 - (d) Forms are reviewed at least every three years.

r. IT Service Provider.

- (1) Ensures records management electronic system capabilities are included in all new systems and technical lifecycle refresh for existing systems.
- (2) Ensures IT System inventories are conducted annually and provided to the Records Program Office.
- (3) Provides support for eDiscovery.

s. IT System Owner.

- (1) Serves as point of contact to ensure IT systems have the proper records keeping functionality and Federal records are being handled (IAW the UERM & 36 CFR, Chapter XII, Subchapter B).
- (2) Coordinates with records management officials to ensure IT systems have appropriate records disposition schedules incorporated and functioning within the systems.

t. Contracting Officers (COs).

- (1) Incorporate the CRD into affected contracts.
- (2) Work in partnership with ARO, PROs, RMFOs, RLOs, CRCs, or CO, as appropriate, to ensure applicable records scope, clauses, and the CRD are incorporated into contracts; to ensure contractor compliance with the records management requirements during performance; and to ensure appropriate agency records are managed and delivered or properly transitioned by contractors.
- (3) Transmit planning requirements to contractors to ensure appropriate information management policies, manuals, and mission-specific information requirements are clear under the terms of their contract.

u. Office of Classification.

- (1) Receives and reviews the list of Headquarters classified permanent collections due for declassification from the PRO and ARO for the next 5 years in accordance with E.O.13526 or successor orders.
- (2) Works with the PRO and ARO and the records management office to request the transfer of Headquarters classified records held in an FRC to the Office of Classification for review.
- (3) Conducts Headquarters records declassification reviews, provides Records Management Program Office a status update on the declassification process quarterly.
- (4) Informs the Records Management Program Office, PRO, and ARO of the planned time frame for their review of Headquarters program records and ensures the reviews are completed prior to the records date of transfer per the records schedule, if Office of Classification resources permit.
- (5) Provides the documentation package (signed Kyl-Lott Memo and completed NA 14130 form) to the records management program office to ensure the proper documentation of the review and to ensure the Headquarters records are properly transferred to NARA.

v. Field Classification Offices.

- (1) Receive and review the list of respective Field classified permanent collections due for declassification from the PRO and ARO for the next 5 years in accordance with E.O.13526 or successor orders.
- (2) Work with the PRO and ARO and the records management office to request the transfer of Field classified records held in an FRC to the respective Field Classification Office for review.
- (3) Conduct Field records declassification review, provide Records Management Program Offices status updates on the declassification process quarterly.
- (4) Inform the Records Management Program Office, PRO, and ARO of the planned time frame for their review of Field program records and ensures the reviews are completed prior to the records date of transfer per the records schedule, if Field Classification Office resources permit.
- (5) Provide the documentation packages (signed Kyl-Lott Memo and completed NA 14130 form) to the records management program office to ensure the proper documentation of the review and to ensure the Field records are properly transferred to NARA.

w. DOE Historians, Archivists, and Librarians.

- (1) Work with responsible PRO, ARO and the DRO to ensure historical records, archival holdings, photographs, maps, architectural/engineering drawings, and other record materials are identified, scheduled, and properly preserved in a NARA FRC where possible to support the proper preservation of DOE's historic records.
- (2) Prepare and provide to the DRO through the ARO, PRO, or RMFO an annual inventory and file plan of any records held in any on site DOE collection, including NNSA, EIA, and PMA's with historical, archival, and library value.
- (3) Collections of DOE records shall be properly managed to their NARA approved records schedules and if permanent must be transferred to NARA in accordance with the approved NARA schedule.
- (4) All Federal records remain the property of the federal government regardless of custody.
- (5) Historians, Archivists, and Librarians do not have authority to alter or delay a federal records schedule.
- (6) OSTI is exempt from this requirement.

- x. DOE/NNSA Office of the General Counsel.
- (1) Notifies the DRO when a hold on records disposition is needed to support litigation or other legal matters, the scope of the request, and when such holds are lifted. This requirement applies to any Office of Chief Counsel, where appropriate.
 - (2) Reviews DOE records disposition schedules for legal sufficiency within 30 days of receipt of such schedules from the DRO.
 - (3) Reviews DOE records prior to their final disposition to ensure a separate legal assessment is accomplished 30 days prior to the destruction or transfer.
6. INVOKED STANDARDS. This Order does not invoke any DOE technical standards or industry standards as required methods. Any technical standard or industry standard that is mentioned in or referenced by this Order is not invoked by this Order. Note: DOE O 251.1, Appendix J, current version provides a definition for “invoked technical standard.”
7. DEFINITIONS. See Attachment 2.
8. REFERENCES. See Attachment 3.
9. CONTACT. Questions concerning this Order should be addressed to the Departmental Records Officer, Office of the Chief Information Officer at doerm@hq.doe.gov or 301-903-3455.

BY ORDER OF THE SECRETARY OF ENERGY:



DAVID M. TURK
Deputy Secretary

ATTACHMENT 1
CONTRACTOR REQUIREMENTS DOCUMENT
DOE O 243.1C, *RECORDS MANAGEMENT PROGRAM*

This CRD establishes requirements for Department of Energy (DOE) and National Nuclear Security Administration (NNSA) contractors who create, use, maintain, receive, disseminate, transfer, or dispose of DOE records in connection with the performance of DOE-funded tasks or activities.

Regardless of the performer of the work, the contractor is responsible for complying with the requirements of this CRD. The contractor is responsible for flowing down the requirements of this CRD to subcontractors at any tier to the extent necessary to ensure the contractor's compliance with the requirements.

In addition to the requirements set forth in this CRD, contractors are responsible for complying with Attachments 2 and 3 to DOE O 243.1C, referenced in and made a part of this CRD, which provide program information applicable to contracts in which this CRD is inserted.

REQUIREMENTS. Manage Federal records in electronic format to the fullest extent possible in accordance with prescribed laws, regulations, directives, and processes to ensure adequate and proper documentation of DOE's organizations, missions, functions, policies, and decisions. See 44 U.S.C. Chapters 21, 29, 31, 33, and 35; 36 CFR Chapter XII Subchapter B, Records Management; and other National Archives and Records Administration (NARA) requirements and bulletins, as applicable.

1. Work with the Records Management Field Official (RMFO) to appoint Contractor Records Coordinator (CRC) and Alternate Essential Records Liaison (AERL) contact, and as applicable perform the CRC and AERL responsibilities outlined in paragraphs 5.m.(1-12) and 5.o.(1-5), in coordination with the RMFO.
2. Establish and implement a records management program that promotes the lifecycle of Federal records. Program must include the creation, receipt, maintenance, use and disposition of records regardless of media.
3. Store records in a manner that ensures ease of access, retrieval, and control. Storage systems must allow for access in accordance with 36 CFR 1236.
4. Store records electronically to the greatest extent possible. Plan to consolidate or close agency-operated records storage facilities and transfer holdings for storage at Federal Records Centers or NARA-certified commercial records storage facilities.
5. When records cannot be cost effectively digitized and stored electronically (e.g., paper, photo prints, negatives, film, etc.), records must be stored in facilities that meet the requirements of applicable Federal regulations found in 36 CFR, Subchapter B, Records Management. Follow DOE O 470.4, *Safeguards and Security Program*, current version, if classified records are to be stored in these locations.

6. Maintain up-to-date organizational records inventories, file plans in all formats, including electronic information systems (EIS) inventories that provide the identification, location, and retrieval of all categories of records created and received in the course of official business.

Contractors must submit record inventories, file plans, and EIS inventories to the DOE records management program on request.

7. Maintain and dispose of records in accordance with the DOE Records Disposition Schedules (RDS) and General Records Schedules (GRS) as posted on the DOE Office of the Chief Information Officer (OCIO) Records Management web page. Except as provided in #10 (below), use of the DOE RDS and GRS is mandatory and takes precedence over any other records retention instructions that are not approved by NARA.
8. Work with your records management team to update an existing approved schedule or submission of a new schedule. The Program Records Official (PRO), Records Management Field Official (RMFO), Records Liaison Official (RLO), and Contract Records Coordinator (CRC) must work with the Departmental Records Officer (DRO) or Agency Records Officer (ARO) and the records management community for review and approval prior to submission to NARA.

NOTE: Unscheduled records must be treated as permanent until a new schedule is approved by NARA.

9. Disseminate and implement new and revised DOE RDS and GRS within 6 months after issuance of the DOE/GRS Transmittal.
10. Preserve records beyond their approved retention periods when they have been placed under a destruction hold, freeze, or moratorium for purposes of audits, inspections, investigations, litigation, Freedom of Information Act, Privacy Act, or similar obligations.

NOTE: Only the entity that places the destruction moratorium can lift the moratorium. The DRO can lift a DOE imposed destruction moratorium in coordination with the DOE Office of General Counsel, NNSA Office of General Counsel, or an Office of Chief Counsel.

11. Ensure appropriate reviews are performed to meet DOE O 471.1, *Identification and Protection of Unclassified Controlled Nuclear Information*, current version; DOE O 471.7, *Controlled Unclassified Information*, current version; and DOE O 475.2, *Identifying Classified Information*, current version, prior to transfer to NARA.
12. Ensure the requirements of E.O.13526 Section 3.3 are met for the records under their cognizance. For classified permanent records ensure the following:
 - a. Verify local classification office conduct declassification reviews for classified records with a permanent retention, and the records receive a Kyl-Lott review and NA 14130 form which is provided for records prior to transfer.

- b. In coordination with RMFO or PRO inform local classification office of newly created permanent classified records collections or classified permanent records overdue for declassification review within 30 days of discovery.
- 13. Document a records disposition process to include the destruction of records and information content that demonstrates review and approval.
- 14. Ensure permanent records are accessioned to NARA in accordance with DOE RDS and effectively managed prior to transfer.

NOTE: NARA approval is required if there is a justified business need to retain permanent records longer than the NARA approved records schedule.
- 15. Ensure that annual moves to NARA for permanent records and quarterly notices of disposal from the Federal Records Center for the destruction of temporary records are supported and processed in a timely manner.
- 16. Historians, Archivists, and Librarians.
 - a. Work with responsible RMFO, PRO, ARO and the DRO to ensure historical records, archival holdings, photographs, maps, architectural/engineering drawings, and other record materials are identified, scheduled, and properly preserved in a NARA FRC where possible to support the proper preservation of DOE's historic records.
 - b. Prepare and provide to the DRO through the ARO, PRO, or RMFO an annual inventory and file plan of any records held in any on site DOE collection, including NNSA, EIA, and PMA's with historical, archival, and library value.
 - c. Collections of DOE records shall be properly managed to their NARA approved records schedules and if permanent must be transferred to NARA in accordance with the approved NARA schedule.
 - d. All Federal records remain the property of the federal government regardless of custody.
 - e. Historians, Archivists, and Librarians do not have authority to alter or delay a federal records schedule.
 - f. OSTI is exempt from this requirement.
- 17. Provide annual records management training to all personnel who create or receive Federal records, including subcontractors. Provide guidance and training to personnel about records management laws, regulations, and policies. Tailor training specific to the responsibilities, practices, and policies of the organization in compliance with NARA requirements. Report annually to the RMFO or RLO on the percentage of completed training.

18. Ensure federal records are stored in an accessible manner to allow for discovery. Ensure federal records are not stored in a personal drive or IT service area dependent on an individual account for access.
19. Ensure records containing PII are safeguarded in accordance with DOE O 206.1, *Department of Energy Privacy Program*, current version.
20. Ensure departing employees identify and transfer records, in an accessible format (e.g., decrypting encrypted email and files), in their custody to an appropriate custodian, or the person assuming responsibility for the work.
21. Conduct records management program evaluations at least every 2 years through surveillance or assessment. Evaluations may cover an individual element or the full program to ensure compliance with applicable Federal laws, regulations, DOE Orders, and NARA requirements and bulletins. Provide the ARO, PRO, RLO or RMFO a copy of the final report for forwarding to the Records Program Office.
22. Ensure Scientific and Technical Information (STI) records are submitted in accordance with DOE O 241.1, *Scientific and Technical Information Management*, current version. STI includes findings and technological innovations resulting from research and development (R&D) efforts and scientific and technological work of scientists, researchers, and engineers, whether federal employee, contractor, or financial assistance recipient; conveys the results of demonstration and commercial application activities as well as experiments, observations, simulations, studies, and analyses; and may be classified, CUI, or unclassified with no access restrictions.
23. Ensure records turnover is completed in accordance with the contract terms or work with the appropriate Contracting Officer to ensure Federal records in contractor custody are identified for turnover and/or delivery at completion or termination of the contract. Provide file plans and documentation of final disposition (e.g., finding aids, destruction certificates, electronic records management systems) including a complete inventory of records to be delivered or transitioned to a successor contractor.
24. Electronic Records. Electronic record keeping (ERK) functionality must either be maintained or built into the system technical requirements management process for new or existing systems used to create or receive records. If such system functionality is not available within electronic information systems (EIS), records must be captured in a system that satisfies NARA's Universal Electronic Records Management (UERM) Requirements.

Records management controls must be present in EIS to ensure the reliability, authenticity, integrity, usability, content, and context of DOE records created or received in its business processes. Compliance with electronic records management requirements means the following is implemented at the soonest possible lifecycle refresh or into the baseline for a new system or service.

- a. Ensure records controls are maintained when using commercial or government cloud environments, managed services, or on-premise environments.

- (1) Controls should be in place to monitor changes to third-party terms of service that may affect the management of the records.
 - (2) If the cloud services are changed or updated, the contractor must continue to meet its records management responsibilities by migrating the records to another system or repository. The system receiving the migrated records must have appropriate security and records management controls in place to manage the records throughout the entire lifecycle, including preventing the unauthorized access or disposal of records.
- b. Metadata for a record must, where possible, consist of a description of the content of the record; the structure of the record (form, format, and relationships between record components); the business context in which the record was created, relationships with other records and metadata, identifiers and other information needed to retrieve the record, and the business actions and events involving the record throughout its lifecycle.
 - (1) Records systems must define metadata to enable the identification and retrieval of records; associate records with changing business rules, policies, and mandates; (e.g.; associate records with records owner, authorizations, and rights with regards to the records; associate records with their business activities; and track processes carried out on records).
 - (2) The metadata for a record must be protected from unauthorized deletion and must be retained or destroyed in accordance with the record's appropriate authorized retention schedule.
 - (3) Once the record has been captured, the associated metadata must be fixed and kept as transactional evidence.
 - (4) Analog records that require digitization must follow NARA regulations for digitization, including metadata, which varies depending on either the permanent or temporary status of the record.
 - (5) When dispositioning permanent records, metadata must be preserved and included with the transfer.
- c. To protect records against technological obsolescence, regardless of the storage environment and media, the contractor must:
 - (1) Determine if the NARA approved retention period for the records will be longer than the life of the system. If so, agencies must migrate the records and their associated metadata before retiring the current system.
 - (2) Ensure hardware and software can retain the electronic records' functionality and integrity regardless of the storage environment. To retain functionality and integrity, the contractor must:

- (a) Keep the records in a usable format until their authorized disposition date. If records must be converted for migration, records must be maintained and disposed of in the authorized manner after conversion;
 - (b) Ensure electronic forms are designed using software for screen fillable data entry, utilize digital signatures, and promote fully digital workflows;
 - (c) Plan for technology obsolesce, and ensure updated hardware and software remains compatible with current data formats as necessary and data is preserved as a federal record until disposition requirements are met;
 - (d) Maintain a link between records and associated metadata when converting or migrating. This includes capturing relevant associated metadata at the point of migration (for both the records and the migration process);
 - (e) Ensure verification of successful records transfers (including metadata) after migration.
- d. Access rights and permission rules for electronic records should be based on the activity or business function related to the records.
- e. Dispose of temporary electronic records in accordance with assigned, approved schedules, including backup or working copies in any format, to protect sensitive, proprietary, or national security information and prevent access or reuse in the future.
- f. Manage email records in an electronic format, along with associated metadata, using GRS 6.1, Email Managed under a Capstone Approach, including name of sender and all addressees, date and time email sent and received, in addition to contacts, calendars, mailbox folders and attachments. Email is managed as a role-based record in its entirety.
 - (1) Official business must be conducted using authorized Federal email accounts. Business conducted through non-official accounts must be captured on an official Federal email account within 20 calendar days of creation or receipt.
 - (2) Official email must be captured and handled as a federal record, regardless of the number of official accounts an employee may be assigned.
 - (3) Email records determined to be of permanent value must be transferred to NARA as an electronic record in the current NARA approved format.

- (4) Documented procedures must be in place for systems that can produce, manage, and preserve email records in an acceptable electronic format until disposition. Additionally, systems must support the implementation of policy requirements outlined in this order, to include lifecycle management, preservation, security, integrity, and the accessibility of email records throughout their lifecycle.
 - (5) Determine if email messages should also be captured as program or project records using appropriate schedules.
 - g. Instant messaging, text messages, and chat messages are authorized for Federal business use as long as they are on an official government owned or approved network and automatically captured for records management purposes. Electronic communication platforms that cannot be or are not captured or transferred to an official government approved network or system in an automated and auditable manner are not authorized for official government business and should not be installed on GFE
 - h. Public/external social media platforms or alternate tools/applications used for official government business that result in the creation of a Federal record require appropriate capture and management in accordance with a NARA approved record schedule.
 - i. Capture and manage records created or received via public/externally-owned websites and portals used for Departmental business. Manage website administration, operations, and maintenance records in accordance with a NARA approved record schedule.
25. Essential Records. Establish and sustain an essential records program to ensure continuity of operations (COOP) during and after an emergency as prescribed by laws, regulations, and directives, that ensures DOE makes and preserves records of the Department's organizations, missions, functions, policies, decisions, procedures, and essential transactions. The program must be designed to furnish the information necessary to protect the emergency operating records and legal and financial rights records of DOE and persons directly affected by its activities. See 44 U.S.C. 3101, 36 CFR Part 1223, Managing Vital Records.
- a. Identify records, regardless of format, that specify how DOE will operate in an emergency or disaster and necessary to continue operations. Identify and protect legal and financial rights records. Document decisions made for selection, maintenance, retrieval, and protection of essential records.
 - b. Ensure essential records are accessible per the COOP guidance in the Federal Continuity Directive 1 (FCD 1), Federal Executive Branch National Continuity Program and Requirements.

- c. Ensure locations in which essential records are stored such as alternate emergency operations centers (EOCs), command centers, and relocation sites provide adequate protection and accessibility.
- d. Essential records must be reviewed, inventoried, and identified annually, irrespective of format and media. Essential records and backup copies must be cycled as needed to ensure the most current versions are available.
- e. Ensure essential records inventories are added as attachments or appended to the COOP plan. Provide essential records information to appropriate emergency management officials and/or pre-position records where appropriate.
- f. Retain essential records for the period of time specified in the applicable NARA approved records schedules.
- g. Where duplication and dispersal is the method of protection, copies of essential records would become the record if the primary location becomes unavailable.

ATTACHMENT 2: DEFINITIONS

This Attachment provides information applicable to DOE O 243.1C, *Records Management Program*, and contracts in which the CRD (Attachment 1 to DOE O 243.1C) is inserted.

1. ADEQUATE AND PROPER DOCUMENTATION. Record of the conduct of Government business that is complete and accurate to the extent required to document the organization, functions, policies, decisions, procedures, and essential transactions of the agency and that is designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities (36 CFR 1220.18, Definitions).
2. ALTERNATE ESSENTIAL RECORDS LIAISON. See Section 5 Responsibilities.
3. APPRAISAL. Process by which NARA determines the value and the final disposition of Federal records, designating them either temporary or permanent (36 CFR 1220.18).
4. ARCHIVES AND RECORDS CENTERS INFORMATION SYSTEM (ARCIS). NARA's online portal through which agencies will conduct business with the FRCs. Allows agencies to handle transactions online, reducing paperwork and saving time. The system also allows you to track your transactions electronically (National Archives).
5. AUDIT. An independent assessment of an entity's operations, at all levels of the government. The scope of an audit varies, but usually includes an assessment of effectiveness, efficiency, and compliance to legal requirements.
6. CAPITAL PLANNING AND INVESTMENT CONTROL (CPIC). A decision-making process for ensuring that information technology (IT) investments integrate strategic planning, budgeting, procurement, and the management of IT in support of agency missions and business needs. The term comes from the Clinger-Cohen Act of 1996 and generally is used in relationship to IT management issues [Office of Management and Budget (OMB) Circular A-11, *Preparation, Submission, and Execution of the Budget*].
7. CAPSTONE. Capstone is the NARA recommended approach to email records management that offers agencies the option of using a more simplified approach to managing email, eliminating the need to write a unique agency schedule. Participating in Capstone allows an agency to use GRS 6.1 (National Archives).
8. CAPTURE. The processes or actions taken on records to ensure proper management according to its NARA approved records schedule.
9. CONTINUITY OF OPERATIONS (COOP). An effort within individual executive departments and agencies to ensure Primary Mission Essential Functions (PMEFs) continue to be performed during a wide range of emergencies, including localized acts of nature, accidents and technological or attack-related emergencies (FCD 1).

10. CONTINUITY OF OPERATIONS (COOP) COORDINATORS. Program office, staff office, or field representative who represent and are the point of contact for their office or field element regarding continuity of operations.
11. CONTRACTOR/CORPORATE-OWNED RECORDS. Records not identified as Federal records (such as company proprietary information, records unrelated to the work performed under a federal contract, and other similar records) that belong to the contractor. Contractor/corporate-owned records are defined in the contract and/or through the Access to an Ownership of Records clause (48 CFR 970.5204.3). Privacy Act Systems of Records [Federal Acquisition Regulation (FAR) 52-224-2] are NOT contractor-owned records.
12. CONTRACTOR RECORDS COORDINATOR. See Section 5 Responsibilities.
13. CONTROLLED UNCLASSIFIED INFORMATION (CUI). Information the Government creates or possesses, or that an entity creates or possesses for or on behalf of the Government, that a law, regulation, or Government-wide policy (LRGWP) requires or permits an agency to handle using safeguarding or dissemination controls. CUI does not include classified information or information a non-executive branch entity possesses and maintains in its own systems that did not come from, or was not created or possessed by or for, an executive branch agency or an entity acting for an agency.
14. DIGITAL SIGNATURE. An electronic signature comprised of encrypted identification certificates. When properly implemented, provides a mechanism for verifying origin authentication, data integrity and signatory non-repudiation (e.g. PIV/CAC certificates).
15. DIRECTOR OFFICE OF CONTINUITY PROGRAMS. On behalf of the DOE Continuity Coordinator, the Director, Office of Continuity Programs serves as the Department's Continuity Program Manager and oversees day to day activities for the continuity program and administers support to DOE/NNSA offices and components to ensure that leadership and continuity personnel are properly trained and facilities properly equipped to execute the DOE Continuity Plan and the NNSA COOP Plan.
16. DISPOSITION. Any activity with respect to:
 - a. Disposal of temporary records no longer needed for the conduct of business by destruction or donation.
 - b. Transfer of records to federal agency storage facilities or records centers.
 - c. Transfer to the National Archives of the United States (see definition) records determined to have sufficient historical or other value to warrant continued preservation.
17. DEPARTMENT OF ENERGY RECORDS. Federal records owned by the Department of Energy. See Federal records definition (#28).

18. DEPARTMENT OF ENERGY RECORDS DISPOSITION MANUAL (DOE RDS). A comprehensive and authoritative source for NARA approved records disposition schedules.
19. DEPARTMENTAL ELEMENT. A first-tier organization at Headquarters and in the field. First-tier at Headquarters encompasses heads of the major Headquarters line programs, e.g., Program Secretarial Officers. First-level field element refers to first-level organizations located outside the Washington Metropolitan area and encompasses Operations Offices, Site Offices, Field Offices, and Regional Offices. Additional information is noted in the Correspondence Style Guide as directed by the Office of the Executive Secretariat.
20. ELECTRONIC FORM. A form designed using software to create screen fillable data entry often with the capability of printing, saving, signing, distributing, and tracking electronically.
21. ELECTRONIC INFORMATION SYSTEM (EIS). An information system that contains and provides access to computerized Federal records and other information (36 CFR 1236.2, Definitions).
22. ELECTRONIC DOCUMENT MANAGEMENT (EDM). Functionality to support the computerized management of electronic and paper-based documents. Associated components include a system to convert paper documents to electronic form, a mechanism to capture documents from authoring tools, a database to organize the storage of documents, and a search mechanism to locate and retrieve the documents (National Archives).
23. ELECTRONIC RECORD. Information in an electronic state, determined to be a record, recorded in a form only a computer can process and that satisfies the definition of a federal record under the Federal Records Act. The term includes both the record content and the associated metadata the agency determines is required to meet agency business needs (36 CFR 1220.18).
24. ELECTRONIC SIGNATURE. An electronic character, seal, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to acknowledge, authorize, or certify.
25. EMERGENCY OPERATING RECORDS. Records essential to the continued functioning or reconstitution of an organization during and after an emergency. Included are emergency plans and directives, orders of succession, delegations of authority, staffing assignments, selected program records needed to continue the most critical agency operations, as well as related policy or procedural records that assist agency staff in conducting operations under emergency conditions and for resuming normal operations after an emergency (National Archives Essential Records Guide of August 2018).
26. ESSENTIAL RECORDS. Records an agency needs to meet operational responsibilities under national security emergencies or other emergency conditions (emergency

operating records) or to protect the legal and financial rights of the Government and those affected by Government activities (legal and financial rights records). Previously referred to as vital records (36 CFR 1223.2b, NARA Essential Records Guide).

27. FEDERAL INFORMATION TECHNOLOGY ACQUISITION REFORM ACT (FITARA). Establishes requirements and authorities for the acquisition, investment management, oversight, and governance of information technology (IT) in Federal agencies. These requirements, including records management requirements, challenge Federal agencies to ensure the Agency CIO has true oversight and decision-making authority over IT FEDERAL INFORMATION TECHNOLOGY ACQUISITION REFORM ACT (FITARA, December 2014).
28. FEDERAL 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 (44 U.S.C. 3301 and 36 CFR 1220.18).
29. FILE PLAN. The basic structure in records management that groups together records with similar characteristics. File plans can be a subset of the entire DOE/GRS record schedule series that would be specific to an organization, project, program, or location within an agency. At a minimum, a file plan includes the series, description, disposition instruction (retention) and authority, and other specific instructions that provide guidance for effective management of records (e.g. identifying number, title, organization, locations) (36 CFR Chapter XII subchapter B, 36 CFR 1220.34(i), and 36 CFR 1225.12(b)).
30. FORM. A fixed arrangement of captioned spaces designed for gathering, organizing, and transmitting prescribed information. A form must comply with all regulations cited in 41 CFR 102-193, 44 USC 3101 and 36 CFR 1220.30.
31. FREEDOM OF INFORMATION ACT (FOIA). A United States federal law that grants the public access to information possessed by government agencies. Upon written request, U.S. government agencies are required to release information unless it falls under one of nine exemptions listed in the Act (5 U.S.C. § 552, Freedom of Information Act, as amended, Public Law 114-185 - June 30, 2016).
32. INFORMATION SYSTEM. The organized collection, processing, transmission, and dissemination of information in accordance with defined procedures, whether automated or manual (36 CFR 1220.18).
33. INSTANT MESSAGING (IM). IM is a type of communication service that allows individuals or groups of individuals to have real-time chat sessions amongst themselves. IM is generally used as an alternative or supplement to traditional email communications.

34. INVENTORY. A systematic process used to discover, identify, and review an organization's systems, records holdings, forms, and processes.
35. LEGAL AND FINANCIAL RIGHTS RECORDS. Records critical to carrying out an organization's essential legal and financial functions vital to the protection of the legal and financial rights of individuals who are directly affected by that organization's activities. These records include high value records whose loss would significantly impair the execution of essential functions to the detriment of the legal or financial rights and entitlements of the organization and the affected individuals (NARA Essential Records Guide).
36. LITIGATION HOLD. A litigation hold is issued by the General Counsel, who notifies appropriate DOE contacts when litigation involving DOE is ongoing or reasonably anticipated. A hold suspends any and all disposition actions on records that relate to or are affected by pending or ongoing litigation. Using a litigation hold ensures the records are available for use during court proceedings. Programs should suspend disposition actions for records identified as responsive to the litigation hold notice.
37. METADATA. Preserved contextual information describing the history, tracking, and/or management of an electronic document (36 CFR 1220.18).
38. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA). An independent agency of the United States government charged with the preservation and documentation of government and historical records. It is also tasked with increasing public access to those documents which make up the National Archives (National Archives).
39. NATIONAL ARCHIVES OF THE UNITED STATES. Collection of records selected by the Archivist of the United States because they have sufficient historical or other value to warrant their continued preservation by the Federal Government and that have been transferred to the legal custody of the Archivist of the United States (36 CFR 1220.18).
40. NON-RECORD MATERIALS. Federally owned informational materials that do not meet the statutory definition of "records" (44 U.S.C. 3301) or have been excluded from coverage by the definition. Excluded are extra copies of documents kept only for reference, stocks of publications and processed documents, and library or museum materials intended solely for reference or exhibit (36 CFR 1220.18).
41. PERMANENT RECORDS. Any federal record that has been determined by NARA to have sufficient value to warrant its preservation in the National Archives of the United States, even while it remains in agency custody. The term also includes all records accessioned by NARA into the National Archives of the United States (36 CFR 1220.18).
42. PRIMARY ESSENTIAL RECORDS LIAISON. See Section 5 Responsibilities.
43. PRIVACY ACT. A United States federal law that governs the collection, maintenance, use, and dissemination of personally identifiable information about individuals that is maintained in systems of records by federal agencies (5 U.S.C. § 552a).

44. PROGRAM RECORDS OFFICIAL (PRO). See Section 5 Responsibilities.
45. RECORDKEEPING SYSTEM. Manual or electronic system that captures, organizes, and categorizes records to facilitate their preservation, retrieval, use, and disposition (36 CFR 1220.18).
46. RECORDS. See item #28, Federal Records.
47. RECORDS LIAISON OFFICIAL (RLO). See Section 5 Responsibilities.
48. RECORDS LIFECYCLE. A concept used to describe how a record is handled throughout its lifespan. The records lifecycle has three main phases: creation, maintenance and use, and disposition.
49. RECORDS MANAGEMENT. Planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of Agency operations [44 U.S.C. 2901(2)].
50. RECORDS MANAGEMENT FIELD OFFICIAL. See Section 5 Responsibilities.
51. RECORDS MANAGEMENT WORKING GROUP (RMWG). A monthly meeting of the DOE records management community members to provide guidance, direction and coordination for the Department of Energy's Records Management Program so that all applicable laws, regulations and directives related to records management are implemented in an efficient and effective manner throughout the Department. The RMWG meetings serve as a direct line of communication between the Headquarters Records Management Program and records management staff at headquarters offices, laboratories and field sites to share information, knowledge and resources to promote collaboration and to improve the management and execution of the Department's records management program in support of achieving DOE missions.
52. RECORDS REVIEW PLAN (KYL-LOTT AMENDMENT). Records Review Plan developed by the Department of Energy in response to the Kyl-Lott Amendment to the Defense Authorization Act. The Plan outlines the actions taken to provide documentation certifying a declassification and referral review has been conducted as required by E.O.13526 and the Special Historical Records Review Plan (Public Laws 105-21 and 106-65) for records being transferred.
53. RECORDS SCHEDULE. This identifies records as either temporary or permanent. All records schedules must be approved by NARA. A records schedule provides mandatory instructions for the disposition of the records (including the transfer of permanent records and disposal of temporary records) when they are no longer needed by the agency. As part of the ongoing records life cycle, disposition should occur in the normal course of agency business. Federal records must be scheduled (44 U.S.C. 3303) either by an agency schedule or a General Records Schedule (GRS).

54. SCHEDULE. A request for disposition authority approved by NARA to authorize the disposition of Federal records. The DOE records disposition schedules are posted on the DOE Chief Information Officer Records Management web page.
55. SERIES. File units or documents arranged according to a filing or classification 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 records series (36 CFR 1220.18).
56. SOCIAL MEDIA RECORDS. Refers to the various activities integrating web technology, social interaction, and user-generated content. Social media includes blogs, wikis, social networks, photo libraries, virtual worlds, location-based services, and vidE.O.sharing sites. Agencies use social media internally and externally to share information, support business processes, and connect people to government.
57. SYSTEMS LIFECYCLE. A term used in systems engineering, information systems, and software engineering to describe the process for planning, creating, testing, deploying, maintaining, and dispositioning an information system. The systems development life-cycle concept applies to a range of hardware and software configurations.
58. TEMPORARY RECORDS. Federal records NARA approves for either immediate disposal or for disposal after a specified time or event (36 CFR 1220.18).
59. UNSCHEDULED RECORDS. Federal records whose final disposition has not been approved by NARA on a SF 115, Request for Records Disposition Authority. Such records must be treated as permanent until a final disposition is approved (36 CFR 1220.18).
60. WORKFLOW. A workflow consists of an orchestrated and repeatable pattern of activity, enabled by the systematic organization of resources into processes that transform materials, provide services, or process information.

ATTACHMENT 3: REFERENCES

This Attachment provides information applicable to DOE O 243.1C, *Records Management Program*, and contracts in which the CRD (Attachment 1 to DOE O 243.1C) is inserted. DOE Guides are provided for reference only.

1. PUBLIC LAW.

- a. 21st Century Integrated Digital Experience Act (IDEA), Pub. L. 115-336.
- b. E-Government Act of 2002, Pub. L. 107-347, 44 U.S.C. Ch 36, Management and promotion of Electronic Government Services.
- c. Electronic Signatures in Global and National Commerce Act (eSignature ACT), Pub. L. 106-229.
- d. Federal Information Technology Acquisition Reform Act (FITARA), Pub. L. 113-291.
- e. Federal Records Act, Pub. L. 113-187, as amended.
- f. FOIA Improvement Act of 2016, Pub. L. 114-185.
- g. Kyl-Lott Amendment of Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, Pub. L. 105-261, Sec. 3161.
- h. National Nuclear Security Administration Act, Title XXXII of Pub. L. 106-65.
- i. Paperwork Reduction Act of 1995, Pub. L. 104-13, 44 U.S.C. §3501 et seq.

2. UNITED STATES CODE (U.S.C.).

- a. 5 U.S.C. § 552 Freedom of Information Act or FOIA (as amended).
- b. 5 U.S.C. § 552a. The Privacy Act 1974 (as amended).
- c. 42 U.S.C. § 7158, Naval Reactor and Military Application Programs.
- d. 44 U.S.C., Chapters 21, 29, 31, 33 and 35.
- e. 44 U.S.C. § 2901 (2) Definitions.
- f. 44 U.S.C. § 3101, Records management by agency heads; general duties.
- g. 44 U.S.C. § 3301, Definition of records.
- h. 44 U.S.C. § 3303, Lists and schedules of records to be submitted to Archivist by head of each Government agency.

- i. 50 U.S.C. § 2406, Deputy Administrator for Naval Reactors.
- j. 50 U.S.C. § 2511, Naval Nuclear Propulsion Program.
- 3. UNITED STATES CODE OF FEDERAL REGULATIONS (CFR).
 - a. 36 CFR Chapter XII Subchapter B, Records Management.
 - b. 36 CFR §1220.18, Definitions.
 - c. 36 CFR Part 1223, Managing Vital Records.
 - d. 36 CFR Part 1236, Electronic Records Management.
 - e. 41 CFR § 102-193, Creation, Maintenance, and Use of Records (GSA role).
 - f. 48 CFR §4.805, Storage, handling, and contract files.
 - g. 48 CFR §52.224-2, Privacy Act.
 - h. 48 CFR §952.204-2, Security Requirements.
 - i. 48 CFR §952.204-70, Classification/Declassification.
 - j. 48 CFR §952.223-71, Integration of Environment Safety, and Health into Work Planning and Execution.
 - k. 48 CFR §952.223-72, Radiation Protection and Nuclear Criticality.
 - l. 48 CFR §952.223-75, Preservation of Individual Occupational Radiation Exposure Records.
 - m. 48 CFR §970.0404, Safeguarding Classified Information.
 - n. 48 CFR §970.0407, Contractor Records Retention.
 - o. 48 CFR §970.5204-3, Access to and Ownership of Records.
 - p. 48 CFR §970.5232-3, Accounts, Records, and Inspection.
- 4. EXECUTIVE ORDERS (E.O.).
 - a. E.O.12333, United States Intelligence Community Activities, dated 12-4-1981.
 - b. E.O.12344, Naval Nuclear Propulsion Program, dated 2-1-1982.
 - c. E.O.12656, Assignment of Emergency Preparedness Responsibilities, dated 3-16-2012.

- d. E.O.13526, Classified National Security Information, dated 12-29-2009 (32 CFR Parts 2001 and 2003).
 - e. E.O.13556, Controlled Unclassified Information, dated 11-4-2010 (32 CFR Part 2002).
5. DEPARTMENT OF HOMELAND SECURITY (DHS).
- Homeland Security, Federal Continuity Directive 1 (FCD 1), Federal Executive Branch National Continuity Program and Requirements, dated 1-2017.
6. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA).
- a. AC 01.2020 Memorandum to Federal Agency Contacts: Annual Move of Permanent Records.
 - b. Archives and Records Center Information System (ARCIS).
 - c. NARA Bulletin 2008-06, Records Storage Facility Standards, dated 8-25-2008.
 - d. NARA Bulletin 2014-04, Revised Format Guidance for the Transfer of Permanent Electronic Records, dated 1-31-2014.
 - e. NARA Bulletin 2015-04, Metadata Guidance for the Transfer of Permanent Electronic Records, dated 9-15-2015.
 - f. NARA Electronic Records Archives (ERA).
 - g. NARA Federal Records Management.
 - h. NARA publication, Essential Records Guide.
 - i. NARA publication, Guidance for Coordinating the Evaluation of Capital Planning and Investment Control (CPIC) Proposals for ERM Applications.
 - j. NARA Universal Electronic Records Management (UERM) Requirements
 - k. National Archives (NA) 14130 Classified Transfer Checklist.
7. OFFICE OF MANAGEMENT AND BUDGET (OMB).
- a. OMB Circular Number A-11, Preparation, Submission, and Execution of the Budget, dated 7-2020.
 - b. OMB Delivering Government Solutions in the 21st Century: Reform Plan and Reorganization Recommendations
 - c. OMB M-19-21, Transition to Electronic Records, dated 6-28-2019.

- d. Revision of OMB Circular No. A-130, *Managing Information as a Strategic Resource*, dated 7-28-2016.
8. DEPARTMENT OF ENERGY (DOE).
- a. DOE P 450.4, *Integrated Safety Management System Policy*, current version.
 - b. DOE O 150.1, *Continuity Programs*, current version.
 - c. DOE O 200.1, *Information Technology Management*, current version.
 - d. DOE O 206.1, *Department of Energy Privacy Program*, current version.
 - e. DOE O 206.2, *Identity, Credential, and Access Management (ICAM)*, current version.
 - f. DOE O 241.1, *Scientific and Technical Information Management*, current version.
 - g. DOE O 251.1, *Departmental Directives Program*, current version.
 - h. DOE O 414.1, *Quality Assurance*, current version.
 - i. DOE O 420.1, *Facility Safety*, current version.
 - j. DOE O 470.4, *Safeguards and Security Program*, current version.
 - k. DOE O 471.1, *Identification and Protection of Unclassified Controlled Nuclear Information*, current version.
 - l. DOE O 471.7, *Controlled Unclassified Information*, current version.
 - m. DOE O 475.2, *Identifying Classified Information*, current version.
 - n. DOE Information Resources Management (IRM) Strategy, FY 2018-2022.
 - o. DOE OCIO Records Management Processes, Procedure for Conducting a Records Inventory.
 - p. DOE Reference Book for Contract Administrators (Chapter 9).
 - q. Records Management Assessment Questionnaire/Checklist (see DOE Powerpedia webpages).
 - r. Records Management section of the DOE Chief Information Officer Website.
 - s. U.S. Department of Energy 2019-2022 Records Management Strategic Plan.

9. DOE GUIDES.

- a. DOE G 151.1-1, *Emergency Management Fundamentals and the Operational Emergency Base Program*, current version.
- b. DOE G 242.1-1, *Forms Management Guide*, current version.