

PART 101-11 RECORDS MANAGEMENT

101-11, 102-2 b)

§ 101-11.000 Scope of part.

This part prescribes policies and promulgates standards, procedures, and techniques for the economical and efficient management of records of Federal agencies.

Subpart 101-11.1—Federal Records; General

§ 101-11.101 General provisions.

§ 101-11.101-1 Authority.

The regulations in this subpart are issued pursuant to the authority contained in the Act of July 7, 1943, as amended (44 U.S.C. 366-376, 378-380), hereinafter referred to as the Records Disposal Act, and the records provisions of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 391-396, 397-401).

§ 101-11.101-2 Applicability.

The regulations in this subpart apply to all Federal agencies to the extent provided in the Acts cited in § 101-11.101-1, except that the disposal of court records shall be in accordance with the provisions of 48 U.S.C. 457. Section 3 of the Federal Property and Administrative Services Act (40 U.S.C. 472) defines "Federal agency" as "any executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate, House of Representatives, and the Architect of the Capitol and any activities under his direction)." The same section defines "executive agency" as "any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation."

§ 101-11.101-3 Records defined.

(a) Section 1 of the Records Disposal Act (44 U.S.C. 366) defines the term "records," as applied to the disposition of records, to include "all books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by any agency of the United States Government in pursuance of 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 Government or because of the informational value of data contained therein. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of the word 'records' . . . ."

(b) This definition also applies to the term "records" when used in the Federal Records Act of 1950, by virtue of section 511(a) thereof (44 U.S.C. 401(a)). The Federal Records Act of 1950 was enacted as Title V (sections 501-511) of the Federal Property and Administrative Services Act of 1949, as amended (44 U.S.C. 391-396, 397-401).

§ 101-11.101-4 Reports to the President and the Congress.

Section 508(b) of the Federal Records Act of 1950 (44 U.S.C. 398(b)) provides: "The Administrator shall, whenever he finds that any provisions of this title have been or are being violated, inform in writing the head of the agency concerned of such violations and make recommendations regarding means of correcting them. Unless corrective measures satisfactory to the Administrator are inaugurated within a reasonable time, the Administrator shall submit a written report thereon to the President and the Congress."

§ 101-11.102 Agency records management programs.

§ 101-11.102-1 Authority.

Section 506(b) of the Federal Records Act of 1950 (44 U.S.C. 396(b)) requires the head of each Federal agency to establish and maintain an active, continuing program for the economical and efficient management of the records of the agency.

§ 101-11.102-2 Program content.

Agency programs shall, among other things, provide for:

(a) Effective controls over the creation, the organization, maintenance and use, and the disposition of all agency records.

(b) Cooperation with GSA in developing and applying standards, procedures,

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and techniques designed to improve the management of records, assure the maintenance and security of records of continuing value, and facilitate the segregation and disposal of all records of temporary value.

(c) Compliance with the provisions of the Federal Records Act of 1950 and with the regulations issued thereunder.

(d) Compliance with § 101-25.104-2 in connection with the moratorium on the purchase of new filing cabinets.

### § 101-11.102-3 Creation of records.

Adequate records management controls over the creation of agency records shall be instituted to insure that important policies and decisions are adequately recorded; that routine operational paper work is kept to a minimum; and that the accumulation of unnecessary files is prevented. Effective techniques to be applied in this area include the application of systems for the control of correspondence, forms, directives and issuances, and reports; the minimizing of duplicate files; and the disposal without filing of transitory material that has no value for record purposes.

### § 101-11.102-4 Organization, maintenance, and use of records.

Provision shall be made for the continued analysis and improvement of such matters as mail handling and routing, record classification and indexing systems, the use of filing equipment and supplies, the reproduction and transportation of records, and work production standards relating thereto, to insure that records are maintained economically and efficiently and in such a manner that their maximum usefulness is attained.

### § 101-11.102-5 Disposition of records.

Provision shall be made to insure that records of continuing value are preserved but that records no longer of current use to an agency are promptly disposed of or retired. Effective techniques for accomplishing these ends are the development of records control schedules; the transfer of records to records centers and to the National Archives; the microfilming of appropriate records; and the disposal of valueless records.

### § 101-11.102-6 Liaison offices.

Responsibility for the development of the records management program shall be specifically assigned to an office or offices within each Federal agency. The office to which the major responsibility is assigned shall be reported for liaison purposes to the National Archives and Records Service.

### § 101-11.102-7 Annual summary of records holdings.

Each Federal agency shall submit to the National Archives and Records Service within 30 days after the close of each fiscal year a summary of its records holdings on Standard Form 136, Annual Summary of Records Holdings. (See § 101-11.4901.) Agencies are required to certify on SF 136 the status of their records control schedules. Instructions for preparing the report are on the form. Separate reports shall be submitted for each bureau or comparable organizational unit.

### § 101-11.103 Agency program evaluation.

#### § 101-11.103-1 Authority.

Section 505(c) of the Federal Records Act of 1950 (44 U.S.C. 395(c)) authorizes the Administrator of General Services to inspect or survey, personally or by deputy, the records of any Federal agency, as well as to make surveys of records management and records disposal practices in such agencies.

#### § 101-11.103-2 Evaluation by National Archives and Records Service.

Agency programs for controlling the creation, maintenance, and use of current records; for the selective retention of records of continuing value; and for the disposal of noncurrent records will be inspected periodically by the National Archives and Records Service. The objectives of these inspections are to:

(a) Determine agency compliance with the provisions of the Records Disposal Act and the Federal Records Act of 1950.

(b) Determine agency observance of the regulations set forth in this Subpart 101.11.1.

(c) Evaluate the effectiveness of agency records management programs.



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(d) Make maximum and proper use of Post Office Department services and facilities.

(e) Develop and install procedures that expedite and limit mail clearance, reviews, and signing.

(f) Provide central control with established schedules for messenger services.

§ 101-11.305 File—agency program responsibilities.

§ 101-11.305-1 The files management function.

The objectives of files management are to organize agency files so that needed records can be found rapidly, complete records are ensured, the selection and retention of records of archival value are facilitated, and the disposition of noncurrent records is accomplished promptly. All services are to be performed with maximum economy in personnel, equipment, and supplies.

§ 101-11.305-2 Files defined.

A file is basically a paper or folder of papers, but the term is used to denote papers, photographs, photographic copies, maps, machine-readable information, or other recorded information regardless of physical form or characteristics, accumulated or maintained in filing equipment, boxes, or machine-readable media, or on shelves, and occupying office or storage space. Stocks of publications and blank forms are excluded.

§ 101-11.305-3 Program requirements.

(a) Each Federal agency, in providing for effective controls over the creation of records, is expected to establish an appropriate program for the management of agency files (§ 101-11.301-2). The program will:

(1) Establish and implement standards and procedures for:

(i) Classifying, indexing, and filing records.

(ii) Providing reference services to filed records.

(iii) Locating active files to facilitate agency use of records.

(2) Implement the files classification, operations, and placement standards set forth in pertinent GSA Records Management Handbooks.

(3) Review the program periodically to determine the adequacy of the system and its effectiveness in meeting requests.

(b) Standards, guides, and instructions developed for the files management program are to be in published form, designed for easy reference and revision. They should be readily available to all employees concerned with files operations. In addition, pertinent information for users of files and reference services should be given the widest possible dissemination.

§ 101-11.305-4 Program implementation.

The following actions are generally basic to a files management program:

(a) Standardize classification and filing schemes to:

(1) Achieve maximum uniformity and ease in maintaining and using agency records.

(2) Facilitate disposal of records in accordance with applicable records disposal schedules.

(3) Facilitate possible later consolidation of identical type files presently maintained at different locations.

(b) Formally authorize official file locations. Prohibit the maintenance of files at other than authorized locations.

(c) Standardize reference service procedures to facilitate the finding, chargeout, and refiling of agency records.

(d) File accumulations of papers received at file locations on a daily basis.

(e) Standardize, to the maximum extent possible, the equipment and supplies used in filing and reference service operations. Use standard items stocked by the Federal Supply Service.

(f) Audit periodically a representative sample of the files for duplication, misclassification, or misfiles.

§ 101-11.306 Records equipment and supplies—agency program responsibilities.

§ 101-11.306-1 Managing records equipment and supplies.

The objectives of a records equipment and supplies management program are to ensure that equipment and supplies necessary and suitable to agency records operations, procedurally and economically, are available and are put to proper use. Modern equipment and supplies are now manufactured in a wide variety of types which, in most instances, are designed for special uses. Competent advice should be continuously available

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for design and operational improvements.

(6) Maintain a collection of significant directives which document the organization, functions, policies, decisions, and procedures of the agency. This collection will be an integral part of agency documentation deserving permanent preservation. (See §§ 101-11.202(c) and 101-11.403.)

(b) Standards, guides, and instructions developed for the directives management program are to be in published form, designed for easy reference and revision. They should be readily available to those responsible for originating and approving directives.

§ 101-11.209-4 Program implementation.

The following actions are generally basic to a directives management program:

(a) Standardize the format, typography, organization, assembly, and distribution of agency directives. Specifically:

- (1) Use 8" x 10½" page size as a norm.
  - (2) Use looseleaf pages for easy revision.
  - (3) Print on both sides of paper.
  - (4) Number and letter directives for easy page revision and supplementation.
  - (5) Identify temporary and permanent material by a feature that will readily distinguish one from another.
  - (6) Prepunch all pages—3-hole punch, ⅜" recommended.
  - (7) Restrict use of pen and ink changes.
  - (8) Distribute on a need-to-know and need-to-act basis.
- (b) Analyze all directives proposed for inclusion in the system to determine that:
- (1) The directive is necessary.
  - (2) No duplication, overlap, or conflict with other directives exists.
  - (3) The directive conforms with pertinent laws, Executive orders, regulations, and agency policy.
  - (4) Appropriate coordination and clearances have been completed.

(5) The proposed distribution includes appropriate using sources, but is limited to those who "need to know."

(c) Review all directives proposed for inclusion in the system for conformance with agency style, format, and editorial criteria.

§ 101-11.210 Automatic data processing records; agency program responsibilities.

§ 101-11.210-1 ADP records management function.

The objectives of ADP records management are to ensure efficient and economic automatic data processing by: Using proper recording and preservation techniques of machine instructions and operating procedures; establishing standards for proper maintenance, storage, and disposition of machine-readable records; developing optimum procedures for computer rooms and related support areas; and reviewing these recordkeeping practices on a continuing basis to find opportunities for improvement.

§ 101-11.210-2 ADP records management defined.

ADP records management includes maintaining a current file-by-file inventory of machine-readable records and the accompanying documentation for each file and maintaining these files in a facility in conformance with § 101-32.1205 while carrying out periodic checks to verify readability. Documentation of ADP records consists of functional and operational flow charts, physical file characteristics, recording mode information including basic coding structure (code books), recording system information, record layouts, printout plans (formats), and basic run instructions (run books).

§ 101-11.210-3 Program requirements.

(a) Each Federal agency, in providing for effective controls over the creation of records, is expected to establish an appropriate program for the management of ADP records (§ 101-11.201-1). The program will:

- (1) Prescribe the types of records to be used and maintained for the proper

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§ 101-11.207-3 Program requirements:

(a) Each Federal agency, in providing for effective controls over the creation of records, is expected to establish an appropriate program for the management of its internal reporting requirements (§ 101-11.201-1). The program shall:

(1) Establish and implement standards and procedures for identifying management information needed for planning, controlling, and evaluating.

(2) Establish and implement standards and procedures for designing management information systems, including the design of reports used in those systems.

(3) Establish and implement standards and procedures for initiating, identifying, reviewing, approving, preparing, and distributing internal reporting requirements.

(4) Provide essential management information concerning the number and types of reports in use and, for reports which require a significant amount of manpower and other resources, the estimated costs of development, operation, and use (§ 101-11.207-3(c)).

(5) Provide for the periodic review of approved reports for need, adequacy, design, and economy of preparation and use.

(6) Ensure that all applicable laws and statutes (e.g., Freedom of Information Act (5 U.S.C. 552), the Privacy Act of 1974 (5 U.S.C. 552a), and Federal Information Processing Standards (FIPS) (40 U.S.C. 759(f); 15 CFR 6)) are considered in the development of internal reporting requirements.

(b) Standards, guides, and instructions developed for the reports management program are to be published and designed for easy reference and revision. They shall be readily available to reports originators and users and to NARS for periodic review as part of the NARS records management evaluation program as prescribed in § 101-11.103, Agency program evaluation.

(c) Approval, modification, or disapproval of internal agency reporting requirements (§ 101-11.207-3(a)(3)) shall be based on an objective cost effectiveness evaluation in accordance with costing guidelines issued by the Office of Records Management, NARS, unless reporting is exempted in accordance with

§ 101-11.207-3(d). Cost estimates of internal reporting requirements shall cover the same reporting costs defined for interagency reports (§ 101-11.1106-1) and be based on the same costing alternatives specified for interagency reports (§ 101-11.1106-2).

(d) The following external reporting requirements are exempted from the provisions of this subpart (However, internal agency reporting requirements that may be developed by an agency in order to respond to an exempted external reporting requirement are subject to the provisions of this subpart.):

(1) Legislative branch requirements in statutes or congressional committee requests;

(2) Judicial branch requirements in court orders or other judicial determinations;

(3) Presidential requirements in Presidential directives; and

(4) OMB budgetary, program review and coordination, and legislative clearance requirements.

(e) If an agency determines that it cannot comply with all provisions of this subpart for a specific internal reporting requirement, selected program requirements may be waived by an appropriate agency program authority. As a minimum, all internal reporting requirements granted such waivers shall be assigned a summary cost estimate § 101-11.1106-2 (d) by the agency program authority.

§ 101-11.207-4 Program implementation.

The following actions are generally basic to a reports management program:

(a) Establish and maintain an inventory of internal and external recurring reports.

(b) Develop the kinds of reporting systems that best serve management.

(c) Analyze all reports inventoried and all reports submitted for approval to determine that:

(1) The information is adequate, necessary, meaningful, and useful;

(2) The information is obtained from the best available source and in the simplest manner;

(3) The reporting frequency is consistent with the time the information is actually needed; and

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§ 101-11.103-3 Agency internal evaluation.

Each agency should periodically inspect their records management programs within the agency, with the frequency and depth permitted by the agency's resources. These inspections

should have objectives similar to those listed in § 101-11.103-2, and should be designed to complement the inspections performed by the National Archives and Records Service. Criteria for agency self-inspection are available from the National Archives and Records Service.

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