

Department of the Interior Departmental Manual

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Series: Information Resources Management

Part 382: Records Operations

Chapter 11: Managing Records in Electronic Form

Originating Office: Office of Information Resources Management

382 DM 11

11.1 Purpose. The purpose of this chapter is to establish policy, assign responsibilities, provide guidelines, and establish requirements and procedures for records created, used, maintained, transmitted, and disposed of in electronic form. The contents of this chapter supplement the requirements of 380 DM 1, Records Management; 382 DM 1, Records Operations; and 384 DM 1, 2, 3, and 4, Records Disposition.

11.2 Authority. The creation, maintenance, and disposition of all official records, regardless of physical form, are controlled by the provisions of 44 U.S.C. Chapters 21, 29, 31, and 33; the Federal Information Resources Management Regulations (FIRMR), 41 CFR 201-22 and 201-45; and the National Archives and Records Administration (NARA) Regulations, 36 CFR 1220, 1222, 1228, and 1234.

11.3 Documentation Requirements. All bureaus and offices of the Department are required to create and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the Department and to have the capability to furnish the information necessary to protect the legal and financial rights of the Department and of persons directly affected by Department activities.

11.4 Definition. The term electronic form applies to all records created and stored on electronic or magnetic media.

11.5 Policy. All records created and maintained in electronic form will be retrievable, protected from unauthorized disclosure, and disposed of only in compliance with approved records disposal schedules (see 384 DM 3).

11.6 Responsibilities.

A. The Office of Information Resources Management. The Office of Information Resources Management (PIR) is responsible for the overall Departmental records management program, which includes records in electronic form, and will:

- (1) ensure compliance with Governmentwide policies and standards;

- (2) develop and administer Department policy and guidance;
- (3) ensure efficient and cost-effective use of electronic recordkeeping within the Department;
- (4) provide program management coordination and liaison with the General Services Administration (GSA) and NARA;
- (5) disseminate current electronic recordkeeping information to bureaus and the Office of the Secretary; and
- (6) perform periodic monitoring of electronic recordkeeping program activities Departmentwide.

B. Bureaus. Each bureau Records Management Officer will:

- (1) ensure compliance with the provisions of this chapter and all other records management policies;
- (2) have oversight responsibility in the creation, maintenance and disposition of all electronic records;
- (3) issue internal directives to include policy, practices and procedures to prevent the loss, removal, theft, or unauthorized access to official records created or acquired in electronic form, and submit a copy to PIR;
- (4) act as liaison with the Department in matters that relate to electronic recordkeeping; and
- (5) perform periodic evaluations of the electronic recordkeeping systems to ensure compliance with applicable laws, regulations, and Department and bureau policies, standards, and procedures.

C. Program Managers. All program managers (system owners), who currently operate an electronic system of records or plan to develop a new system of records are responsible for ensuring that the requirements of this chapter are implemented. Program managers will coordinate electronic records system activity with their bureau Records Management Officer in order to:

- (1) identify the official office of record for the records being created;
- (2) determine if the data being created is record or nonrecord material (see 382 DM 1.4);
- (3) determine in what form the official record will be maintained for its life cycle; i.e., paper, microfilm, tape, disk, or diskette;

- (4) establish procedures for identifying, cataloging, and labeling records when they are created;
- (5) establish an appropriate file and retrieval system; and
- (6) apply appropriate disposition instructions for the files being created.

D. ADP Managers and Contractors. It is the responsibility of both ADP Managers and contractors to accommodate the requirements of this chapter in developing electronic records systems, to ensure adequate documentation, apply authorized disposition, and provide system security to prevent unauthorized disclosure of the data contained in the system.

11.7 Standards. The National Bureau of Standards (NBS) has issued Federal Information Processing Standards Publications (FIPS PUBS) that are particularly relevant to records creation, storage, and transmission, using personal computers or other electronic office equipment. A list of pertinent FIPS PUBS can be found in Appendix 1 of this chapter.

11.8 Requirements and Procedures for Creating Records in Electronic Form.

A. Life Cycle Management. In establishing a system of records in electronic form, the full life cycle of the records (data) maintained in the system must be considered and the following steps taken prior to initiating data input.

- (1) Determine if the data is record or nonrecord material.
- (2) If the data is record material and updatable, establish periodic timeframes for the establishment of an entirely new file and storage of the old file (monthly, quarterly, annually) to ensure an audit trail of past data as well as current data in compliance with paragraph 11.3 of this chapter.
- (3) Review both Governmentwide and bureau comprehensive records disposal schedules and include appropriate disposal authority, instructions, and date in each file. If no authority is available, a request for disposal is to be submitted to NARA through the bureau Records Management Officer (see 384 DM 2 and 11.12 of this chapter).
- (4) If the records being maintained in the system contain information about individuals, and are retrieved by the individual's name or other personal identifier, then the records are subject to the provisions of the Privacy Act of 1974. See 383 DM 5 for requirements on documenting and publishing a description of the system of records.
- (5) If the records to be maintained in the system contain proprietary data or information about individuals (see 11.8A(4) above), or is security classified, adequate safeguards must be included in the system design to prevent unauthorized access.

B. Labeling. The need to retrieve electronically stored records requires adequate and accurate labeling during the creation of the records. Each tape, disk, or diskette should

include sufficient information for the records to be retrieved or disposed of, not only by the user, but by a colleague, a successor, or if appropriate, NARA.

(1) Tape Labels. External tape labels should include the organization responsible for the data; file title(s); date of creation and coverage; recording density (number of bits or characters recorded per inch (bpi) or (cpi)); type of internal labels, if applicable; volume series number; number of tracks and track bit assignments; character code/software dependency; record length; block size (e.g. fixed, variable, or mixed); disposition instructions; reel sequence if the file is part of a multi-reel set; and security determination.

(2) Disk/Diskette Labels. Disk/diskette labels should include the file or subject name and/or number; date, if appropriate; software and equipment dependency; and disposition instructions.

Note: If the label requirements of (1) and (2) above are contained in an automated management system, output from that system will suffice.

C. Electronic Indexing. The complexity of the indexing system is dependent upon the volume of records and the length of time they are to be retained. Electronic indexes should include at minimum the subject, date, user, and identification number; i.e., file code, contract or purchase order numbers.

D. System Documentation. System documentation will include machine programs, functional and operational flow charts, record of the coding structure (code book), printout plans, and basic machine run instructions (run books) which are to be maintained for the life of the system and for the life of the records maintained in the system.

11.9 Ensuring Records Retention. The ease of erasing or changing electronically stored records increases the risk of unauthorized disposal of official documentation. Substantial updates to electronic records constitute new records, while minor changes may not. When new records are created through substantial updating, the old record must be retained until authorized for disposition by NARA.

11.10 Data Transmission. Data transmitted via electronic message systems (EMS) (see 385 DM 7) are subject to the requirements of this chapter. EMS may be used for both formal or informal transmissions.

A. Formal Transmissions. Transmissions that are official communications which inform, direct, consult, clarify, request (data calls), or seek or grant approval are official records and must be retained until authorized for disposal.

B. Informal Transmissions. Communications equivalent to person-to-person or telephone conversations, exclusive of the requirements of a formal transmission (see 11.10A above), are considered informal transmission and are not official records and need not be documented.

11.11 **Storage.** Tapes, disks, and diskettes are to be stored in compliance with FIPS PUBS (see Appendix 1). Electronically stored data containing Vital Records (see 436 DM 1) are to be copied and stored off-site for the protection of the legal and financial rights of the Government, its employees, and the public.

11.12 **Disposal.** When information is converted from paper to electronic form, the nature, usefulness, and accessibility of the information changes. Therefore, the disposition of the information when maintained in electronic form may differ from the disposition when maintained in paper form. Electronic records derived from paper records must be separately scheduled. Although paper records may already be scheduled, the retention time should be reviewed for earlier disposition at the time the records are converted to electronic form. Electronic records authorized for disposal; i.e., shipped to a Federal Records Center (FRC) or NARA, or destroyed; must comply with the following requirements.

A. Records Authorized for Destruction. When NARA has approved the destruction of records, prompt destruction is essential. Managers should be aware that the provisions of the Freedom of Information Act (FOIA) apply to all records in existence in the agency, regardless of the physical form in which the records are maintained. A FOIA request for records maintained beyond their authorized destruction date would effectively bar the disposal of such records. To destroy records in electronic form the records are to be erased from the storage media (deleting the data from the system is not sufficient).

B. Records to be Transferred to a FRC or NARA. When NARA has determined that records stored on disks or diskettes are to be maintained for a long period of time, the information they contain must be converted to magnetic tape, paper, or microform. If conversion to magnetic tape is selected as the alternative best serving the interests of the Government, the conversion process and record sequence should be coordinated with NARA prior to conversion. The following applies to tapes scheduled for transfer.

(1) A file recorded on tape may be transferred to a FRC or NARA as soon as it becomes inactive or whenever the bureau/office cannot provide proper care and handling of the tape to guarantee the preservation of the information it contains.

(2) Tapes to be transferred to a FRC or NARA shall be on one-half inch 7 or 9 track tape reels (preferably 9 track), written in ASCII or EBCDIC, with all extraneous control characters removed from the data (except record length indicators for variable length records, or marks designating a datum, word, field, block or file), blocked no higher than 30,000 bytes per block, at 800, 1600, or 6250 bpi.

(3) The tapes shall be new or recertified tapes which have been passed over a tape cleaner before writing and shall be rewound under controlled tension.

(4) Documentation adequate for servicing and interpreting the records shall be transferred with them. The documentation shall include, but is not limited to:

(a) A completed Standard Form 277, Computer Magnetic Tape File

Properties, or its equivalent.

(b) The codebook specifications defining the data elements and their value that match the new format of the data (see 11.11B(2) above). If the specifications are contained in an automated data element dictionary, hard copy output from that system will suffice.

11.13 Judicial Use of Records. Unless there are specific statutory or regulatory requirements for paper records; i.e., medical records, the Federal Rules of Evidence (Rule 803(8)) provide that official records may be admitted as evidence in lieu of the personal appearance of the official responsible for the activity. The test of the rule follows:

The following are not excluded by the hearsay rule, even though the declarant is available as a witness:

... (8). Public records and reports.-- Records, reports, statements or data compilations, in any form, or public offices or agencies, setting forth (A) the activities of the office or agency, or (B) matters observed pursuant to duty imposed by law as to which matters there was a duty to report, excluding, however, in criminal cases matters observed by police officers and other law enforcement personnel, or (C) in civil actions and proceedings and against the Government in criminal cases, factual findings resulting from an investigation made pursuant to authority granted by law, unless the sources of information or other circumstances indicate lack of trustworthiness.

Under this rule, if the only record is electronic, procedures are to be established and followed so that (1) the date of the record can be determined, (2) the date of any alterations will be automatically recorded by the system, and (3) it will be evident that the document was authorized to be issued (Assigned) by an appropriate agency official. If these steps are not taken, the trustworthiness of the record could easily be called to question and it could be refused as evidence.

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Appendix 1

ELECTRONIC RECORD STANDARDS

The National Bureau of Standards has issued the following Federal Information Processing Standards Publications (FIPS PUBS) that are particularly relevant to records creation, storage, and transmission using personal computers or other electronic office equipment. Copies of these standards may be obtained from the National Technical Information Service (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161. (Note. - - FIPS PUBS with an asterisk are mandatory standards that are implemented in FIRMR, 41 CFR 201-8.)

- (1) FIPS PUB 46* Data Encryption Standard.
- (2) FIPS PUB 48 Guidelines on Evaluation of Techniques for Automated Personal Identification.
- (3) FIPS PUB 51* Magnetic Tape Cassettes for Information Interchange 3.810mm(0.150 in) Tape at 32 BPMM (800 BPI) Phase Encoded.
- (4) FIPS PUB 52* Recorded Magnetic Tape Cartridge for Information Interchange, 4-Track (6.30mm (1/4 in)), (63 BPMM (1600 BPI)), Phase Encoded.
- (5) FIPS PUB 54 Computer Output Microform (COM) Formats and Reduction Ratios, 16 mm and 105 mm.
- (6) FIPS PUB 65 Guidelines for ADP Risk Analysis.
- (7) FIPS PUB 73 Guidelines for Security of Computer Applications.
- (8) FIPS PUB 74 Guidelines for Implementing and Using the NBS Data Encryption Standard.
- (9) FIPS PUB 81* DES Modes of Operation.
- (10) FIPS PUB 82 Guideline for Inspection and Quality Control for Alphanumeric Computer-Output Microform.
- (11) FIPS PUB 83 Guideline on User Authentication Techniques for Computer Network Access Control.
- (12) FIPS PUB 91* Magnetic Tape Cassettes for Information Interchange, Dual Track Complementary Return-to-Bias (CRB). Four-states Recording on 3.81mm (0.150 in) tape.
- (13) FIPS PUB 93* Parallel Recorded Magnetic Tape Cartridge for Information Interchange, 4-Track, 6.30mm (1/4in) 63 BPMM (1600 BPI), Phase Encoded.
- (14) FIPS PUB 108 Alphanumeric Computer Output Microform Quality Test Slide.
- (15) FIPS PUB 1-2 Code of Information Interchange (ASCII)

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